City Council Meeting

September 15, 2026
6:00 PM

AGENDA

http://www.bonneylake.gov/

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

The public is invited to attend Council Meetings and Workshops. Options for attending are provided below.

In-Person: Bonney Lake Justice & Municipal Center at 9002 Main Street East in Bonney Lake
By phone: 323-792-6234 (Meeting ID: 678 478 69#)
By internet: Chrome- TEAMS Meeting Link (Meeting ID: 265 362 442 662 58)

(All public online cameras and microphones will be disabled except during audience comments for anyone who clicks the raise hand icon or had let the Clerks know your phone number in advance. Only staff and presenters will be visible and unmuted during the entire meeting.)

The City Council may add and take action on other items not listed on this agenda.

I. Call to Order

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 Brittany Rock.

C. **Agenda Modifications**

D. **Presentations**

1. The Chamber Collective Quarterly Update

II. Council Committee Reports

III. 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.)

A. **Approval of Payroll:** August 16-31, 2026 For Checks #35539-35548 Including Direct Deposits and Electronic Transfers Totaling $989,548.35. **Voids:** None.

B. **AB26-60 -** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Regarding Local Amendments To The International Building Code And International Residential Code; Repealing Subsections 15.04.082.Q, 15.04.083.E, And 15.04.083.Q Of The Bonney Lake Municipal Code To Remove The Local Amendments For Residential Accessory Structures And Fire Separation Requirements Between Garages And

Dwelling Units; Providing For Severability And Corrections; And Establishing An Effective Date.

IV. Full Council Issues

A. **AB26-62 -** (Must make a decision this Council Meeting to make deadline) An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Relating To The Implementation Of A Public Safety Sales And Use Tax For Criminal Justice Purposes; Adding A New Chapter 3.46 Public Safety Sales And Use Tax To The Bonney Lake Municipal Code; Providing For Severability And Corrections; And Establishing An Effective Date.

B. **AB26-74 -** A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign The Contract With MxM Architecture For The Design Of The Veterans Memorial Park And Memorial And Authorizing The Reappropriation Of $134,725 From Park CIP.

V. Audience Comments

Limited to 5 minutes for each speaker.

VI. Council Open Discussion

VII. Workshop Discussion Items

A. **Review of Minutes:** September 8, 2026 City Council Meeting Minutes

VIII. Executive/Closed Session

Pursuant to RCW 42.30.110 and/or RCW 42.30.140, the City Council may hold an executive or closed session. The topic(s) and duration will be announced prior to the session.

IX. Adjournment

Anything submitted at the Meeting will be added to the end of the packet the next day.

The City of Bonney Lake does not discriminate on the basis of disability, race, color, or national origin in its programs, services, or activities. If you need language assistance, translation, or an auxiliary aid, service, or policy modification to fully participate, please email the City Clerk's Office or call at 253-862-8062 (TTY 711) at least 5 business days before the event; later requests will be honored when feasible.

CHAMBER Collective

GOOD & GROWING

CONNECT | ENGAGE | GROW

Presented by Board President, Gina Humphries

LEADERSHIP VISIBILITY

Charity Kuahiwinui,
Membership Development
Coordinator

Board of Directors

HAPPY MEMBERS

"Being part of the Chamber has been a wonderful experience. I've gained valuable networking opportunities, learned from other professionals, and built meaningful friendships along the way. What I appreciate most is the genuine sense of community and the shared commitment to supporting and serving others. It's a welcoming organization that makes a positive impact, and I'm grateful to be a part of it." ~ Barbra Menendez

AMADA SENIOR CARE™

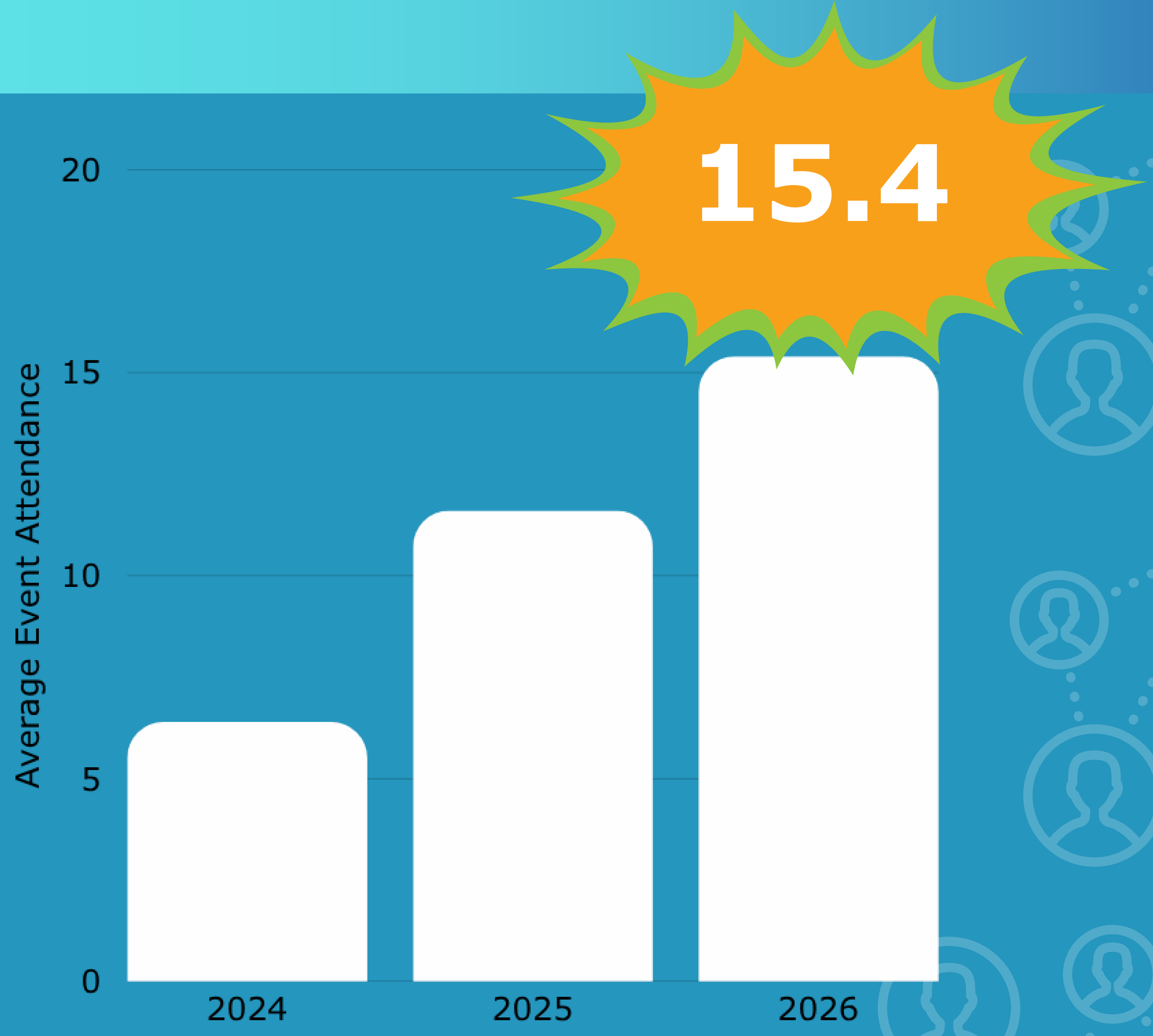
NURTURING COMMUNITY

Chamber Membership Increasing Significantly

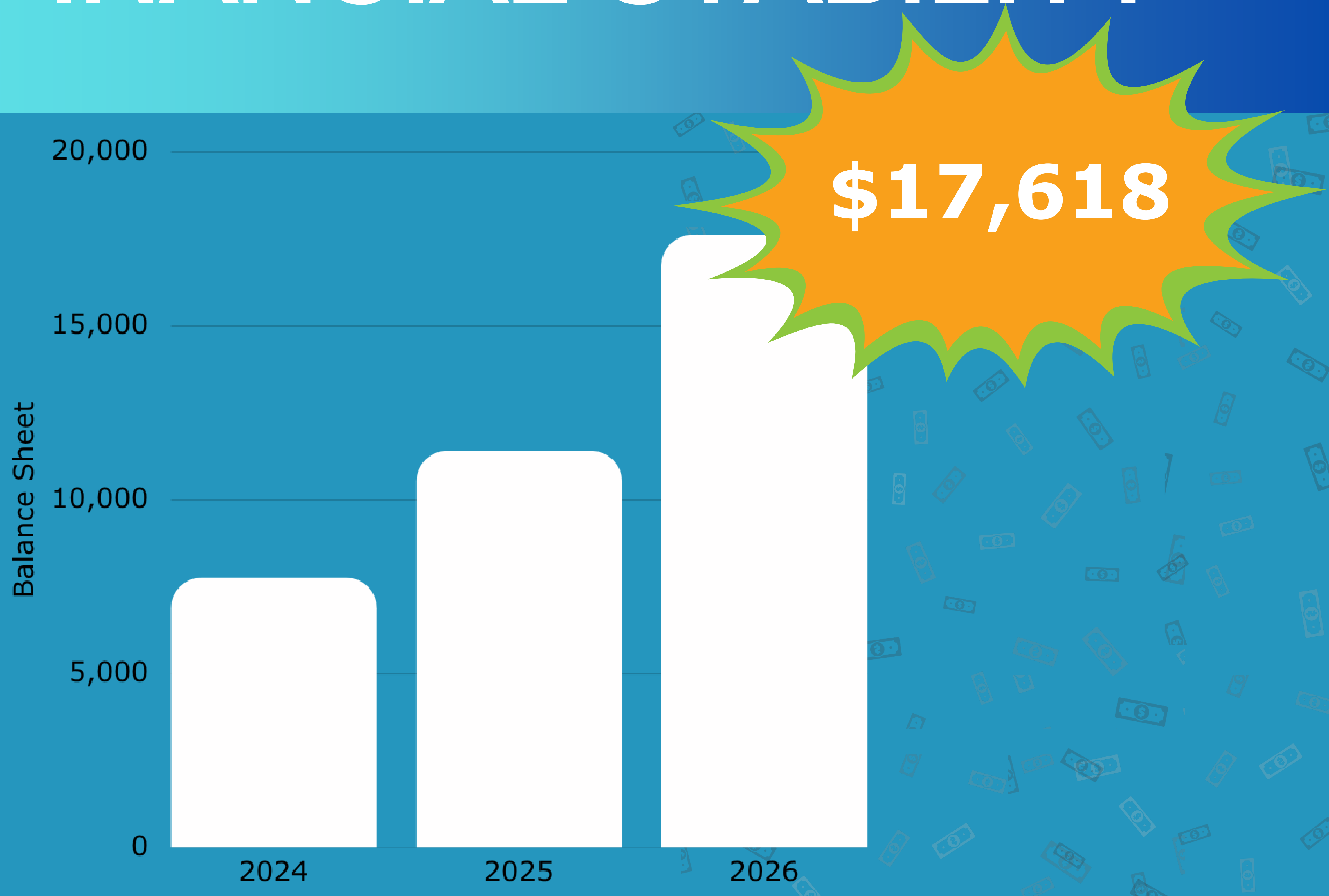
Up 45%+ since January 2026!

CREATING ENGAGEMENT

Chamber Event Average Attendance Steadily Increasing



FINANCIAL STABILITY



Chamber balance sheet steadily increasing which allows us to make a greater community impact and be a better resource

WE’RE BETTER TOGETHER

CITY OF BONNEY LAKE & CHAMBER COLLECTIVE

- Leslie Harris is a valued Chamber Collective Board Member
- Interagency Agreement of mutual support
- Mayor presents an annual State of the City presentation
- Tunes @ Tapps participation
- Support for and promotion of community events

Let's Connect

- Attend online or in - person Chamber events
- Host an Open House event to bring the Chamber to your org
- Attend ribbon cuttings in community
- Chamber presentations to City Council

RECURRING CHAMBER EVENTS - YOU'RE INVITED!

ZOOM INTO SUCCESS
THE CHAMBER COLLECTIVE

OFF THE CLOCK
THE CHAMBER COLLECTIVE

MONTHLY LUNCHEON
THE CHAMBER COLLECTIVE

COFFEE TALK
THE CHAMBER COLLECTIVE

CHAMBER Collective

MAKE TIME FOR COMMUNITY

- **September 22nd** Ribbon Cutting for BECU opening in Lakeland Hills
- **October 1st** Networking: Contractor Connections
- **October 15th** Luncheon: State of SBLSD with Superintendent Laurie Dent
- **November 12th** Community Uncorked: A Chamber Night Out Fundraiser
- **November 19th** Luncheon: Build an Emergency Prep Pack with Raejean Kreel
- **December 17th** Year end celebration with focus on Community Helpers

You’re Invited!

We could use help with:

- Attendance - come join us!
- Event promotion – tell some friends!
- Sponsorship
  - Grand Reserve, $1,000
  - Experience Sponsor, $300
  - Vineyard Varietal, $100
- Raffle item donations
- Silent auction items
- Creative ideas are welcome!

THANK YOU

Let's keep in touch !

Gina.Humphries@ampf.com

charity@thechambercollective.com

CHAMBER Collective

City of Bonney Lake, Washington

City Council Agenda Bill (AB)

Agenda Bill Number:	
Agenda Item Type:	Resolution
Presenter:	Jessica Yanak, Payroll Accountant
City Strategic Goal Category:	None
Department/Division Submitting:	Finance Staff
Impacted Departments That Received Notification:	Finance

Full Title/Motion: Approval of Payroll: August 16-31, 2026 For Checks #35539-35548 Including Direct Deposits and Electronic Transfers Totaling $989,548.35. **Voids:** None.

Short Background Summary:

Approval of Payroll: August 16-31, 2026 For Checks #35539-35548 Including Direct Deposits and Electronic Transfers Totaling $989,548.35. Voids: None.

Budget Explanation:

Committee, Board, Commission, & Hearing Examiner Review

Name Of Committee/Commission/Examiner Meeting:

Date of Committee/Commission/Examiner Meeting:

Date of Committee/Commission Public Hearing:

Committee/Commission/Examiner Meeting Decision:

Council Action

Date of Council Workshop	Date of Council Meeting	Date of Council Public Hearing

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City of Bonney Lake, Washington

City Council Agenda Bill (AB)

Agenda Bill Number:	AB26-60 -
Agenda Item Type:	Ordinance
Presenter:	Lauren Balisky, Development Services Manager
City Strategic Goal Category:	Economic Development Vision
Department/Division Submitting:	Public Services Staff
Impacted Departments That Received Notification:	Public Services

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Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Regarding Local Amendments To The International Building Code And International Residential Code; Repealing Subsections 15.04.082.Q, 15.04.083.E, And 15.04.083.Q Of The Bonney Lake Municipal Code To Remove The Local Amendments For Residential Accessory Structures And Fire Separation Requirements Between Garages And Dwelling Units; Providing For Severability And Corrections; And Establishing An Effective Date.

Short Background Summary:

PURPOSE

The purpose of this item is for the City Council to review the Planning Commission's recommendation on the proposed code amendments related to residential accessory structures and fire separation in garages and decide whether to adopt proposed Ordinance D26-60 (**Attachments A and B**).

DISCUSSION

As part of the 2025-2026 Planning Commission Work Plan, City Council requested that staff bring forward this amendment to the Bonney Lake Municipal Code (BLMC) to remove the additional requirements for residential accessory structures and for fire separation between garages and dwelling units that exceed the minimum requirements in Washington State law. This update:

- **Repeals Subsection 15.04.082.Q BLMC**, which amends **International Building Code (IBC) Section 406.3.2.1** related to fire separation between garages and dwelling units for certain occupancies.
- **Repeals Subsection 15.04.083.E BLMC**, which amends the exemption in **International Residential Code (IRC) Section R105.2** for residential accessory buildings.
- **Repeals Subsection 15.04.083.Q BLMC**, which amends **IRC Section R302.6** related to fire separation between garages and dwelling units for certain occupancies and refers the

reader to BLMC 15.04.082.Q.

The language will revert to the IBC and IRC currently adopted under Washington State law.

PUBLIC COMMENT
The public was notified and invited to provide comments before or as part of the public hearing, either in writing or in person. The City received a comment letter from the Master Builders Association of Pierce County in support of the code amendment on September 1, 2026 (see **Attachment C**).

DEPARTMENT OF COMMERCE COMMENTS
The draft ordinance is not a "development regulation" as defined under **Revised Code of Washington (RCW) 36.70A.030**; therefore, the draft ordinance was not routed to Commerce for review as normally required under **RCW 36.70A.106**.

STATE ENVIRONMENTAL POLICY ACT (SEPA) REVIEW
The proposed amendment is statutorily exempt from a SEPA threshold determination under **BLMC 16.08.025.C.4.a**.

PUBLIC HEARING
On August 5, 2026, the Planning Commission opened the public hearing on the proposed ordinance. The Chair held the hearing open to obtain clarification on whether the following portion of BLMC 15.04.082.Q is addressed elsewhere in the IBC or IRC: "... *No windows shall be permitted in the garage/house wall. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted.*" Staff researched this question and found that:

- **IBC Section 406.2.5** and **IRC Section R302.5.1** prohibit openings from a garage to a room used for sleeping purposes.
- **IBC Section 406.3.2.1** and **IRC Section R302.6** effectively prohibit windows by discussing only doors as an option for openings between the garage and the dwelling unit.

After closing the hearing on September 2, 2026, the Planning Commission recommended that the City Council adopt the proposed ordinance (see **Attachment D**).

TENTATIVE SCHEDULE

- ~~July 7, 2026 - CDC Discussion~~
- ~~August 5, 2026 - Planning Commission Public Hearing~~
- ~~September 2, 2026 - Planning Commission Public Hearing (Continued)~~
- September 15, 2026 - City Council Decision

Budget Explanation:

N/A

Committee, Board, Commission, & Hearing Examiner Review

Name Of Committee/Commission/Examiner Meeting: Community Development Committee

Date of Committee/Commission/Examiner Meeting: 7/7/2026

Date of Committee/Commission Public Hearing: 8/5/2026

Committee/Commission/Examiner Meeting Decision: Proceed to the public hearing, then place the Planning Commission recommendation for a decision by Council on the consent agenda.

Council Action

Date of Council Workshop	Date of Council Meeting	Date of Council Public Hearing
	8/18/2026	

ORDINANCE NO. D26-60

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, REGARDING LOCAL AMENDMENTS TO THE INTERNATIONAL BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE; REPEALING SUBSECTIONS 15.04.082.Q, 15.04.083.E, AND 15.04.083.Q OF THE BONNEY LAKE MUNICIPAL CODE TO REMOVE THE LOCAL AMENDMENTS FOR RESIDENTIAL ACCESSORY STRUCTURES AND FIRE SEPARATION REQUIREMENTS BETWEEN GARAGES AND DWELLING UNITS; PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Washington State Building Code Act (GMA) codified as Chapter 19.27 of the Revised Code of Washington (RCW) requires the City of Bonney Lake adopt state building and fire construction codes; and

WHEREAS, one of the express purposes of Chapter 19.27 RCW is to require minimum performance standards and requirements for construction and construction materials, consistent with accepted standards of engineering, fire and life safety; and

WHEREAS, the City Council wishes to remove the more restrictive requirements for residential accessory structures and fire separation requirements between garages and dwelling units from the Bonney Lake Municipal Code (BLMC); and

WHEREAS, the Public Services Director acting as the State Environmental Policy Act (SEPA) Responsible Official determined that the proposed amendment is statutorily exempt from threshold determination pursuant to BLMC 16.08.025.C.4.a; and

WHEREAS, the City provided public notice of the hearing as required by Bonney Lake Municipal Code (BLMC) 14.140.040; and

WHEREAS, the Planning Commission held a public hearing on August 5, 2026, as required by BLMC 14.140.080, continued the hearing to September 2, 2026, with public notice of the continued hearing, and recommended that the City Council adopt the ordinance as presented, as required by BLMC 14.140.100; and

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

Section 1. **Findings of Facts and Conclusions.** The findings of fact and conclusions attached as Attachment A are adopted in full by the City Council in support of its decision. The recitals listed above in this Ordinance are further adopted as legislative findings.

Section 2. **Repealed.** Subsection 15.04.082.Q of the Bonney Lake Municipal Code, Section 406.3.2.1 Separation, is hereby repealed in its entirety.

Section 3. **Repealed.** Subsection 15.04.083.E of the Bonney Lake Municipal Code, Section R105.2 Work Exempt from Permit – Building Item No. 1, is hereby repealed in its entirety.

Section 4. **Repealed.** Subsection 15.04.083.Q of the Bonney Lake Municipal Code, Section R302.6 Separation amended, is hereby repealed in its entirety.

Section 5. **Severability.** If any section, sentence, clause, or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 6. **Publication.** This Ordinance shall be published by an approved summary consisting of the title.

Section 7. **Corrections.** Upon the approval of the city attorney, the city clerk, and/or the code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto. Provided, however, that nothing in this section allows the city attorney, the city clerk, and/or the code publisher to change the intent of this Ordinance.

Section 8. **Effective Date**. This Ordinance shall be effective five days after publication as provided by law.

ADOPTED by the City Council of the City of Bonney Lake and attested by the City Clerk in authentication of such passage on this 15th day of September, 2026.

APPROVED by the Mayor this 15th day of September, 2026.

____
Terry Carter, Mayor

AUTHENTICATED:

____
Sadie A. Schaneman, MMC, City Clerk

AB26-60
Passed:
Valid:
Published:
Effective Date:
This Ordinance totals _____ page(s)

FINDINGS OF FACT AND CONCLUSIONS

Having considered in detail both the oral and documentary evidence received concerning the update to the City of Bonney Lake Municipal Code (BLMC), the Bonney Lake City Council now makes and adopts the following Findings of Fact and Conclusions:

FINDINGS OF FACT

Public Participation

1) The Bonney Lake City Council Community Development Committee held a public meeting to discuss the amendments on July 7, 2026.

2) The Bonney Lake Planning Commission opened a public hearing August 5, 2026, and continued the public hearing to September 2, 2026. Upon closing the hearing, the Planning Commission recommended that the City Council adopt the ordinance as presented.

3) The City issued an official notice of the public hearing on July 22, 2026, and issued an official notice of the continued public hearing on August 6, 2026, as required by BLMC 14.140.040(D).

4) The notice of public hearing provided a comment period, which initially concluded on August 5, 2026, and was extended until September 2, 2026, with the continuation of the public hearing.

5) Notice of the hearing was also published in the newspaper on July 22, 2026, and on August 19, 2026, for notice of the continued hearing, as required by BLMC 14.140.040(D).

State Environmental Policy Act

6) The amendments to the City's Development Code are considered a non-project action as defined in WAC 197-11-704(2)(b) under the State Environmental Policy Act (SEPA).

7) Pursuant to WAC 197-11-926, the City of Bonney Lake was designated as the lead agency for the SEPA review of the proposed amendments contained in this ordinance.

8) The Public Services Director acting as the SEPA Responsible Official determined that the proposed amendment is statutorily exempt from threshold determination pursuant to BLMC 16.08.025.C.4.a.

State Agency Review

9) Development regulations are defined as the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas

ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto pursuant to RCW 36.70A.030.

10) The proposed amendments are not a development regulation as defined under RCW 36.70A.030, and therefore the City did not submit any notice of intent to adopt the proposed ordinance to the Department of Commerce as otherwise required by RCW 36.70A.106.

Comprehensive Plan Policies

11) The City's comprehensive plan, *Envision Bonney Lake,* includes the following goals and policies in the Community Development Element:

a. Goal CD-H-2 establishes the goal to "Encourage preservation and rehabilitation of the existing housing stock."

b. Policy CD-H-2.4 states that the City should "Encourage the rehabilitation and reuse, rather than demolition, of existing housing."

c. Goal CD-H-10 establishes the goal to "Take reasonable action to reduce barriers to meeting housing growth targets in development regulations and permit procedures."

d. Policy CD-H-10.2 states that the City should "Update development regulations as needed to keep the unit cost of new housing down while providing for a quality living environment for residents."

e. Policy CD-H-10.3 states that the City should "Analyze how amendments to development regulations and procedures may impact the cost to permit, construct, repair, and rehabilitate housing."

f. Goal CD-PR-1 establishes the goal to "Protect the property rights of landowners."

g. Policy CD-PR-1.2 states that the City should "Balance the responsibility to protect the community from the impacts associated with new residential and commercial development with the responsibility to protect property rights."

h. Goal CD-LU-6 establishes the goal to "Guide growth and development to ensure that it is orderly and efficient; leverage public investment to address the needs of the underserved areas; ensure the continued availability of infrastructure and public services; reduce adverse impacts on adjacent properties; and to protect the natural environment."

i. Policy CD-LU-6.2 states that the City should “Adopt and routinely update development regulations to direct growth, ensure sufficient opportunities for new development, maintain and improve Bonney Lake's quality of life, preserve and rehabilitate existing housing stock, mitigate nuisances, achieve compatibility between adjacent properties and uses, and protect the health, safety and welfare of residents, workers, and visitors.”

Washington State Law

12) The amendments to the City’s Development Code comply with Washington state law, as follows:

a. The amendments allow for the continued application of public health, safety, building code, and environmental permitting requirements, consistent with Chapter 36.70A RCW.

b. The amendments allow for the continued application of building code requirements, consistent with Chapter 19.27 RCW.

CONCLUSIONS

Based upon the above findings the City Council adopts the following conclusions:

1) Notice of the public hearing for this matter has been conducted in accordance with City of Bonney Lake rules and regulations governing such matters for both the Planning Commission and the City Council (FINDINGS 1 – 5).

2) The City complied with the requirements to the State Environment Policy Act (Chapter 43.21C) and the implementing regulations found in Chapter 197-11 WAC and Title 16, Division I BLMC (FINDINGS 6 – 8).

3) The City was not required to comply with the requirements of RCW 36.70A.106 to notify the Department of Commerce of the City’s intent to adopt an amendment to the City’s development regulations (FINDINGS 9 – 10).

4) The proposed amendments are consistent with meet the approval criterion for amendments to a development regulation established in BLMC 14.140.090.B, as the proposed amendments are consistent with the goals and policies of the City’s adopted comprehensive plan, *Envision Bonney Lake*, and consistent with the laws of the State of Washington (FINDINGS 11 – 12).

MASTER BUILDERS
ASSOCIATION OF PIERCE COUNTY

1211 South Pearl St. | Tacoma, WA 98465
253.272.2112 | www.masterbuilderspierce.com

September 1st, 2026

Bonney Lake Planning Commission
9002 Main St E, Ste 300, Bonney Lake, WA 98391

Dear Bonney Lake Planning Commission Members,

On behalf of the Master Builders Association of Pierce County (MBAPC), thank you for the opportunity to comment on AB26-60 regarding proposed amendments to the City's building and residential codes.

MBAPC supports the proposed changes to remove local requirements for residential accessory structures and fire separation between garages and dwelling units that exceed Washington State requirements.

We believe these changes would provide greater consistency and predictability for builders, consumers, and City staff without compromising important safety standards articulated in the International Building Code and International Residential Code as adopted by the State of Washington.

While changes like these may appear small in isolation, the cumulative effect of reducing redundant or unnecessarily restrictive regulations can help lower barriers to housing production and reduce construction costs. This approach also supports Bonney Lake's Comprehensive Plan goals of reducing barriers to meeting housing growth targets and keeping the cost of new housing down while maintaining a high quality of living.

MBAPC appreciates the City's willingness to evaluate its local regulations and identify opportunities to simplify requirements while maintaining appropriate health and safety standards. We respectfully encourage the Planning Commission to recommend approval of AB26-60.

Thank you for your consideration.

Sincerely,

Master Builders Association of Pierce County

Planning Commission

Memo

Date : September 3, 2026

To : Mayor and City Council

From : Grant Sulham, Planning Commission Chair

Re : **Ordinance D26-60**

On August 5, 2026, the Planning Commission conducted a Public Hearing on Ordinance D26-60 related to the repeal the local amendments to the International Building Code and International Residential Code related to the size of accessory structure exempt from a permit and fire separation requirements between dwelling units and garages beyond the minimum requirements in Washington State law.

The Planning Commission continued the hearing to September 2, 2026, on which date the Commission also closed the hearing. The Planning Commission voted 5-0-0 (2 members absent) to recommend that the City Council approve Ordinance D26-60, without amendments.

As required by BLMC 14.40.100, the Planning Commission has reviewed and adopted the findings of facts and conclusions included as Attachment A to Ordinance D26-60.

City of Bonney Lake, Washington

City Council Agenda Bill (AB)

Agenda Bill Number:	AB26-62 -
Agenda Item Type:	Ordinance
Presenter:	Dan Swatman, Deputy Mayor
City Strategic Goal Category:	Public Safety Vision
Department/Division Submitting:	Admin
Impacted Departments That Received Notification:	Executive Finance Police Department

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Full Title/Motion: (Must make a decision this Council Meeting to make deadline) An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Relating To The Implementation Of A Public Safety Sales And Use Tax For Criminal Justice Purposes; Adding A New Chapter 3.46 Public Safety Sales And Use Tax To The Bonney Lake Municipal Code; Providing For Severability And Corrections; And Establishing An Effective Date.

Short Background Summary:

Discussion on implementing the Public Safety Sales and Tax

Budget Explanation:

Committee, Board, Commission, & Hearing Examiner Review

Name Of Committee/Commission/Examiner Meeting: Finance Committee

Date of Committee/Commission/Examiner Meeting: 7/14/2026

Date of Committee/Commission Public Hearing:

Committee/Commission/Examiner Meeting Decision: Send to Council Workshop Discussions

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Council Action

Date of Council Workshop	Date of Council Meeting	Date of Council Public Hearing

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ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, RELATING TO THE IMPLEMENTATION OF A PUBLIC SAFETY SALES AND USE TAX FOR CRIMINAL JUSTICE PURPOSES; ADDING A NEW CHAPTER 3.46 PUBLIC SAFETY SALES AND USE TAX TO THE BONNEY LAKE MUNICIPAL CODE; PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bonney Lake currently provides many regional and local services which advance community health and public safety through the criminal justice system; and

WHEREAS, the City's public safety expenses are increasing annually, creating negative budget impacts and the inability to maintain services at their current level or expand to address increased demands on community health and public safety programs; and

WHEREAS, through Section 201, Chapter 350, Laws of Washington 2025, the Washington State Legislature has authorized the legislative authority of a qualified city to implement, by resolution or ordinance, a sales and use tax by June 30, 2028; and

WHEREAS, in order to be eligible to implement the authorized public safety sales and use tax, the City must meet the requirements to receive the public safety grant authorized in Section 201, Chapter 350, Laws of Washington 2025, and must issue and implement policies and procedures as required under the law; and

WHEREAS, the City, through its law enforcement agency, will submit documentation to the Criminal Justice and Training Commission ("CJTC") concurrently with the adoption of this ordinance, demonstrating that it has met the requirements of Section 201, Chapter 350, Laws of Washington 2025, and is eligible to receive the public safety grant and to implement the public safety sales and use tax, and will submit any additional documentation required by the CJTC to obtain such eligibility; and

WHEREAS, the authorized tax is in addition to any other taxes authorized by law and must be collected from those persons who are taxable by the State pursuant to Chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the city; and

WHEREAS, the rate of tax shall be equal to one-tenth of one percent (0.1%) of the selling price, in the case of sales tax, or value of the article used, in the case of a use tax; and

WHEREAS, revenue received from the public safety sales and use tax must be used for criminal justice purposes, meaning activities that substantially assist the criminal justice system, including circumstances where ancillary benefits to civil justice and behavioral health system occur, which may include domestic violence victim services, staffing of adequate public defense counsel, diversion programs, reentry work for incarcerated individuals, programs that have a reasonable relationship to reducing the number of individuals interacting with the criminal justice system, improving behavioral health, reducing incidents of homelessness, community placements for juvenile offenders, and community outreach and assistance programs; and

WHEREAS, cities implementing the public safety sales and use tax shall, within one calendar year of implementation of the tax, and annually thereafter, make a report to the Association of Washington Cities ("AWC") and such report shall include information on how the revenues received from the public safety sales and use tax were expended by the city; and

WHEREAS, the City Council finds that it is in the best interests of the public health, safety, and welfare of its citizens to implement the public safety sales and use tax of one-tenth of one percent (0.1%), effective January 1, 2027, and use the revenues collected for criminal justice purposes.

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

Section 1. Findings. The findings and recitals set forth above are hereby adopted and incorporated by reference.

Section 2. New Chapter 3.46 Imposing Tax. A new chapter is hereby added to the Bonney Lake Municipal Code, Chapter 3.46 entitled "Public Safety Sales and Use Tax" to read as follows:

CHAPTER 3.46
PUBLIC SAFETY SALES AND USE TAX

Sections

3.46.010 Tax imposed.

Effective beginning January 1, 2027, an additional one-tenth of one percent (0.1%) sales and use tax, as authorized by Section 201, Chapter 350, Laws of Washington 2025, is hereby levied, fixed, and imposed on all taxable events within the city as defined in RCW 82.14.020, as currently enacted or later amended. The sales and use tax imposed pursuant to this chapter shall be in addition to all other sales and use taxes imposed by the city.

3.46.020 Applicability of tax.

The tax imposed pursuant to this chapter shall be imposed upon and collected from those persons from whom sales tax or use tax is collected in accordance with chapter 82.08, 82.12, and 82.14 RCW, and shall be collected at the rate of one-tenth of one percent of (a) the selling price, in the case of a sales tax; or (b) the value of the article used, in the case of a use tax.

3.46.030 Administration and collection.

The administration and collection of the tax imposed by this chapter shall be in accordance with the provisions of RCW 82.14.050.

3.46.040 Allowable uses of tax receipts.

Moneys received by the city from the tax imposed under this chapter must be expended for Criminal Justice Purposes. As used in this chapter, “Criminal Justice Purposes” means activities that substantially assist the criminal justice system, which may include circumstances where ancillary benefit to the civil justice behavioral health system occurs, and which includes:

A. Domestic violence services, such as those provided by domestic violence programs, community advocates, and legal advocates, as those terms are defined in RCW 70.123.020;
B. Staffing adequate public defenders to provide appropriate defense for individuals;
C. Diversion programs;
D. Reentry work for inmates
E. Local government programs that have a reasonable relationship to reducing the numbers of people interacting with the criminal justice system including, but not limited to, reducing homelessness or improving behavioral health;
F. Community placements for juvenile offenders; and
G. Community outreach and assistance programs, alternative response programs, and mental health crisis response including, but not limited to, the recovery navigator program.

3.46.050 Violation and penalty.

Any seller who fails or refuses to collect the tax imposed by this chapter with the intent to violate the provisions of this chapter or to gain some advantage or benefit, whether direct or indirect, and any buyer who refuses to pay any tax due under this chapter shall be guilty of a misdemeanor.

3.46.060 Annual reporting.

The finance director shall, within one calendar year of imposition of the tax imposed under this chapter, and annually thereafter, make a report to the Association of Washington Cities on how the moneys received by the city from the tax were expended.

Section 3. Documentation to CJTC. The City Council requests that the Mayor or his designee submit all required documentation to the Criminal Justice Training Commission demonstrating that the City meets the requirements of Section 101, Chapter 350, Laws of Washington 2025, as described in this Ordinance. Such documentation shall be submitted in a form and manner prescribed by the Criminal Justice Training Commission. The City shall timely rectify any deficiencies identified by the Commission.

Section 4. Notice to Department of Revenue. The City Council requests that the Mayor or designee submit a copy of this Ordinance to the Washington State Department of Revenue and take all other reasonable steps necessary to collect the tax imposed by this Ordinance.

Section 5. Direction to Clerk. The City Clerk is directed to maintain one copy of this Ordinance and one copy of each of the statutes, regulations, or standards referenced herein on file at the City Clerk's office for use and examination by the public during regular business hours.

Section 6. Implementation. The Mayor is hereby authorized to implement this Ordinance, including adopting such administrative procedures as may be necessary to carry out the directions of this legislation and is authorized to prepare documents for the administration and approval of grant funds.

Section 7. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 8. Publication. This Ordinance shall be published by an approved summary consisting of the title.

section 9. Corrections. Upon the approval of the city attorney, the city clerk, and/or the code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto, provided such corrections do not change the intent of this Ordinance.

Section 10. Effective Date. This Ordinance shall be effective thirty (30) days after adoption and publication as provided by law. Pursuant to Section 2, above, the tax imposed by this Ordinance shall take effect on January 1, 2027.

ADOPTED by the City Council of the City of Bonney Lake and attested by the City Clerk in authentication of such passage on this __ day of ________________, 20__.

APPROVED by the Mayor this __ day of ______________, 2026.

____
Terry Carter, Mayor

AUTHENTICATED:

____
Sadie A. Schaneman, MMC, City Clerk

AB____
Passed:
Valid:
Published:
Filed With The City Clerk:
Effective Date:
This Ordinance totals _____ page(s)

Public Safety Sales & Use Tax of One-tenth of One Percent (0.1%)

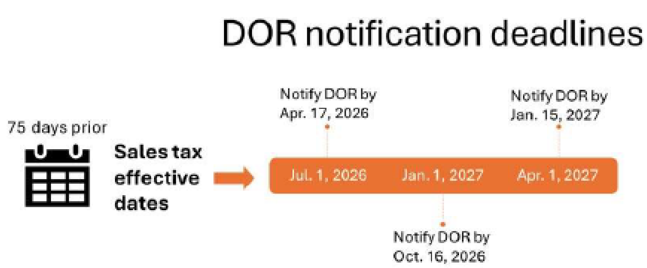
- An Ordinance to implement a public safety sales and use tax of one-tenth of one percent (0.1%) as authorized by Section 201, Chapter 350, Laws of Washington 2025 (House Bill 2015).

- ***The Washington State Legislature has authorized the legislative authority of a qualified city to implement, by resolution or ordinance, a sales and use tax <u>by June 30, 2028.</u>***

- The City, through its law enforcement agency, will submit documentation to the Criminal Justice and Training Commission ("CJTC") concurrently with the adoption of this ordinance, demonstrating that it has met the requirements of the legislation , and is eligible to receive the public safety grant and to implement the public safety sales and use tax (Chief Berry has confirmed that we would meet these requirements).

- ***Moneys received by the city from the tax imposed under this chapter must be expended for Criminal Justice Purposes, "Criminal Justice Purposes" means activities that substantially assist the criminal justice system, which includes:***
  - Domestic violence services:
  - Staffing adequate public defenders;
  - Diversion programs;
  - Reentry work for inmates;
  - Local government programs that reduce the numbers of people interacting with the criminal justice system including, but not limited to, reducing homelessness or improving behavioral health;
  - Community placements for juvenile offenders; and
  - Community outreach and assistance programs, alternative response programs, and mental health crisis response including, but not limited to, the recovery navigator program.

- **The deadline for passing such an Ordinance and transmitting it to the Department of Revenue would be <u>October 16, 2026, for the tax to become effective January 1, 2027.</u>**



- It was initially anticipated that such a tax would bring in $880,000 in revenue annually to the City of Bonney Lake based on an annual sales tax revenue of $8.8 million. Upon further review of actual annual sales tax for the past five-years, the average is $7.8 million per year. ***Hence, a more conservative estimate of $770,000 is a more realistic estimate of anticipated revenue generated by a Public Safety & Sales Use tax of one-tenth of one percent.***

Three steps to passing the new councilmanic sales tax effective January 1

To move forward with passing the new councilmanic sales tax after determining your city is eligible, follow the three steps below.

1. **Send eligibility documentation to CJTC**
   You can submit documentation of your eligibility to CJTC *before* it completes the **HB 2015** grant application process and website. Submit documentation to Gail Stone, CJTC HB 2015 Program Manager, at cjtchb2015@cjtc.wa.gov. Upon receipt, CJTC has 45 days to review the documents and notify a city of any outstanding deficiencies.

2. **Put the sales tax on the council agenda**
   Schedule the sales tax ordinance for a vote at an upcoming city council meeting. The ordinance must include a finding that the city has met the requirements of the grant (Sec. 201 (1)(a) of the bill). If you'd like to see examples to help with drafting your city's ordinance, view these:
   - AWC-drafted sample ordinance
   - Clark County staff report
   - King County Ordinance 19958

   Please note that these examples are for informational purposes only and not intended as legal advice. Cities should work with their legal counsel for specific questions or ordinance requirements.

   Once passed, the sales tax can take effect January 1, 2026, only if a city meets an October 17 deadline to notify DOR of its passed and signed ordinance. You should give your city enough time to schedule, pass, sign, and notify the Department of Revenue (DOR) before that deadline.

3. **Send the signed tax ordinance to DOR**
   Per RCW 82.14.055, a local sales tax change may take effect no sooner than 75 calendar days after DOR receives notice of the change. Sales tax rate changes may only take effect on January 1, April 1, or July 1.

   After your city passes the new sales tax ordinance, here's how to give DOR written notification of that new tax by October 17 (to take effect January 1):

   - Email Jason Hartwell, DOR Tax Administration Manager, at jasonh@dor.wa.gov; and
   - Include a copy of the signed ordinance that enacts the new tax.

https://wacities.org/news/2025/11/14/three-things-you-need-to-know-to-access-sales-tax-funding-allowed-in-hb-2015

Public Safety Sales & Use Tax Implementation by Jurisdiction

Inquiry made to the following jurisdictions on July 21, 2026:

- **Buckley** - Discussed during recent budget discussions, will continue evaluating it throughout the 2027-2028 budget process. It remains an important consideration for the City Council
- **DuPont** - No reply
- **Eatonville** - No reply
- **Edgewood** - The City has discussed the public safety sales tax. Because we contract for police services through the Pierce County Sheriff's Office, and PCSO has already adopted an additional one-tenth of one percent public safety sales tax, our residents are already paying that tax and the City does not intend to pursue its own additional public safety sales tax at this time, the City does not intend to pursue its own additional public safety sales tax.
- **Fife** - Working on a B&O/square footage tax this year, don't expect to look into the public safety sales tax until at least next year. Are aware they'll need to make a decision before the deadline (i.e., the loss of councilmanic authority in mid-2028) makes a decision for us.
- **Fircrest** - No reply
- **Gig Harbor** - Voter approved in August 2024, and it went into effect January 1, 2025
- **Lakewood** - Passed the one-tenth of one percent sales and use tax earlier in the year, effective July 1, 2026
- **Orting** - Passed and took effect three weeks ago (July 1st)
- **Puyallup** - No immediate plans to implement the tax
- **Steilacoom** - Have not and probably will not
- **Sumner** - Starting formal presentations with Council July 27th; anticipate adoption in September for collection starting January 1, 2027
- **Tacoma** - The public safety sales tax was introduced to Council late last year, and it was approved at their first meeting in January 2026, with an effective date of April 1, 2026
- **University Place** - No reply

Public Safety Sales & Use Tax City Council Consideration/Discussions

November 25, 2025, Finance Committee Meeting Minutes

Public Safety Sale Tax
Councilmanic needs to happen by 2028.
Discussion on revenues

February 24, 2026, City Council Budget Retreat Minutes

Public Safety Tax
The Council discussed and shared their concerns, including:

- What tax can be used for
- The estimated amount
- Hardship on Residents

Council asked the administration to bring forward an Ordinance to implement the Public Safety Tax to a future Council Meeting.

March 10, 2026, City Council Meeting Minutes

AB26-28 - An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Relating To The Implementation Of A Public Safety Sales And Use Tax For Criminal Justice Purposes; Adding A New Chapter 3.46 Public Safety Sales And Use Tax To The Bonney Lake Municipal Code; Providing For Severability And Corrections; And Establishing An Effective Date.

Councilmember Fullerton moved to refer AB26-28 to Finance Committee, Councilmember Baldwin seconded the motion.

Councilmember Baldwin asked to hear what the other Councilmembers' thoughts were before the item goes to committee.

Councilmember Fullerton moved to rescind motion to refer AB26-28 to Finance Committee, Councilmember Baldwin seconded the motion.

Motion approved 7 - 0.

The Council discussed and shared their concerns, including:

- Presenting to Public Safety Committee.
- Ending fund balance for 2028.
- Funding opportunities and associated obligations.
- Next opportunity for submission.

Councilmember Fullerton moved to refer AB26-28 to Finance and Public Safety Committee, Councilmember Hubler seconded the motion.

Motion approved 7 - 0.

April 14, 2026, Public Safety Committee Minutes

AB26-28 - An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Relating To The Implementation Of A Public Safety Sales And Use Tax For Criminal Justice Purposes; Adding A New Chapter 3.46 Public Safety Sales And Use Tax To The Bonney Lake Municipal Code; Providing For Severability And Corrections; And Establishing An Effective Date.

Introduced by City Administrator Vodopich who gave an overview of the ordinance.

The Public Safety Committee discussed and shared their concerns, including:

- Taxing citizens.
- Citizens paying twice.
- Voters understanding level of service.
- Would go to a vote in 2028.

It will go to the Finance Committee first, then to City Council.

April 14, 2026, Finance Committee Minutes

Public Safety Tax Discussion

City Administrator Vodopich was only given a brief opportunity to speak on the issue. The item will be brought back to next month's Finance Committee for further discussion.

The Finance Committee discussed and shared their concerns, including:

- Pierce County is already collecting the tax.

July 14, 2026, Finance Committee Minutes

Staff were asked to put this on as a continuing workshop discussion item through September 2026.

July 21, 2026, City Council Workshop Discussion Minutes

Public Safety Sales Tax Discussion Item

Introduced by Deputy Mayor Swatman acknowledged the ongoing budget challenge, noting that city administration is actively working on scenarios to address a projected budget deficit. He emphasized the importance of ensuring long-term fiscal sustainability and maintaining current service levels, while indicating that the administration prefers exploring new revenue options to bridge the gap.

Council engaged in a general discussion regarding public safety sales and use tax:

- The Deputy Mayor reiterated that structural cuts may be necessary across departments if revenue solutions are not found.
- The Mayor stated that pursuing a public safety sales and use tax is a valid path forward.
- Councilmember Fullerton noted upcoming statutory deadline cutoffs required to pass the tax measure.
- Councilmember McClimans asked whether any revenue could be recovered from Pierce County tax distributions.
- Councilmember Hubler inquired if Sunsetting was an option.

Councilmember Rock excused herself at 7:30 pm.

August 11, 2026, City Council Workshop Discussion Minutes

Public Safety Sales Tax Discussion Item

Deputy Mayor Swatman noted that approval of the tax would generate approximately $770,000 annually, emphasizing the city's fiduciary responsibility to maintain a balanced budget and stating that delaying a decision results in ongoing financial loss.

Council engaged in a general discussion regarding public safety sales and use tax:

- Councilmember Davis supports the implementation, noting that there are benefits to the city and that it affects everyone who visits the city.
- Councilmember Baldwin expressed opposition, stating a general reluctance due to the feeling that people should be able to vote.
- Councilmember McClimans inquired about the underlying financial figures, noting that he does not recall ever seeing anything presented breaking down the numbers.

The council discussed potentially putting the matter to a public vote. Deputy Mayor Swatman expressed support for a public vote in theory but noted that because citizens have not been consistently present for the ongoing discussions, they may lack the information needed to make an informed vote.

Council requested that the mayor provide a clear, concise presentation outlining his case for the council. Deputy Mayor Swatman reminded the group that while the mayor can bring items forward for council review, he also retains the authority to include the measure directly in his proposed budget.

August 18, 2026, City Council Workshop Discussion Minutes

Public Safety Sales Tax Discussion Item

The council engaged in an extensive discussion regarding the proposed public safety sales tax, city revenue, and potential budget cuts:

Deputy Mayor Swatman stated they were looking to the Mayor for leadership, while the Mayor expressed a desire to pass the measure as soon as possible.

Councilmember McClimans thanked staff for the information requested the previous week, but stated he could not support passing this, as it would violate campaign promises, inquiring instead about placing the matter on the 2027 ballot. The City Clerk informed the council that placing an item on the ballot requires meeting a specific legal deadline and would cost thousands of dollars.

The Mayor reiterated that passing the measure requires both generating new revenue and making budget cuts. Deputy Mayor Swatman agreed, noting that citizens would receive a good return because visitors also shop locally due to Bonney Lakes services and safety. However, he pointed out that ongoing delays and debate have already resulted in a $600,000 revenue loss due to indecision.

The council reviewed city growth since 2018 relative to tax figures, questioned the dip in 2025 sales tax revenue, and examined past spending increases driven by inflation and state mandates.

Suggestions to boost revenue included hosting additional city events and hiring a full-time grant writer.

Some Council expressed a desire to see specific proposed budget/staffing cuts before voting on the public safety sales tax.

September 1, 2026, City Council Workshop Discussion Minutes

Meeting was canceled.

September 8, 2026, City Council Workshop Discussion Minutes

Public Safety Sales Tax Discussion Item

Introduced by Deputy Mayor Swatman who gave an overview of the Public Safety Tax options. The Council discussed and shared their concerns, including:
• Cuts within the administration
• The tax still gives people the choice to decide to buy things or remove things from their cart if they can't afford the tax on everything they are purchasing
• The tax will effect everyone who shops in Bonney Lake not just the residents
• Maintaining the current service levels
• Staff are stretched thin currently
• Being fiscally responsible
• Cost of goods are continuing to go up
• Plans for the ending fund balance
• Possibility to use ending funds to generate opportunities to bring in more revenue

AB26-62 will be placed on the Full Council Issues on the September 15, 2026, Council agenda.

September 15, 2026, City Council Workshop Discussion/Action Item? Minutes

City of Bonney Lake, Washington

City Council Agenda Bill (AB)

Agenda Bill Number:	AB26-74 -
Agenda Item Type:	Resolution
Presenter:	Jason Sullivan, Public Services Director
City Strategic Goal Category:	Parks Rec & Green Space Vision
Department/Division Submitting:	Public Services Director
Impacted Departments That Received Notification:	Public Services

Full Title/Motion: A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign The Contract With MxM Architecture For The Design Of The Veterans Memorial Park And Memorial And Authorizing The Reappropriation Of $134,725 From Park CIP.

Short Background Summary:

The City of Bonney Lake is advancing a coordinated effort to formally establish a Veterans Memorial Park in Downtown Bonney Lake and to design a dedicated Veterans Memorial within it. On March 3, 2026, the City Council adopted Resolution 3300, officially renaming the Downtown Park identified in the City's 2024 P*arks, Trails, Recreation, and Open Space Plan* (PTROS) to Veterans Memorial Park. This action recognizes veterans as a civic group and honors their historical and cultural significance within Bonney Lake.

The next step is to proceed with schematic design work that defines the park's vision, purpose, and long-term development. MxM Landscape Architecture will lead the 30% schematic design effort, building on conceptual work completed in 2024 as part of the PTROS Plan. Their scope includes park-wide design updates and development of a detailed memorial concept, created collaboratively with the Veterans Ad-Hoc Committee and the Greater Bonney Lake Veterans Memorial Committee.

To support this effort, staff is requesting that the City Council approve transferring $134,725 from the Park CIP to fund schematic design development. This reallocation ensures timely progress and reinforces the City's commitment to partnering with the Greater Bonney Lake Veterans Memorial Committee.

Together, these actions position the City to efficiently create a memorial and park that reflect Bonney Lake's values, honor military service, and strengthen Downtown as a civic gathering space. Collectively, this initiative will:

- Elevate a key public space consistent with community identity and longstanding

commitments in the 2012 MOU.
- Fulfill the PTROS Plan vision for a Downtown area focused on remembrance, reflection, and civic events.
- Establish a structured, professionally supported pathway for developing a meaningful Veterans Memorial.
- Enhance the City's ability to pursue sponsorships and grants using high-quality renderings and cost estimates.

Budget Explanation:

This effort was not included in the 2025 - 2026 Capital Improvement Plan Budget. Staff is requesting to transfer $134,725 from the $240,000 that was include in the Park CIP - Cedarview Park (CVP) Covered Sport Court, Playfield Improvements & 206th Parking Design to pay this effort;

Committee, Board, Commission, & Hearing Examiner Review

Name Of Committee/Commission/Examiner Meeting: Veterans Memorial AD-Hoc Committee

Date of Committee/Commission/Examiner Meeting:

Date of Committee/Commission Public Hearing:

Committee/Commission/Examiner Meeting Decision:

Council Action

Date of Council Workshop	Date of Council Meeting	Date of Council Public Hearing
	9/15/2026	

RESOLUTION NO. R26-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO SIGN THE CONTRACT WITH MXM ARCHITECTURE FOR THE DESIGN OF THE VETERANS MEMORIAL PARK AND MEMORIAL AND AUTHORIZING THE REAPPROPRIATION OF $134,725 FROM PARK CIP.

WHEREAS, the City of Bonney Lake seeks to strengthen civic pride and honor the memory of those who served our country; and

WHEREAS, the City of Bonney Lake and the Greater Bonney Lake Veterans Memorial Committee (hereinafter "Veterans Memorial Committee") entered into a Memorandum of Understanding in 2012 (hereinafter 2012 MOU) for the development of a Veterans Memorial in Downtown; and

WHEREAS, the City is still committed to working with and partnering with the Veterans Memorial Committee on the development of a Veterans Memorial in Downtown; and

WHEREAS, the City's established a Veterans Memorial Ad-Hoc Committee to facilitate the construction of the Veterans Memorial Park and Memorial; and

WHEREAS, City staff is requesting to transfer $134,725 from the $240,000 that was include in the Park CIP - Cedarview Park (CVP) Covered Sport Court, Playfield Improvements & 206th Parking Design to pay this effort;

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Bonney Lake does hereby resolves as follows:

Section 1. **Authorization transfer of Park CIP.** The City Council authorizes the transfer of $134,725 from the $240,000 that was include in the Park CIP - Cedarview Park (CVP) Covered Sport Court, Playfield Improvements & 206th Parking Desing to pay this effort.

Section 2. **Contract Authorized.** The Mayor is hereby authorized to sign the contract MxM Architecture.

PASSED by the City Council this 3rd day of March 2026.

____
Terry Carter, Mayor

AUTHENTICATED:

____
Sadie A. Schaneman, MMC, City Clerk

PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BONNEY LAKE AND MxM LANSCAPE ARCHITECTURE

THIS PROFESSIONAL SERVICES AGREEMENT is entered into by and between the City of Bonney Lake, Washington, a municipal corporation ("**City**") and MxM Landscape Architecture, organized under the laws of the State of Washington, located and doing business at 922 25th Avenue South, Seattle, Washington, 98144 (hereinafter the "**Consultant**").

RECITALS:

WHEREAS, the City desires to have design services for Veterans Memorial Park performed; and

WHEREAS, the City has selected the Consultant to perform such services pursuant to certain terms and conditions; and

WHEREAS, the City complied with the requirements for hiring Consultant contained in Chapter 39.80 RCW;

NOW, THEREFORE, in consideration of the mutual benefits and conditions set forth below, the Parties agree as follows:

AGREEMENT:

1. Scope of Services to be Performed by Consultant.
The Consultant shall perform those services described on Exhibit "A," which is attached hereto and incorporated herein by this reference as if set forth in full. In performing such services, the Consultant shall at all times comply with all federal, state, and local statutes, rules and ordinances applicable to the performance of such services and the handling of any funds used in connection therewith. The Consultant shall perform the services diligently and completely and in accordance with professional standards of conduct and performance. The Consultant shall request and obtain prior written approval from the City if the scope or schedule is to be modified in any way.

2. Compensation and Method of Payment.
The City shall pay the Consultant for services rendered a sum not to exceed One Hundred Thirty-Four Thousand Seven Hundred Twenty-Five Dollars ($134,725) for the work set forth in Exhibit "A". The City shall pay the Consultant monthly for the hours performed completing the scope of work and with the rates listed in Exhibit B, provided that the Consultant is making steady progress on the work and meeting its deadlines. Such installments shall be paid for by the City's check processing schedule. The City reserves the right to direct the Consultant's compensated services before reaching the maximum amount.

3. Duration of Agreement. This Agreement shall be in full force and effect for a period commencing on the date the last Party executes this Agreement and ending December 2027 unless sooner terminated under the provisions of this Agreement or extended by mutual agreement of the Parties. Time is of the essence of this Agreement in each and all of its provisions in which performance is required.

4. <u>Ownership and Use of Documents</u>.

A. *Ownership.* Any records, files, documents, drawings, specifications, data, or information, regardless of form or format, and all other materials produced by the Consultant in connection with the services provided to the City, shall be the property of the City whether the project for which they were created is executed or not. Reuse of materials produced by the Consultant other than as contemplated by this Agreement shall be without liability to the Consultant.

B. *Records preservation.* Consultant understands that this Agreement is with a government agency and thus all records created or used in the course of Consultant's work for the City are considered "public records" and may be subject to disclosure by the City under the Public Records Act, Chapter 42.56 RCW ("the Act"). Consultant agrees to safeguard and preserve records in accordance with the Act. The City may be required, upon request, to disclose the Agreement, and the documents and records submitted to the City by Consultant, unless an exemption under the Public Records Act applies. If the City receives a public records request and asks Consultant to search its files for responsive records, Consultant agrees to make a prompt and thorough search through its files for responsive records and to promptly turn over any responsive records to the City's public records officer at no cost to the City.

5. <u>Independent Consultant</u>. The Parties intend that an independent contractor-client relationship will be created by this Agreement. As the Consultant is customarily engaged in an independently established trade which encompasses the specific service provided to the City hereunder, no agent, employee, representative or sub-consultant of the Consultant shall be or shall be deemed to be the employee, agent, representative or sub-consultant of the City. In the performance of the work, the Consultant is an independent contractor with the ability to control and direct the performance and details of the work, the City being interested only in the results obtained under this Agreement. None of the benefits provided by the City to its employees, including, but not limited to, compensation, insurance, and unemployment insurance are available from the City to the employees, agents, representatives, or sub-consultants of the Consultant. The City shall not be responsible for withholding or otherwise deducting federal income tax or social security or contributing to the State Industrial Insurance Program, or otherwise assuming the duties of an employer with respect to the Consultant, or any employee of the Consultant. The Consultant will be solely and entirely responsible for its acts and for the acts of its agents, employees, representatives, and sub-consultants during the performance of this Agreement. The City may, during the term of this Agreement, engage other independent contractors to perform the same or similar work that the Consultant performs hereunder.

6. <u>Indemnification</u>. Consultant shall defend, indemnify, and hold the City, its officers, officials, employees, agents, and volunteers harmless from any and all claims, injuries, damages, losses or suits including reasonable attorneys' fees, to the extent arising out of or resulting from the negligent acts, errors or omissions of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Consultant's negligence.

It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the Parties.

The provisions of this section shall survive the expiration or termination of this Agreement.

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

A. *Minimum Scope of Insurance*. Consultant shall obtain insurance of the types described below:

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

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

iii. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

iv. Professional Liability insurance appropriate to the Consultant's profession.

B. *Minimum Amounts of Insurance.* Consultant shall maintain the following insurance limits:

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

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

iii. Professional Liability insurance shall be written with limits no less than $2,000,000 per claim and $2,000,000 policy aggregate limit.

C. *Other Insurance Provision.* The Consultant's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain, that they shall be primary insurance as respect the City. Any Insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.

D. *Acceptability of Insurers*. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A-VII.

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

F. *Notice of Cancellation.* The Consultant shall provide the City with written notice of any policy cancellation, within two business days of their receipt of such notice.

G. *Failure to Maintain Insurance.* Failure on the part of the Consultant to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five business days' notice to the Consultant to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due the Consultant from the City.

H. *No Limitation*. Consultant's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the Consultant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

8. <u>Record Keeping and Reporting</u>.

A. The Consultant shall maintain accounts and records, including personnel, property, financial, and programmatic records, which sufficiently and properly reflect all direct and indirect costs of any nature expended and services performed pursuant to this Agreement. The Consultant shall also maintain such other records as may be deemed necessary by the City to ensure proper accounting of all funds contributed by the City to the performance of this Agreement.

B. The foregoing records shall be maintained for a period of seven (7) years after termination of this Agreement unless permission to destroy them is granted by the Office of the Archivist in accordance with Chapter 40.14 RCW and by the City.

9. <u>City's Right of Inspection and Audit.</u>

A. Even though the Consultant is an independent contractor with the authority to control and direct the performance and details of the work authorized under this Agreement, the work must meet the approval of the City and shall be subject to the City's general right of inspection to secure the satisfactory completion thereof. The Consultant agrees to comply with all federal, state, and municipal laws, rules, and regulations that are now effective or become applicable within the terms of this Agreement to the Consultant's business, equipment, and personnel engaged in operations covered by this Agreement or accruing out of the performance of such operations.

B. The records and documents with respect to all matters covered by this Agreement shall be subject at all times to inspection, review or audit by the City during the performance of this Agreement. All work products, data, studies, worksheets, models, reports, and other materials in support of the performance of the service, work products, or outcomes fulfilling the contractual obligations are the products of the City.

10. <u>Consultant to Maintain Records to Support Independent Contractor Status</u>. On the effective date of this Agreement (or shortly thereafter), the Consultant shall comply with all federal and state laws applicable to independent contractors including, but not limited to the maintenance of a separate set of books and records that reflect all items of income and expenses of the Consultant's business, pursuant to the Revised Code of Washington (RCW) Section 51.08.195, as required to show that the services performed by the Consultant under this Agreement shall not give rise to an employer-employee relationship between the Parties which is subject to RCW Title 51, Industrial Insurance.

11. <u>Work Performed at the Consultant's Risk.</u> The Consultant shall take all precautions necessary and shall be responsible for the safety of its employees, agents, and sub-consultants in the performance of the work hereunder and shall utilize all protection reasonably necessary for that purpose. All work shall be done at the Consultant's own risk, and the Consultant shall be responsible for any loss of or damage to materials, tools, or other articles used or held by the Consultant for use in connection with the work.

12. <u>Termination</u>.

A. The City reserves the right to terminate or suspend this Agreement at any time, with or without cause, upon seven (7) days' prior written notice. In the event of termination or suspension, all finished or unfinished documents, data, studies, worksheets, models, reports, or other materials prepared by the Consultant pursuant to this Agreement shall promptly be submitted to the City.

B. In the event this Agreement is terminated or suspended, the Consultant shall be entitled to payment for all services performed and reimbursable expenses incurred to the date of termination.

C. This Agreement may be canceled immediately if the Consultant's insurance coverage is canceled for any reason, or if the Consultant is unable to perform the services called for by this Agreement.

D. The Consultant reserves the right to terminate this Agreement with not less than fourteen (14) days written notice, or in the event that outstanding invoices are not paid within sixty (60) days.

E. This provision shall not prevent the City from seeking any legal remedies it may otherwise have for the violation or nonperformance of any provisions of this Agreement.

13. Force Majeure. Notwithstanding anything to the contrary in this Agreement, any prevention, delay or stoppage due to strikes, lockouts, labor disputes, acts of God, acts of war, terrorist acts, inability to obtain services, labor, or materials or reasonable substitutes therefor, governmental actions, governmental laws, regulations or restrictions, civil commotions, Casualty, actual or threatened public health emergency (including, without limitation, epidemic, pandemic, famine, disease, plague, quarantine, and other significant public health risk), governmental edicts, actions, declarations or quarantines by a governmental entity or health organization, breaches in cybersecurity, and other causes beyond the reasonable control of the Party obligated to perform, regardless of whether such other causes are (i) foreseeable or unforeseeable or (ii) related to the specifically enumerated events in this paragraph (collectively, a "**Force Majeure**"), shall excuse the performance of such Party for a period equal to any such prevention, delay or stoppage. To the extent this Agreement specifies a time period for performance of an obligation of either Party, that time period shall be extended by the period of any delay in such Party's performance caused by a Force Majeure. Provided however, that the current COVID-19 pandemic shall not be considered a Force Majeure unless constraints on a Party's performance that result from the pandemic become substantially more onerous after the effective date of this Agreement. In order to claim Force Majeure, the Party claiming must provide notice to the other Party within fourteen (14) days of the event which constitutes Force Majeure or such claim shall be waived for any period in which notice was due.

14. Discrimination Prohibited. The Consultant shall not discriminate against any employee, applicant for employment, or any person seeking the services of the Consultant under this Agreement, on the basis of race, color, religion, creed, sex, sexual orientation, age, national origin, marital status, presence of any sensory, mental or physical disability, or other circumstance prohibited by federal, State or local law or ordinance, except for a bona fide occupational qualification.

15. Assignment and Subcontract. The Consultant shall not assign or subcontract any portion of the services contemplated by this Agreement without the prior written consent of the City.

Any assignment made without the prior approval of the City is void.

16. **Conflict of Interest**. The Consultant represents to the City that it has no conflict of interest in performing any of the services set forth in Exhibit "A." In the event that the Consultant is asked to perform services for a project with which it may have a conflict, Consultant will immediately disclose such conflict to the City.

17. **Confidentiality**. All information regarding the City obtained by the Consultant in performance of this Agreement shall be considered confidential. Consultant shall not disclose any such information to any third parties without (1) the prior written consent of the City or (2) legal process requiring disclosure, provided advance notice is provided to the City. Breach of confidentiality by the Consultant shall be grounds for immediate termination.

18. **Non-Appropriation of Funds.** If sufficient funds are not appropriated or allocated for payment under this Agreement for any future fiscal period, the City will so notify the Consultant and shall not be obligated to make payments for services or amounts incurred after the end of the current fiscal period. This Agreement will terminate upon the completion of all remaining services for which funds are allocated. No penalty or expense shall accrue to the City in the event that the terms of the provision are effectuated.

19. **Employment of State Retirees**. The City is a "DRS-covered employer" which is an organization that employs one or more members of any retirement system administered by the Washington State Department of Retirement Systems (DRS). Pursuant to RCW 41.50.139(1) and WAC 415-02-325(1), the City is required to elicit on a written form if any of the Consultant's employees providing services to the City retired using the 2008 Early Retirement Factors (ERFs), or if the Consultant is owned by an individual who retired using the 2008 ERFs, and whether the nature of the service and compensation would result in a retirement benefit being suspended. Failure to make this determination exposes the City to significant liability for pension overpayments. As a result, before commencing work under this Agreement, Consultant shall determine whether any of its employees providing services to the City or any of the Consultant's owners retired using the 2008 ERFs, and shall immediately notify the City and shall promptly complete the form provided by the City after this notification is made. This notification to DRS could impact the payment of retirement benefits to employees and owners of Consultant. Consultant shall indemnify, defend, and hold harmless the City from any and all claims, damages, or other liability, including attorneys' fees and costs, relating to a claim by DRS of a pension overpayment caused by or resulting from Consultant's failure to comply with the terms of this provision. This provision shall survive termination of this Agreement.

20. **Entire Agreement**. This Agreement contains the entire agreement between the Parties, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind either of the Parties. If there is a conflict between the terms and conditions of this Agreement and the attached exhibit, then the terms and conditions of this Agreement shall prevail over the exhibit. Either Party may request changes to the Agreement. Changes which are mutually agreed upon shall be incorporated by written amendments to this Agreement.

21. **Notices**. All notices or other communications required or permitted under this Agreement shall be in writing and shall be (a) personally delivered, in which case the notice or communication shall be deemed given on the date of receipt at the office of the addressee; (b) sent by registered or certified mail, postage prepaid, return receipt requested, in which case the notice or communication shall be deemed given three (3) business days after the date of deposit in the United States mail; or (c) sent by overnight delivery using a nationally recognized overnight courier service, in which case the notice or communication shall be deemed given one business day after the date of deposit with such courier. In addition, all notices shall also be emailed, however, email does not substitute for an official notice. Notices shall be sent to the following addresses:

Notices to the City of Bonney Lake shall be sent to the following address:

City Clerk
City of Bonney Lake
9002 Main Street E.
Bonney Lake WA 98391

Notices to the Consultant shall be sent to the following address:

Scott Melbourne, PLA, ASLA
922 25th Ave S
Seattle WA 98144
scott@mxmla,com

22. **Applicable Law; Venue; Attorneys' Fees**. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration or other proceeding is instituted to enforce any term of this Agreement, the Parties specifically understand and agree that venue shall be exclusively in Pierce County, Washington. The prevailing party in any such action shall be entitled to its reasonable attorneys' fees and costs of suit, which shall be fixed by the judge hearing the case and such fee shall be included in the judgment.

23. **Compliance with Laws.** The Consultant agrees to comply with all federal, state, and municipal laws, rules, and regulations that are now effective or in the future become applicable to Consultant's business, equipment, and personnel engaged in operations covered by this Agreement or accruing out of the performance of those operations.

24. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall constitute an original, and all of which will together constitute this one Agreement.

25. **Severability.** Any provision or part of this Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the City and the Consultant, who agree that the Agreement shall be reformed to replace such stricken provision or part with a valid and enforceable provision that comes as close as reasonably possible to expressing the intent of the stricken provision.

IN WITNESS WHEREOF, the City and the Consultant have executed this Agreement as of the dates listed below.

CITY OF BONNEY LAKE

____

Name: Terry Carter

Title: Mayor

Date: ______________________

CONSULTANT

____

Name: Scott Melbourne, PLA, ASLA

Title: Director

Date: ______________________

ATTEST

By: ______________________________
Sadie A. Schaneman, MMC
City Clerk

APPROVED AS TO FORM

____
Jennifer S. Robertson, City Attorney

EXHIBIT A

<u>Scope of Services to be Provided by Consultant</u>. The Scope of Services is described in the attached Proposal dated August 13, 2026 which is attached hereto and incorporated herein.

EXHIBIT B

<u>Rates of Services to be Provided by Consultant</u>. The Rates of Services are described in Exhibit B which is attached hereto and incorporated herein.

August 13, 2026

Jason Sullivan
Public Services Director
City of Bonney Lake
21719 96th St. E., Second Floor
Buckley, WA 98321

Subject: Veterans Memorial Park 30% (SD) Design – Scope of Work

PROJECT DESCRIPTION

The City of Bonney Lake seeks to update the layout and design of Veterans Memorial Park, advancing it to the schematic (30%) level. The City is working with the Greater Bonney Lake Veteran's Committee on the design of the memorial itself that will be located within the park, and has asked for assistance in walking through the vision process to produce a memorial design with support of the group. Artistic renderings and opinions of probable construction costs will be produced to support future sponsor and grant efforts

PROJECT LOCATION / CONTEXT

The project is made up of multiple parcels located to the north of the Bonney Lake Justice & Municipal Center, and shall build on the previous conceptual plan completed by MxM for the City in 2024.

NATURE OF WORK

For this scope of work, MxM Landscape Architecture LLC (MxM) will support the City of Bonney Lake in the development of schematic (30%) design documents for the park and memorial, informed by extensive engagement with related parties.

OWNER PROJECT SCHEDULE

Project Kickoff	October 2026
Survey Completed	November 2026
Programming and concept revision	Winter 2026
Development of schematic (30%) design package	Spring - Fall 2027

SCOPE OF SERVICES

Task 1: Project Initiation and Management $49,584

Subtasks will include:

- Conduct project kickoff meeting
- Conduct one site visit to confirm the site's current condition and context
- Prepare site survey (ortho method)
- Combine existing materials and new survey to create updated basemap
- Prepare arborist report on existing trees
- Meetings with City staff (up to 18)

Deliverables:

- Project kickoff meeting notes
- Site survey
- Arborist report
- Compiled basemap

Task 2: Park Schematic (30%) Design $47,546

Subtasks will include:

- Confirm park program, connections, and arrangement

- Develop updated conceptual site plan based on updated program, understanding of site conditions, and feedback from City staff
- Develop schematic (30%) design package documenting outdoor spaces, key site furnishings, material selections, etc.
- Prepare illustrative site plan
- Prepare two 3D perspective renderings
- Present to two Planning Commission meetings
- Present to two City Council meetings
- Develop ROM cost opinion
- Preparation and tabling at one public open house event

Deliverables:

- Schematic (30%) park design package
- Illustrative site plan
- Perspective renderings
- ROM cost opinion

Task 3: Memorial Schematic (30%) Design $33,671

Subtasks will include:

- Participate in community/veteran organization meetings (5)
- Develop concept drawings (plans and section) for memorial based on group discussions
- Develop schematic (30%) design package documenting memorial design, key dimensions, material selections, etc.
- Prepare illustrative site plan
- Present to three Planning Commission meetings
- Present to one City Council meeting
- Prepare three, 3D perspective renderings
- Develop ROM cost opinion

Deliverables:

- Concept drawings (plans and sections)
- Schematic (30%) memorial design package
- Illustrative site plan
- Perspective renderings
- ROM cost opinion

General Assumptions:

- Standard details will be City of Bonney Lake standard details.

- There are no known toxics on the sites.
- Construction type shall be design-bid-build.
- Drawings and coordination will use AutoCAD drawing formats.
- Specifications shall be CSI format.

Assumptions for Included and Excluded Services:

Included	Excluded	
☐	☑	Reproduction for submittal and bid sets.
☑	☐	Site survey
☐	☑	Record drawings.
☑	☐	Rendered site plan.
☑	☐	Site perspectival renderings.
☑	☐	Quantity take–offs.
☐	☑	Tree Preservation Plan.
☐	☑	Site stairway design.
☑	☐	Hardscape design and layout.
☑	☐	Grading of sidewalks and walkways.
☑	☐	Determination of ADA path of travel.
☐	☑	Stamped conformance set following bid and/or permit.
☐	☑	Construction records based on contractor markups.
☑	☐	Right-of-way planting.
☐	☑	Irrigation design.
☑	☐	Commission and Council meetings.
☑	☐	General public engagement activities.
☐	☑	Division 00 and Division 01. These excluded items shall be provided by the City of Bonney Lake.
☐	☑	Abatement of potential toxins.
☐	☑	3D design layout.
☐	☑	Compiling final PDF project manual for bid. MxM team scope currently limited to providing plans and technical specifications for project manual.
☐	☑	Wetland mitigation.
☐	☑	SEPA
☐	☑	JARPA
☐	☑	Site lighting.
☐	☑	Permit Narrative Preparation
☐	☑	Basis of Design Document

☐	☑	Off-site irrigation and landscape design
☐	☑	Determination of building location

For the services described above, City of Bonney Lake shall pay MxM the fees per Task set forth under each Task below, plus expenses, which we will bill directly and which are estimated to be $3,924.

With your signature below, City of Bonney Lake authorizes MxM to commence the services described above. Please do not hesitate to ask any questions about the proposal above. We look forward to working with you.

Sincerely,

Scott Melbourne, PLA, ASLA

Principal

MxM

ACCEPTED:

Name: ________________________

Print Name: ________________________

Date:____________________________

MxM LANDSCAPE ARCHITECTURE

2026 Rate Sheet

The following rates shall be used for MxM Landscape Architecture LLC effective January 1, 2026 for Landscape Architecture and Urban Design/Planning services.

Principal	$197/hour
Inclusivity Specialist/PM	$168/hour
Project Manager	$147/hour
Landscape Designer	$122/hour
Administrative Assistant	$104/hour

MxM may occasionally engage individuals under personal service arrangements to meet specific job requirements. Charges to the client for such personnel will be comparable to regular MxM employees.

Mileage shall be direct billed at current federal rates for trips greater than 25 miles.

City of Bonney Lake, Washington

City Council Agenda Bill (AB)

Agenda Bill Number:	
Agenda Item Type:	None
Presenter:	Sadie Schaneman, City Clerk
City Strategic Goal Category:	None
Department/Division Submitting:	Admin
Impacted Departments That Received Notification:	None

Full Title/Motion: Review of Minutes: September 8, 2026 City Council Meeting Minutes

Short Background Summary:

Minutes

Budget Explanation:

Committee, Board, Commission, & Hearing Examiner Review

Name Of Committee/Commission/Examiner Meeting:

Date of Committee/Commission/Examiner Meeting:

Date of Committee/Commission Public Hearing:

Committee/Commission/Examiner Meeting Decision:

Council Action

Date of Council Workshop	Date of Council Meeting	Date of Council Public Hearing

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City Council Meeting

September 8, 2026
6:00 PM

Minutes

http://www.bonneylake.gov/

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.

I. Call to Order

Mayor 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 Aaron Davis, Councilmember Gwendolyn Fullerton, Councilmember Kerri Hubler, and Councilmember Brittany Rock. Councilmember McClimans was not in attendance.

Deputy Mayor Swatman moved to Excuse the absence of Councilmember McClimans. Angela Baldwin seconded the motion.

Motion approved 6 – 0.

Staff members in attendance at the physical location were Police Chief Mark Berry, Administrative Services Director Chuck McEwen, Superintendent of Public Works Ryan McBee, and City Clerk Sadie Schaneman.

Staff member(s) in virtual attendance were City Administrator John P. Vodopich.

C. Agenda Modifications

None.

II. Council Committee Reports

Councilmember Fullerton reported the Community Development Committee met in person and virtually on September 1, 2026. The Committee discussed and forwarded AB26-64 and AB26-70 to tonight's agenda, had open discussion on Battery energy storage systems (BESS), manufactured homes, had a public services project update report, the Mayor informed them of the Economic Development Board is working on a new marketing program to help bring job growth to Bonney Lake, and approved their minutes.

Councilmember Fullerton reported that the Communities for Families met and discussed Beautify Bonney Lake being scheduled on September 19, 2026, and they are still needing volunteers, the community toy drive is needing volunteers, and the Lions Club helped 114 kids go back to school with supplies and 47 kids with haircuts.

Councilmember Hubler reported that she attended the South Sound 911 meeting in August. They had a presentation from 988 program and volunteers, and they are starting to work on their budget.

Councilmember Hubler reported that the homecoming parade will be on October 1, 2026, at 5:00 pm. She also reported that the Bonney Lake and Sumner High School marching bands have qualified for the Rose Bowl. They will be reaching out to the communities to help with fundraising.

Councilmember Baldwin reported the Public Safety Committee met in person and virtually today at 3:45 p.m. and is expected to have their next meeting in person and virtually at 3:45 p.m. on October 13, 2026. The Committee received an update from the Police Department, East Pierce Fire and Rescue - who will be having their annual open house on October 3, 2026, from 1-4pm, and approved their minutes.

Deputy Mayor Swatman reported the Finance Committee met in person and virtually today at 5:00 p.m. and is expected to have their next meeting in person and virtually at 5:00 p.m. on October 13, 2026. The Committee went thru personnel updates, had budget discussions, and approved their minutes.

III. Consent Agenda

Councilmember Fullerton moved to Adopt the Consent agenda. Councilmember Baldwin seconded the motion.

Motion approved 6 – 0.

A. **Approval of Minutes:** August 11, 2026, City Council Meeting Minutes

B. **Approval of Accounts Payable:** 08/03/2026 voucher#102261 in the amount of $3,500. 08/05/2026 voucher#102262 to #102265 in the amount of $4,768. 08/07/2026 voucher #102266 to #102324 in the amount of $100,162.42. 08/13/2026 voucher#102325 to #102419 in the amount of #642,854.27. Wire transfers #202608133, #20260813, #202608131, and #20260803 in the amount of $67,585.26. 08/21/2026 Wire transfers #202512312, #202602,

#202603, #202604, #20260717, and #202607163 in the amount of $20,652.80. 08/27/2026 voucher #102420 to #102532 in the amount of $183,044.52. Wire transfers #20260827, #20260620, #20260720, #20260820, #202608181, #20260723, and #54019131 in the amount of $203,002.81. **Voids:** Checks #102198 – #102260. Replaced with checks #102261 to #102324. Wire #20251231 – Replaced with #202512312. Wire #20260212 – Replaced with #202602. Wire #20260312 – Replaced with #202603. Wire #20260415 – Replaced with #202604. Wire #20260507 – Replaced with #202605. Wire #20260621 - Replaced with #20260717.

C. **AB26-64 -** A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Transfer Of $50,000 Park CIP (Wayfinding & Interpretive Signage) For An On-call Engineering Services Contract With David Evans And Associates To Design The Fennel Creek Bridge Pier Repair

D. **AB26-70 -** A Motion of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor To Sign A Professional Services Agreement with Century West Engineering For The Rehabilitation of Sewer Pump Station 17

IV. Full Council Issues

V. Audience Comments

For efficient use of city resources, comments will be a short summary and not verbatim. An audio recording is available on the state digital archives and public portal website if you are needing a complete review of comments.

Steve McCoy, gave a history on Bonney Lake and how government is taking away citizen rights by taxation.

Dan Decker, spoke on disruption of public meetings, misuse of position, false statements, wasted police resources, retaliation against OPMA-protected speech, falsification of a vital record, and actions that pulled the City into personal matters unrelated to City business.

Chris Cozza, feels that the city is over reaching its rights by closing down the boat launch. He would like to know who determines that the water is at unsafe water levels.

Dominique Schaefer, explained that his business, Papa Johns, is being pushed out of the Rite Aid building since Harbor Freight is taking the building over and is asking for any help with getting conversations going with Harbor Freight to try nd stay in the building.

VI. Council Open Discussion

Deputy Swatman

Boat Launch: Says he agrees with Mr. Cozza but that there is probably a risk liability that the city needs to be mindful of. He asked if there might be a way to indemnify residents next time.

Councilmember Baldwin
Boat Launch: Reminded everyone that the Allan Yorke Park boat launch was a public launch and not a private one. Also, that Cascade water determines the water levels not the city.

Councilmember Davis
Boat Launch: Recommended that the city could look into an option of giving a discount on the next year's launch pass if a certain percentage of the summer months are closed for launching the next time.

Councilmember Fullerton
Boat Launch: Explained that the Allan Yorke Park boat launch is old and is shallow. For safety and liability it was closed.

Councilmember Hubler
Harbor Freight: Offered Mr. Schaefer a number of Harbor Freight corporate that she has had success with reaching a live person.

VII. Workshop Discussion Items

A. **AB26-62 -** (Last Council Meeting to only discuss this item) An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Relating To The Implementation Of A Public Safety Sales And Use Tax For Criminal Justice Purposes; Adding A New Chapter 3.46 Public Safety Sales And Use Tax To The Bonney Lake Municipal Code; Providing For Severability And Corrections; And Establishing An Effective Date.

Introduced by Deputy Mayor Swatman who gave an overview of the Public Safety Tax options. The Council discussed and shared their concerns, including:
• Cuts within the administration
• The tax still gives people the choice to decide to buy things or remove things from their cart if they can't afford the tax on everything they are purchasing
• The tax will effect everyone who shops in Bonney Lake not just the residents
• Maintaining the current service levels
• Staff are stretched thin currently
• Being fiscally responsible
• Cost of goods are continuing to go up
• Plans for the ending fund balance
• Possibility to use ending funds to generate opportunities to bring in more revenue

AB26-62 will be placed on the Full Council Issues on the September 15, 2026, Council agenda.

VIII. Executive/Closed Session

None.

IX. Adjournment

At 7:27 p.m. the Meeting was adjourned by Mayor Carter with the common consent of the City Council.

Sadie A. Schaneman, MMC, City Clerk	Terry Carter, Mayor

Items presented to Council at the September 8, 2026, Meeting for the record:

1. Public Comment write up – Dan Decker.

Note: Unless otherwise indicated, all documents submitted at City Council meetings and workshops are added to the back of the packet the next day. 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.