



The City is conducting this public meeting using a hybrid model. The public is welcome to attend tonight's meeting in-person at City Hall (Council Chambers), or virtually by using the meeting access link below. Please click the link below to join the webinar:

<https://sumnerwa-gov.zoom.us/j/83812822458>

Or One tap mobile - +12532050468,,83812822458# US +12532158782,,83812822458# US (Tacoma)

Or Telephone - +1 253 205 0468 US +1 253 215 8782 US (Tacoma)

Webinar ID: 838 1282 2458

CALL TO ORDER

Pledge of Allegiance

Invocation

Roll Call: Bitetto, Brown, Cole, Hochstatter, Reed and Stuard

The following items are distributed to Councilmembers in advance for study and review, and the recommended actions will be accepted in a single motion. Any item may be removed for further discussion if requested by a Councilmember.

CONSENT AGENDA

1. Approval of electronic checks and warrants in the amount of \$1,920,788.23.
2. Purchase and Sale Agreement Amendment Sumner Meadows
3. Approval of the minutes from the October 23rd, and November 6th, 2023, Council meeting and the November 13, 2023 study session.

PUBLIC HEARING

REGULAR BUSINESS

1. **Unfinished Business**
 - a. Resolution No. 1664 - Ad Valorem Property Tax
2. **Public Comment (Limit 3 minutes)**

Members of the community who wish to give public comment are strongly encouraged to join the meeting via the provided link or by telephone. If you are unable to attend the meeting, please submit your public comment in writing via email to the City Clerk at Michelledc@sumnerwa.gov no later than 5:30pm on the day of the meeting. Any written comments received will be read into the record and/or distributed to the City Council. Please contact the City Clerk at 253-299-5590 with any questions.
3. **New Business**
 - a. Appointment to Sumner Planning Commission – David Peters
 - b. Amendment to Sumner Meadows Development Agreement
4. **Reports**

- a. Council
- b. City Administrator
- c. Mayor

5. Executive Session

6. Adjournment

This meeting is accessible to persons with disabilities. For individuals who may require special accommodations, please contact the City Clerk at (253) 299-5590, 24 hours in advance.

SUBJECT: Approval of electronic checks and warrants in the amount of \$1,920,788.23.

CATEGORY: Consent

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Voucher Approval

STAFF CONTACT: Jeff Steffens, Administrative Services Director

SUMMARY BACKGROUND:

Approval of previous payments in the amount of \$1,920,788.23.

COUNCIL COMMITTEE/STUDY SESSION:
--

MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Approve as part of the Consent Agenda.



CLAIMS VOUCHER APPROVAL

City of Sumner
Finance Department

The following check/electronic payments are approved for payment:

Accounts Payable Check #:	From: 32157	To: 32292	\$1,090,430.68
Use Tax (paid to WA State Department of Revenue)	n/a	n/a	\$306.32
Voided Check(s)	-	22976, 26897, 29221	-\$1,123.59
Voided EFT(s)	-	-	\$0.00
AP Electronic (EFTs) Payments:	From: 665	To: 677	\$142,399.83
AP Wire(s):	From: 15306	To: 15310	\$14,642.38
Payroll & Benefits Electronic Payments	From: 10/20/2023	To: 11/2/2023	\$674,132.61
Payroll & Benefits Checks	From: -	To: -	\$0.00
		TOTAL	\$1,920,788.23

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the service rendered, or the labor performed as described herein, and that the claim is a just, due, and unpaid obligation against the City of Sumner and I am authorized to authenticate and certify to said claim.

Kassandra Raymond

Chief Financial Officer

11/2/2023 | 2:23 PM PDT

Date

We, the undersigned Finance and Personnel Committee of the City of Sumner City Council, do hereby certify that the check numbers and electronic payments listed above are approved for payment in the amount of:

\$1,920,788.23

DocuSigned by:

Patricia Cole

Chair

11/2/2023 | 3:04 PM PDT

Date

Barbara Bitetto

Committee Member

11/2/2023 | 9:42 PM PDT

Date

E. Howard

Committee Member

11/6/2023 | 11:00 AM PST

Date

SUBJECT: Purchase and Sale Agreement Amendment Sumner Meadows

CATEGORY: Motion

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Amended Purchase and Sale Agreement with Exhibits

STAFF CONTACT: Andrea Marquez, City Attorney

SUMMARY BACKGROUND:

The former Sumner Meadows Golf Course has been under contract since 2013 with purchaser CSHV Sumner Meadows, LLC (the Buyer). In 2018, the City of Sumner revised the agreement to reduce the property being sold by almost half to reserve most of the land for the City's White River Restoration Project, and to carve out approximately 11 acres to accommodate BNSF Railroad, who approached the City to build a side track staging yard. The price per square foot of the property being sold also increased from approximately \$7/square foot to \$13/square foot. After years of negotiating with BNSF, it ultimately chose to walk away from the project, freeing up those 11 acres that were originally being sold to the Buyer. The Buyer then re-approached the City offering to re-purchase those 11 acres for the same \$13/square foot, grossing the City additional revenue of roughly \$6.3 million. Tonight's purchase and sale agreement amends the terms of the 2018 PSA to include the additional 11 acres of property, and increases the purchase price accordingly - to \$46,779,382.

COUNCIL COMMITTEE/STUDY SESSION: Special Study Session MEETING/STUDY SESSION DATE: 11/6/2023 COMMITTEE RECOMMENDATION: Do Pass
--

STAFF RECOMMENDATIONS/MOTION:

Authorize the Mayor to execute the third amendment to second amended and restated purchase and sale agreement and joint escrow instructions, and any and all other related documents necessary to effectuate the amendment, in a form as approved by the City Attorney.

THIRD AMENDMENT
TO SECOND AMENDED AND RESTATED
PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS

This THIRD AMENDMENT TO SECOND AMENDED AND RESTATED PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS (this "Amendment") is made and entered into as of _____, 2023 by and between THE CITY OF SUMNER, WASHINGTON, a Washington municipal corporation ("Seller"), and CSHV SUMNER MEADOWS, LLC, a Delaware limited liability company ("Buyer"). All capitalized terms used herein which are not otherwise defined herein shall have the meaning ascribed to them in the Second Amended and Restated Purchase Agreement (as hereinafter defined).

RECITALS

A. Buyer and Seller have entered into that certain Second Amended and Restated Purchase and Sale Agreement and Joint Escrow Instructions, dated as of November 15, 2018 (the "Second Amended and Restated Agreement"), as amended by that certain First Amendment to Second Amended and Restated Purchase and Sale Agreement and Joint Escrow Instructions dated as of December 23, 2019 (the "First Amendment"), and as amended by that certain Second Amendment to Second Amended and Restated Purchase and Sale Agreement and Joint Escrow Instructions dated as of October 27, 2021 (the "Second Amendment"; collectively with the Second Amended and Restated Agreement and the First Amendment, the "Second Amended and Restated Purchase Agreement"), in connection with the sale by Seller to Buyer of certain Property more particularly described therein.

B. Buyer and Seller have agreed to incorporate within the scope of the Project Land an additional approximately 11.3 acres of real property (the "11 Acre Parcel"), which was previously a part of the real property under the First Amended and Restated Agreement;

C. Accordingly, Buyer and Seller hereby desire to amend and restate the legal description for the Project Land to include the 11 Acre Parcel, as more particularly set forth on Exhibit C-1 attached to this Amendment (the "Amended Project Land Legal Description");

D. Buyer and Seller further desire to recalculate the Purchase Price by applying the existing "per square foot purchase price" equal to Thirteen and No/100 Dollars (\$13.00) per square foot of the Project Land to the redefined size and scope of the Project Land (i.e., the Project Land as increased by the 11 Acre Parcel) thus yielding a recalculated Purchase Price;

E. Buyer and Seller acknowledge that the Parcel A and Parcel B depictions attached to the Second Amendment must be updated to reflect the redefined size and scope of the Project Land as described in the Amended Project Land Legal Description;

F. Buyer and Seller further acknowledge that, as of the date of this Amendment, the actual boundary lines of the Project Land are not as legally described in the Amended Project Land Legal Description, and, accordingly, the boundary line adjustment attached hereto as Schedule 1 (the "Updated Boundary Line Map") must be processed to cause such boundary lines to be as legally described in the Amended Project Land Legal Description; and

G. Buyer and Seller desire to further amend the Second Amended and Restated Purchase Agreement as more particularly set forth herein.

AGREEMENT

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Buyer and Seller hereby agree as follows:

1. Updated Boundary Map. From and after the date of this Amendment, Seller shall promptly, but in all events prior to the Closing Date, cause the Updated Boundary Line Map to be processed and recorded.

2. Purchase Price. Paragraph 2(a) of the Second Amended and Restated Agreement is hereby amended to read as follows:

(a) The purchase price of the Property (the "Purchase Price") shall be an amount equal to the sum of:

(i) Forty Six Million, Seven Hundred Seventy Nine Thousand, Three Hundred Eighty Two Dollars and No/100 Dollars (\$46,779,382 (which represents a price equal to Thirteen and No/100 Dollars (\$13.00) per square foot of the Project Land); subject to

(ii) the prorations and adjustments provided herein.

3. Updated Parcel A and Parcel B Depictions.

(a) Exhibit A of the Second Amendment is hereby deleted in its entirety and replaced with Exhibit A attached to this Amendment; and

(b) Exhibit B of the Second Amendment is hereby deleted in its entirety and replaced with Exhibit B attached to this Amendment.

4. Description of Project Land. Exhibit C-1 of the Second Amended and Restated Agreement is hereby deleted in its entirety and replaced with Exhibit C-1 attached to this Amendment.

5. No Waiver. Nothing contained herein shall be or be deemed to be a waiver by Buyer or Seller of any rights or remedies under the Second Amended and Restated Purchase Agreement.

6. Full Force and Effect. Except as expressly amended and modified hereby, the Second Amended and Restated Purchase Agreement is and shall remain in full force and effect, and the terms and provisions of the Second Amended and Restated Purchase Agreement are hereby ratified and affirmed in their entirety. All references to the Second Amended and Restated Purchase Agreement in the Amendment shall be deemed to refer to the Second Amended and Restated Purchase Agreement as amended by this Amendment. Buyer and Seller agree that notwithstanding anything contained in the Second Amended and Restated Purchase Agreement to the contrary, the provisions set forth in this Amendment shall be deemed to be part of the Second

Amended and Restated Purchase Agreement and shall supersede any contrary provisions in the Second Amended and Restated Purchase Agreement and prevail and control for all purposes.

7. Counterparts. This Amendment may be executed in any number of counterparts, each of which shall be deemed to be an original and all of which shall constitute one and the same agreement. This Amendment shall be deemed executed and delivered upon each party's delivery of executed signature pages, which signature pages may be delivered electronically or by facsimile with the same effect as delivery of the originals.

[signature page follows]

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

Buyer:

CSHV SUMNER MEADOWS, LLC, a Delaware
limited liability company

By: California State Teachers' Retirement
System, a public entity, its sole member

By: _____

(Print Name and Title)

[Signatures continued on next page.]

[Signatures continued from previous page.]

Seller:

CITY OF SUMNER, a Washington municipal
corporation

By: _____
Mayor Kathy Hayden

ATTEST:

Michelle Converse, City Clerk

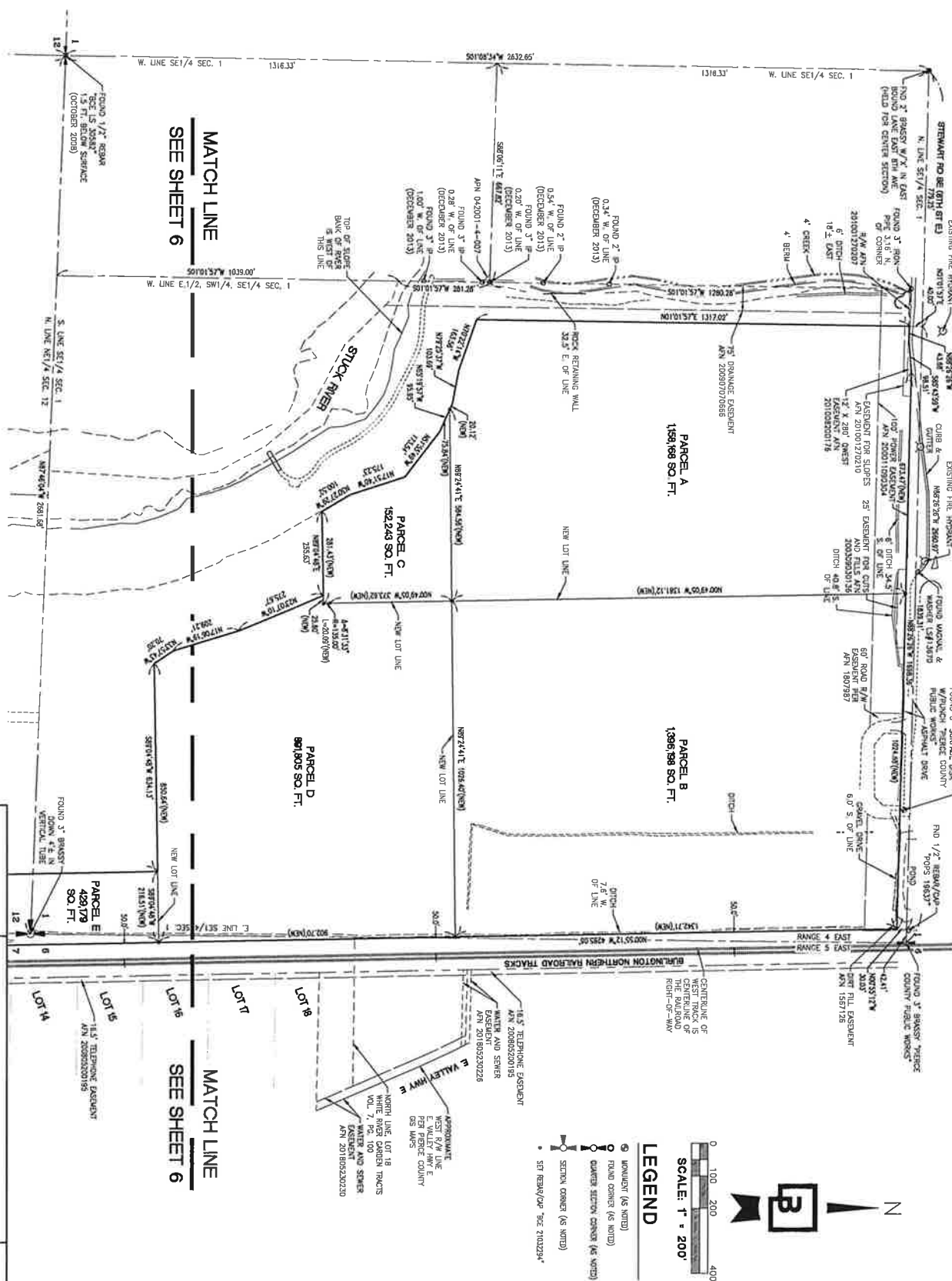
APPROVED AS TO FORM:

Andrea Marquez, City Attorney

[End of signatures.]

SCHEDULE 1

UPDATED BOUNDARY MAP



NEW LOT LAYOUT - NORTH HALF OF SITE



BCE

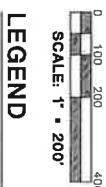
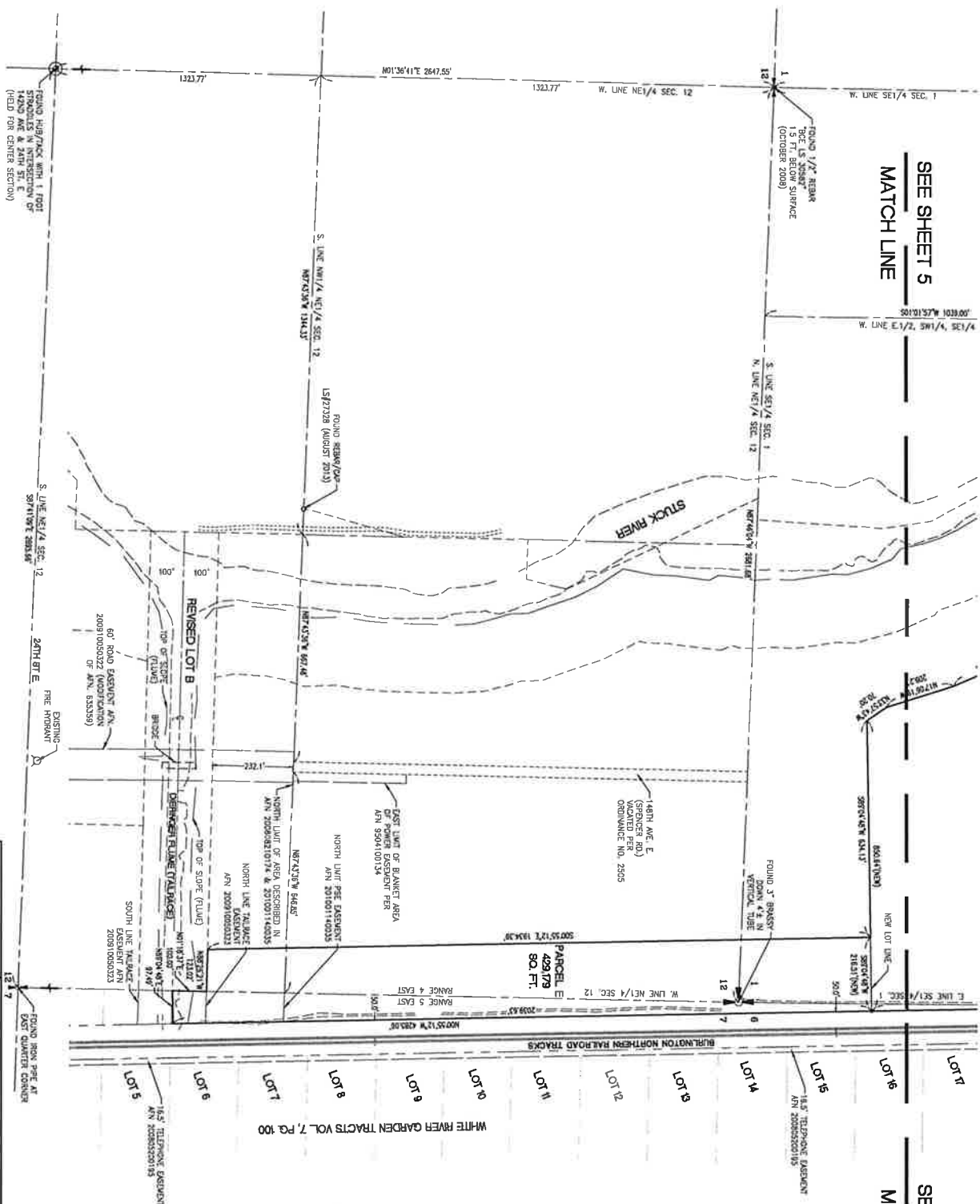
**Barthausen
Consulting Engineers, Inc.**

18215 72nd Avenue South
Kent, WA 98032
425.251.6222 barthausen.com

BCE JOB NO. 16408

DRAWN BY	KMA	
DATE	10/19/2023	
SCALE:	1" = 200'	
CHECKED BY:	ROL	
APPROVED BY:	ROL	

CITY OF SUMNER BOUNDARY LINE ADJUSTMENT PLN-2023-000--
 NW1/4, NE1/4 & SE1/4 OF SECTION 1, SE1/4 OF SECTION 6, NW1/4 OF SECTION 7 AND THE NW1/4, NE1/4 & SE1/4 OF SECTION 12, T20N-R4E, W.M. CITY OF SUMNER, PIERCE COUNTY, WASHINGTON



LEGEND

- UNNOTED (AS NOTED)
- FOUND CORNER (AS NOTED)
- QUARTER SECTION CORNER (AS NOTED)
- SECTION CORNER (AS NOTED)
- SET REBAR/CP/CP BEC 2102284

NEW LOT LAYOUT - SOUTH HALF OF SITE



Barghausen Consulting Engineers, Inc.
 18215 72nd Avenue South
 Kent, WA 98032
 425.251.6222 barghausen.com

SHEET 8 OF 8

DRAWN BY	KAM
DATE	10/19/2023
SCALE:	1" = 200'
CHECKED BY	ROL
APPROVED BY	ROL

EXHIBIT A

DEPICTION OF PARCEL A

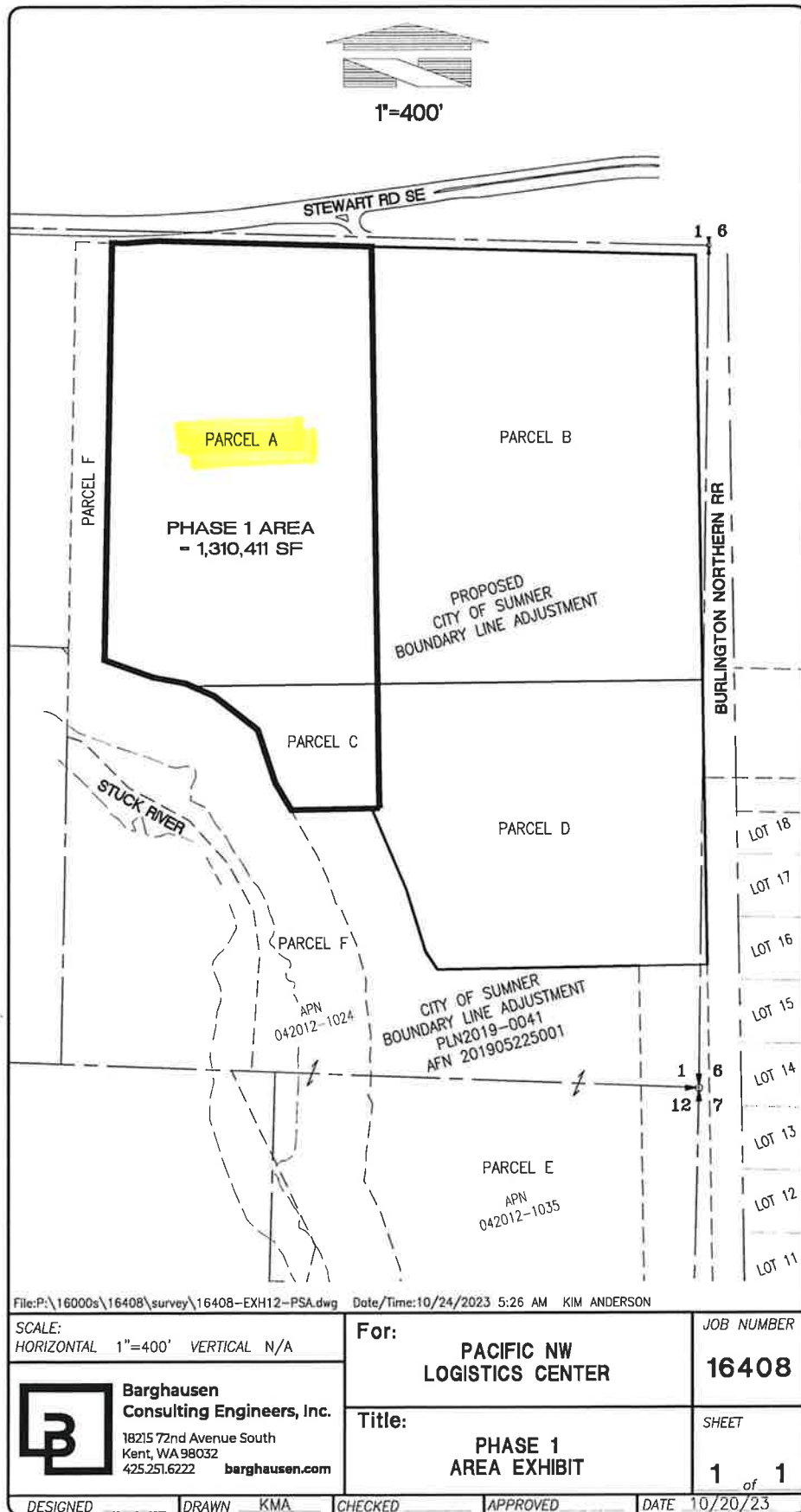


EXHIBIT B

DEPICTION OF PARCEL B

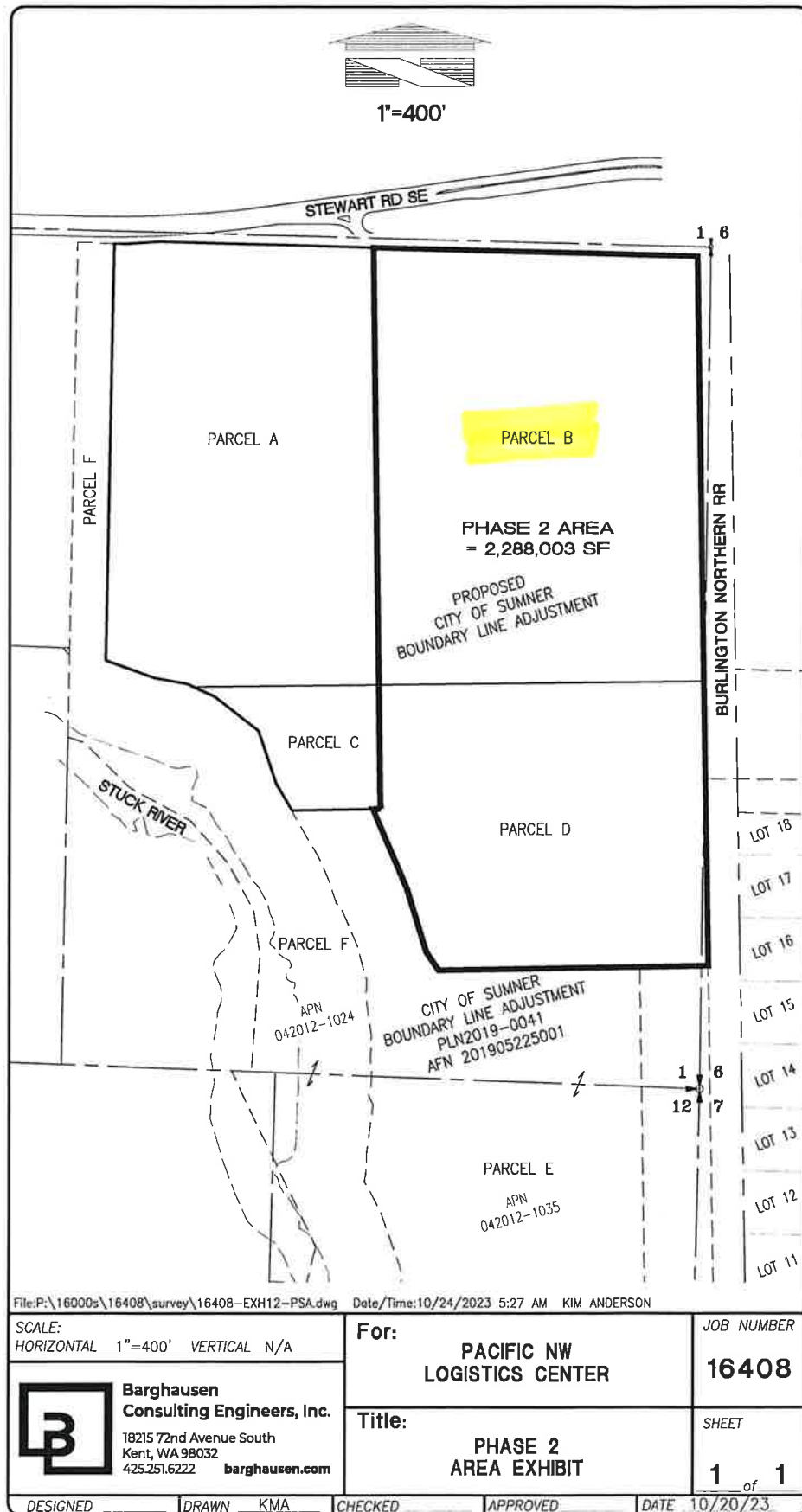


EXHIBIT C-1

DESCRIPTION OF PROJECT LAND

REVISED LEGAL DESCRIPTIONS

PARCEL A:

THAT PORTION OF PARCELS A AND C OF CITY OF SUMNER BOUNDARY LINE ADJUSTMENT NUMBER PLN2019-0041, RECORDED UNDER AUDITOR'S FILE NUMBER 201905225001, RECORDS OF PIERCE COUNTY WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL A;
THENCE ALONG THE NORTH LINE OF SAID PARCEL A FOR THE FOLLOWING THREE COURSES;
 THENCE SOUTH 88°26'26" EAST, 43.88 FEET;
 THENCE NORTH 85°43'59" EAST, 98.51 FEET;
 THENCE SOUTH 88°26'26" EAST, 673.48 FEET;
THENCE SOUTH 00°49'05" EAST, 1,381.12 FEET;
THENCE SOUTH 89°24'41" WEST, 584.56 FEET TO THE SOUTHWESTERLY LINE OF SAID PARCEL A;
THENCE ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL A FOR THE FOLLOWING THREE COURSES;
 THENCE NORTH 65°19'57" WEST, 20.12 FEET;
 THENCE NORTH 79°25'37" WEST, 103.69 FEET;
 THENCE NORTH 70°22'14" WEST, 163.56 FEET TO THE WEST LINE OF SAID PARCEL A;
THENCE NORTH 01°01'57" EAST, ALONG THE WEST LINE OF SAID PARCEL A, FOR 1,317.02 FEET TO THE POINT OF BEGINNING.

PARCEL B:

THAT PORTION OF PARCELS A, B, D AND G OF CITY OF SUMNER BOUNDARY LINE ADJUSTMENT NUMBER PLN2019-0041, RECORDED UNDER AUDITOR'S FILE NUMBER 201905225001, RECORDS OF PIERCE COUNTY WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL B;
THENCE SOUTH 88°26'26" EAST, ALONG THE NORTH LINE OF SAID PARCEL G, FOR 216.71 FEET TO THE NORTHEAST CORNER OF SAID PARCEL G;
THENCE SOUTH 00°55'12" EAST, ALONG THE EAST LINE OF SAID PARCEL G, FOR 1,342.71 FEET;
THENCE SOUTH 89°24'41" WEST, 1,026.40 FEET;
THENCE NORTH 00°49'05" WEST, 1,381.12 FEET;
THENCE SOUTH 88°26'26" EAST, 808.17 FEET TO THE POINT OF BEGINNING.

PARCEL C:

THAT PORTION OF PARCELS A AND C OF CITY OF SUMNER BOUNDARY LINE ADJUSTMENT NUMBER PLN2019-0041, RECORDED UNDER AUDITOR'S FILE NUMBER 201905225001, RECORDS OF PIERCE COUNTY WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL C;

THENCE ALONG THE SOUTHWEST LINE OF SAID PARCEL C FOR THE FOLLOWING FOUR COURSES;
THENCE NORTH 30°27'29" WEST, 100.52 FEET;
THENCE NORTH 17°51'40" WEST, 175.23 FEET;
THENCE NORTH 51°55'49" WEST, 173.54 FEET;
THENCE NORTH 65°19'57" WEST, 75.84 FEET;
THENCE NORTH 89°24'41" EAST, 584.56 FEET;
THENCE SOUTH 00°49'05" EAST, 373.62 FEET TO THE START OF A CURVE TO THE LEFT, HAVING A RADIUS OF 135.00 FEET;
THENCE ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°31'33", FOR 20.09 FEET;
THENCE SOUTH 89°04'48" WEST, 281.43 FEET TO THE POINT OF BEGINNING.

PARCEL D:

THAT PORTION OF PARCELS A, C, D AND G OF CITY OF SUMNER BOUNDARY LINE ADJUSTMENT NUMBER PLN2019-0041, RECORDED UNDER AUDITOR'S FILE NUMBER 201905225001, RECORDS OF PIERCE COUNTY WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL D;
THENCE ALONG THE SOUTHWEST LINE OF SAID PARCEL D FOR THE FOLLOWING THREE COURSES;
THENCE NORTH 33°57'43" WEST, 70.20 FEET;
THENCE NORTH 17°06'19" WEST, 209.21 FEET;
THENCE NORTH 23°07'10" WEST, 275.67 FEET;
THENCE NORTH 89°04'48" EAST, 25.80 FEET TO THE START OF A NON-TANGENT CURVE, CONCAVE TO THE EAST, THE RADIUS POINT OF WHICH BEARS NORTH 80°39'22" EAST, 135.00 FEET;
THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°31'33", FOR 20.09 FEET;
THENCE NORTH 00°49'05" WEST, 373.62 FEET;
THENCE NORTH 89°24'41" EAST, 1,026.40 FEET TO THE EAST LONE OF SAID LOT G;
THENCE SOUTH 00°55'12" EAST, ALONG THE EAST LINE OF SAID LOT G, FOR 902.70 FEET;
THENCE SOUTH 89°04'48" WEST, ALONG THE SOUTH LINE OF SAID PARCEL D, OR THE EASTERLY EXTENSION THEREOF FOR 850.64 FEET TO THE POINT OF BEGINNING.

PARCEL E:

THAT PORTION OF PARCEL G OF CITY OF SUMNER BOUNDARY LINE ADJUSTMENT NUMBER PLN2019-0041, RECORDED UNDER AUDITOR'S FILE NUMBER 201905225001, RECORDS OF PIERCE COUNTY WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL G;
THENCE ALONG THE SOUTH LINE OF SAID PARCEL G FOR THE FOLLOWING THREE COURSES;
THENCE SOUTH 89°04'48" WEST, 97.49 FEET;
THENCE NORTH 01°18'37" EAST, 100.00 FEET;
THENCE NORTH 88°26'21" WEST, 123.02 FEET THE WEST LINE OF SAID PARCEL G;
THENCE NORTH 00°55'12" WEST, ALONG THE WEST LINE OF SAID PARCEL G, FOR 1,934.39 FEET;
THENCE NORTH 89°04'48" EAST, 216.51 FEET TO THE EAST LINE OF SAID PARCEL G;
THENCE SOUTH 00°55'12" EAST, ALONG THE EAST LINE OF SAID PARCEL G, FOR 2,039.64 FEET TO THE POINT OF BEGINNING.

SUBJECT: Approval of the minutes from the October 23rd, and November 6th, 2023, Council meeting and the November 13, 2023 study session.

CATEGORY: Consent

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. November 6, 2023 Regular Council Meeting Minutes
2. November 6, 2023 Special Study Session Minutes
3. November 13, 2023 Study Session Minutes

STAFF CONTACT: Michelle Converse, City Clerk

SUMMARY BACKGROUND:

Minutes from the previous council meetings.

COUNCIL COMMITTEE/STUDY SESSION:
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MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Approve as written.



The city conducted this public meeting using a hybrid model, in-person and on the Zoom platform.

Staff present: City Administrator Jason Wilson, City Attorney Andrea Marquez, Development Services Director Doug Beagle, Community & Economic Development Director Ryan Windish, Public Works Director Mike Dahlem, Communications Director Carmen Palmer, Chief Financial Officer Kassandra Raymond, Administrative Services Director Jeff Steffens, City Engineer Michael Kosa, Environmental & Sustainability Specialist Robert Wright, Deputy Police Chief McCurdy, Financial Services Manager Dori Franich and City Clerk Michelle Converse

THE REGULAR MEETING OF THE SUMNER CITY COUNCIL WAS CALLED TO ORDER BY MAYOR HAYDEN AT 6:00PM.

CALL TO ORDER

Pledge of Allegiance

Invocation

Roll Call: Bitetto, Brown, Cole, Hochstatter, Reed and Stuard

PROCLAMATION

Deputy Mayor Hochstatter read the **Native American Heritage Month** proclamation into the record.

CONSENT AGENDA

MOVED BY HOCHSTATTER SECONDED BY STUARD TO APPROVE THE CONSENT AGENDA

1. Approval of check and electronic payments in the amount of \$16,088,336.66.
2. Approval of the minutes from the regular council meeting of October 16, 2023, and the 23rd of October, 2023, study session.

PASSED BY VOICE VOTE

PUBLIC HEARING

Mayor Hayden opened the Public Hearing at 6:06pm. Chief Financial Officer Kassandra Raymond introduced the topic.

1. Resolution No. 1664 – Ad Valorem Property Tax

With no questions or comments, Mayor Hayden closed the Public Hearing at 6:12pm.

REGULAR BUSINESS

1. Unfinished Business

There was no unfinished business tonight.

2. Public Comment

Four residents spoke during Public Comment –

Regarding the Ryan House, Ms. Griffin, Mr. Adams and Mr. Bierman.

Mr. Yoder spoke about the Heritage Park Fountain.

3. New Business

a. Ordinance No. 2873 – Compensation for Municipal Court Judge and Judges Pro Tempore

MOVED BY BITETTO SECONDED BY HOCHSTATTER TO APPROVE ORDINANCE NO. 2873 –
COMPENSATION FOR MUNICIPAL COURT JUDGE AND JUDGES PRO TEMPORE

Administrative Services Director Jeff Steffens addressed the council.

PASSED BY ROLL CALL VOTE.

b. 2024 Legislative Agenda

MOVED BY HOCHSTATTER SECONDED BY BITETTO TO APPROVE THE 2024 LEGISLATIVE
AGENDA FOR DISTRIBUTION TO LEGISLATORS AND PARTNERS IN ANTICIPATION OF THE 2024
STATE SESSION.

Communications Director Carmen Palmer and City Lobbyist Bill Clark addressed the council.

Mr. Bierman and Ms. Henderson both provided comments to the council.

PASSED BY ROLL CALL VOTE.

4. Reports

a. Council

Councilmember Bitetto reminded everyone to vote. On November 7, 2023, she will be touring the Pierce County Elections Center and will be taking pictures. If there is something that is questionable, she will let the public know, but the Councilmember is confident in our system.

Deputy Mayor Hochstatter had the privilege of taking a tour of the Sumner Food Bank. They have developed relationships with trucking companies; if a driver has a load that isn't accepted, they can call the Sumner Food Bank who will help unload and distribute to other food banks.

Councilmember Stuard had no reports.

Councilmember Brown had nothing to report.

Councilmember Reed shared the Sumner High School Marching Band will be participating in the Auburn Veterans Day Parade/Field Show on November 11, 2023.

Councilmember Cole had nothing to report tonight.

b. **City Administrator**

City Administrator Jason Wilson reported on the following:

Upcoming Policy Issues:

- November 13, 2023 – Study Session
 - Utility Rate Study
 - Parks and Trail Plan Update
- November 20, 2023 – Regular Council Meeting
 - Amendment to the Sumner Meadows Purchase and Sale Agreement
 - Maple Street Pedestrian Signal - Consultant Contract Amendment
 - Resolution Setting the 2024 Ad Valorem Property Tax Rate
 - Sumner Meadows Development Agreement Amendment
 - Planning Commission Appointment

Miscellaneous:

- The Pierce County Council will be holding an in-district meeting in our Council Chambers on Wednesday, November 29th at 6:30. The Mayor will be providing the County Council with an update regarding significant projects, Chief Moericke will speak about police matters and the Library District will be discussing the new library coming to Sumner.

c. **Mayor**

Mayor Hayden reminded the public due to Veteran's Day, Saturday, City Hall will be closed on Friday, November 10th in observance. She continued to thank all who served and extended her thanks to their families as well. We forget they serve our country too.

5. Executive Session

There was none tonight.

6. Adjournment

With no other matters before the Council, Mayor Hayden adjourned the meeting at 6:50pm. Councilmembers concurred.

ATTEST:

Michelle Converse, City Clerk

Kathy Hayden, Mayor



The city conducted this public meeting using a hybrid model, in-person and Zoom.

Staff present: City Administrator Jason Wilson, City Attorney Andrea Marquez, Development Services Director Doug Beagle, Community & Economic Development Director Ryan Windish, Public Works Director Mike Dahlem, Communications Director Carmen Palmer, Chief Financial Officer Kassandra Raymond, Administrative Services Director Jeff Steffens, City Engineer Michael Kosa, Environmental & Sustainability Specialist Robert Wright, Deputy Police Chief McCurdy, Financial Services Manager Dori Franich and City Clerk Michelle Converse

Mayor Hayden called to order the Special Study Session, at 6:54pm.

CALL TO ORDER

Roll Call: Bitetto, Brown, Cole, Hochstatter, Reed and Stuard

STUDY SESSION BUSINESS

1. White River Restoration Project Update

ADJOURNMENT

With no additional business, Mayor Hayden adjourned the meeting at 7:12pm.

Attest:

Kathy Hayden, Mayor

Michelle Converse, City Clerk



The city conducted this public meeting using a hybrid model, in-person and Zoom.

Staff present: Wilson, Marquez, Dahlem, Fessler, Raymond, Steffens, Barber, Kosa, O'Haver-Ayala and Leach

Mayor Hayden called to order the Study Session, at 6:00pm.

CALL TO ORDER

Roll Call: Bitetto, Brown, Cole, Hochstatter, Neuman, Reed and Stuard

REGULAR BUSINESS

1. 2003 Utility Rate Study

(Public Works Director Mike Dahlem, City Engineer Michael Kosa, Associate Engineer Andrew Leach and Chris Gonzalez, Principal, FCS Group)

CITY ADMINISTRATOR REPORT

AGENDA SETTING

1. Council Meeting Agenda Calendar
2. Council Committee Meeting Calendar

ADJOURNMENT

With no additional business, Mayor Hayden adjourned the meeting at 7:00pm.

Attest:

Kathy Hayden, Mayor

Michelle Converse, City Clerk, CMC

SUBJECT: Resolution No. 1664 - Ad Valorem Property Tax

CATEGORY: Resolution

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Presentation
 2. Resolution No. 1664 - 2024 Ad Valorem Property Tax Levy
 3. TY2024 Levy Request
-

STAFF CONTACT: Cassandra Raymond, Chief Financial Officer

SUMMARY BACKGROUND: Annually, the City of Sumner must set a property tax levy for the next tax year.

RCW 84.55.120 mandates a public hearing on revenue sources for the upcoming year's budget, including consideration of any potential increases in property tax revenues. The hearing process provides Sumner residents with the opportunity to voice their opinions prior to the adoption of the property tax levy. That public hearing was held November 6, 2023.

In accordance with RCW 84.55.120, the Mayor of the City of Sumner must certify to the Pierce County Assessor-Treasurer and the Pierce County Council that the City of Sumner requests the following property tax amounts to be collected in 2024:

A total levy of \$4,880,822, which includes a 1.0% increase over the prior year's collections as authorized by RCW, plus revenues resulting from new construction and improvements (\$76,112), annexations (\$4,544), and administrative refunds (\$163). The combined amount to be levied, inclusive of new revenues, is \$4,961,641.

In authorizing this action, it is the Council's intent that:

1. Of the effective levy rate, \$0.061128 per \$1,000 of assessed valuation shall be committed to leveraging funding opportunities (e.g. grants) for street/transportation projects, in an amount equal to \$330,000.
2. Of the effective levy rate, \$0.064833 per \$1,000 of assessed valuation, in an amount equal to \$350,000, shall be reserved for Council appropriation in a future biennial budget cycle.

The 2023 levy rate of \$0.97 (rounded) per \$1,000 of assessed valuation was based on an overall City assessed valuation of \$4,973,477,995. Based on the 2023 preliminary certification from Pierce County for tax year 2024, the 2023 assessed valuation for 2024 taxes is estimated at \$5,398,522,248, resulting in a preliminary levy rate for tax year 2024 of \$0.9191 (rounded) per \$1,000 of assessed valuation.

COUNCIL COMMITTEE/STUDY SESSION: Finance & Personnel Committee 10/04/2023

City Council Study Session 10/23/2023

Public Hearing 11/06/2023

MEETING/STUDY SESSION DATE: 10/23/2023

COMMITTEE RECOMMENDATION: Do Pass

STAFF RECOMMENDATIONS/MOTION:

A motion to adopt Resolution No. 1664 - Setting the Tax Year 2024 Ad Valorem Property Tax Levy.

2024 Property Tax Levy



CITY OF
SUMNER
WASHINGTON

City Council
November 20, 2023

About Property Taxes

- Most stable source
- 21% of the General Fund revenue (2023)
- Finance & Personnel Committee October 4, 2023
- City Council Study Session October 23, 2023
- Public Hearing November 6, 2023
- Resolution November 20, 2023
- Resolution must be passed and certified to Pierce County by November 30, 2023

State Law



RCW 84.55
authorizes taxing
districts with a
population of
10,000 or more
to increase its
levy up to 1.0%
from the highest
lawful levy since
1985.

EXAMPLE OF ORDINANCE/RESOLUTION REQUESTING HIGHEST LAWFUL LEVY

Ordinance/Resolution No. _____
RCW 84.55.120

WHEREAS, the _____ of SUMNER has met and considered
(Governing body of the taxing district) (Name of the taxing district)
its budget for the calendar year 2024; and,

WHEREAS, the districts actual levy amount from the previous year was \$ 4,832,497.00 and,
(Previous Year's Levy Amount)

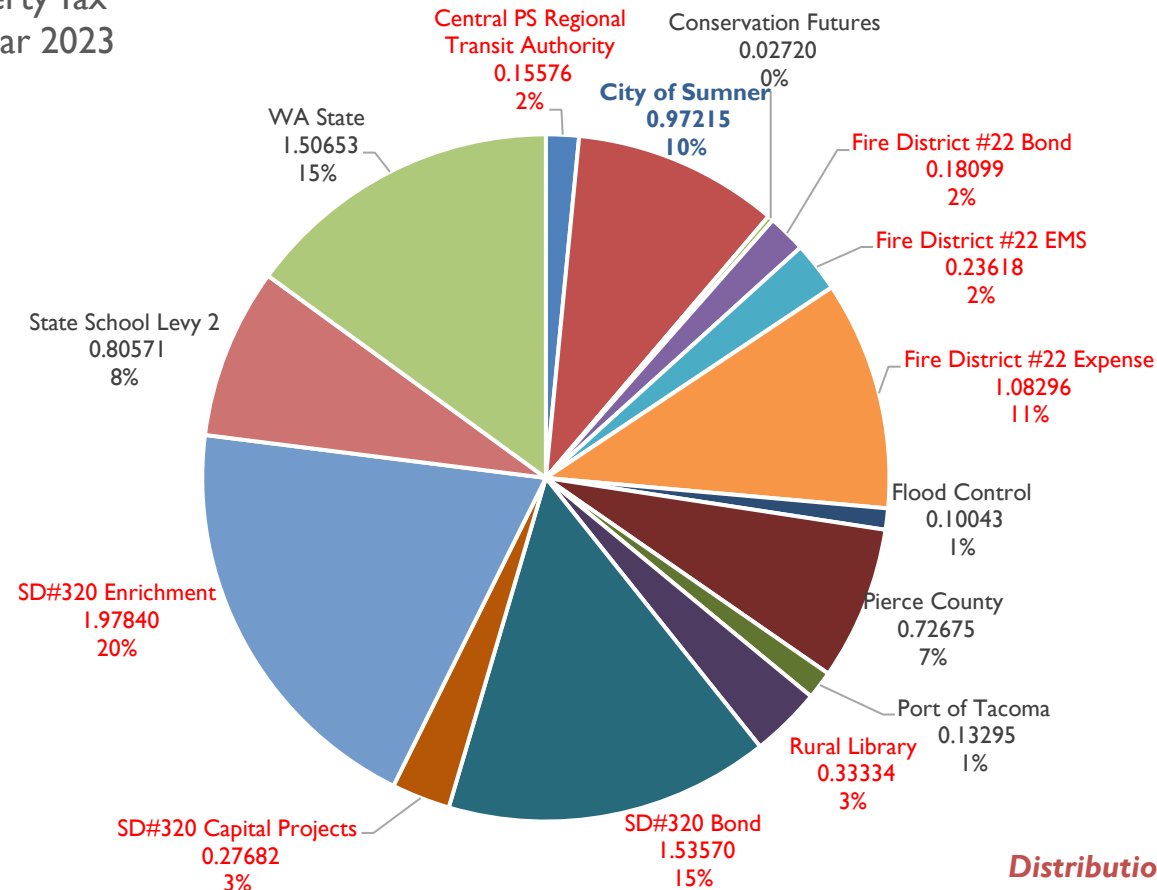
WHEREAS, the population of this district is ☐ more than or ☐ less than 10,000; and now, therefore,
(Check One)

BE IT RESOLVED by the governing body of the taxing district that an increase in the regular property tax levy
is hereby authorized for the levy to be collected in the 2024 tax year.
(Year of Collection)

The dollar amount of the increase over the actual levy amount from the previous year shall be \$ 42,531.66
which is a percentage increase of 0.9% from the previous year. This increase is exclusive of
(Percentage Increase)

Property Tax Distribution

Property Tax
Tax Year 2023



*Distributions in
red font are
voter approved*

Property tax is the 2nd
largest revenue source
in the General Fund;

The City receives 10% of
Sumner's overall property
tax assessment.

SBLSD = 38%-46%

EPFR = 15%

Preliminary Certification

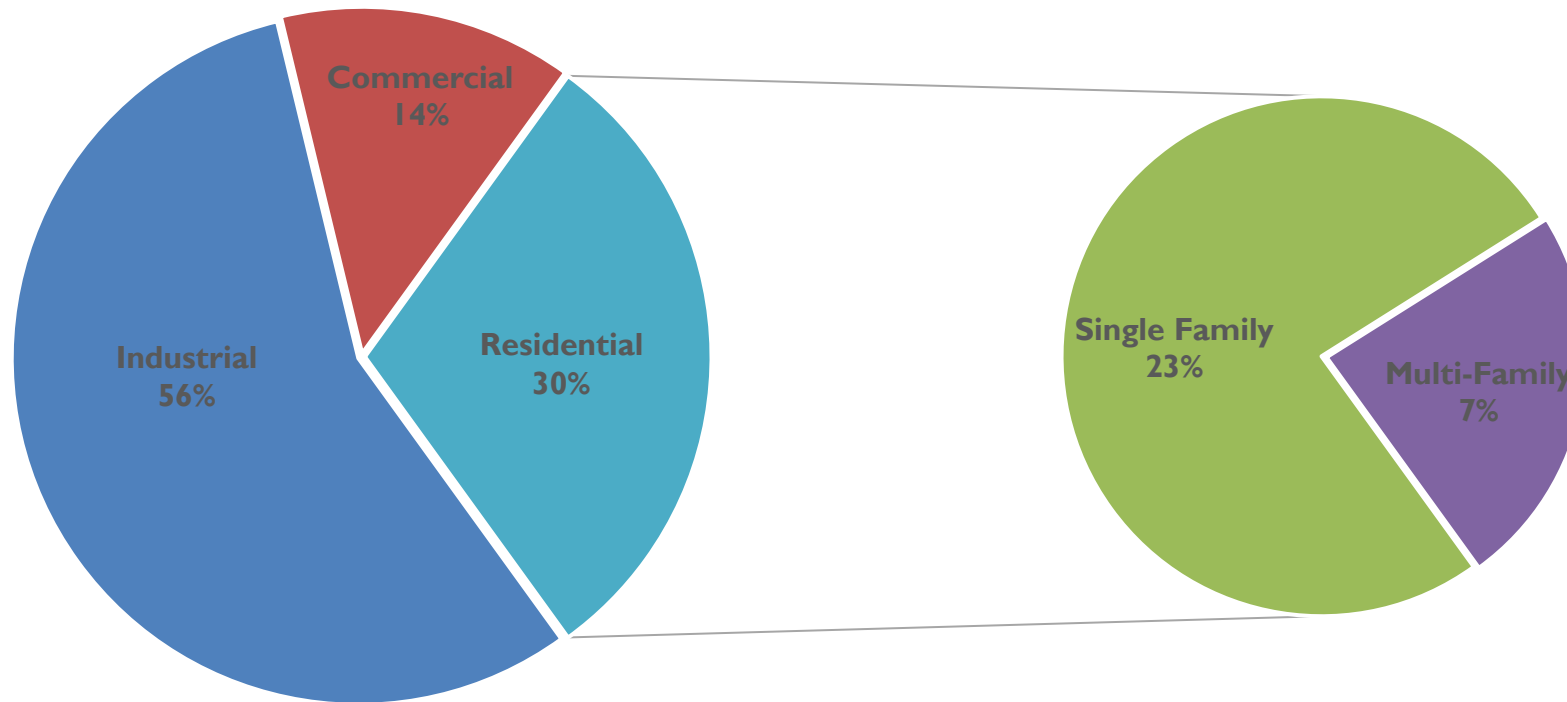


	TY 2023	TY2024	Change
Assessed Valuation	\$4,973,477,995	\$5,398,522,248	8.5%
A/V Single Family Residence	\$515,842	\$506,451	-1.8%

The dollar amount levied is calculated by the Assessed Valuation, divided by \$1,000, multiplied by the levy rate.

Assessed Valuation

for Tax Year 2024



Source: Pierce County preliminary assessed valuation for tax year 2024.

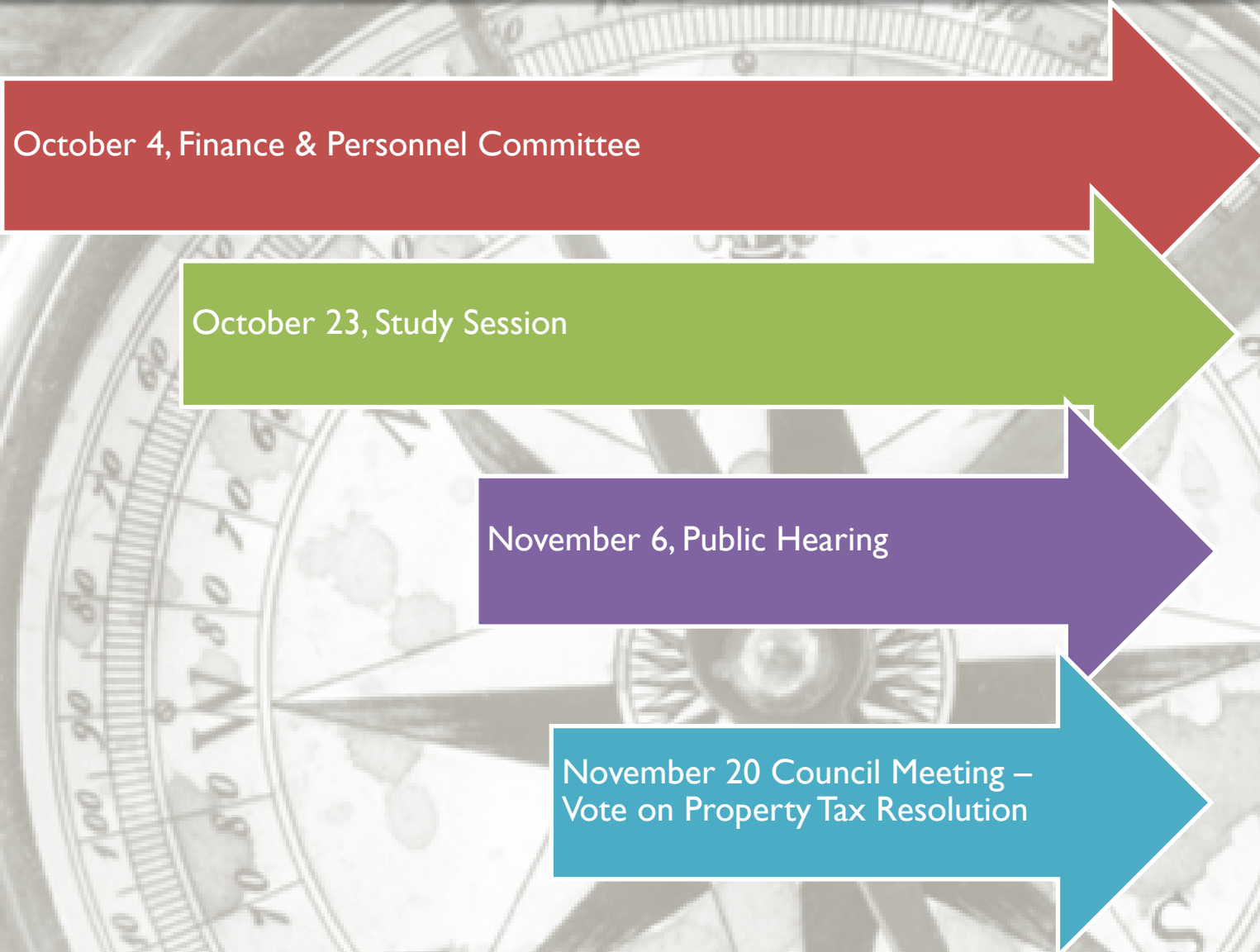
Levy Rates



	City Council Recommendation
<i>CPI in August 2023 was 5.4%</i>	1.0% increase
TY2023 Levy	\$4,832,497
Change over TY2023	\$48,325
+ Additional revenue from NC&I	\$76,112
+Additional revenue from annexations	\$4,544
+ Additional revenue from administrative refunds	\$163
Total TY2024 Levy	\$4,961,641
Levy per \$1,000	\$0.9191
<i>Monthly change from 2023 Average single family residence</i>	-\$3.00

**Based on Pierce County's preliminary values. Final values will be released in late November and may update these numbers.*

Next Steps



October 4, Finance & Personnel Committee

October 23, Study Session

November 6, Public Hearing

November 20 Council Meeting –
Vote on Property Tax Resolution

**RESOLUTION NO. 1664
CITY OF SUMNER, WASHINGTON**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, RELATING TO AD VALOREM PROPERTY TAXES; ESTABLISHING THE AMOUNT TO BE COLLECTED IN 2024 BY TAXATION ON THE ASSESSED VALUATION OF THE PROPERTY OF THE CITY; AND SETTING THE LEVY FOR THE YEAR 2024.

WHEREAS, the Sumner City Council attests that the City of Sumner population is 10,800; and

WHEREAS, the Sumner City Council has properly given notice of the public hearing held November 6, 2023, to consider the City of Sumner's ad valorem property tax for the 2024 budget, pursuant to RCW 84.55.120; and

WHEREAS, the City of Sumner's highest lawful levy is \$4,958,615.55 with the actual levy amount from the previous year being \$4,832,497; and

WHEREAS, the City Council, after conducting the required public hearing and after duly considering all relevant evidence and testimony presented, determined that the City of Sumner requires a regular levy of \$4,961,641, which includes an increase in property tax revenue from the previous year, amounts resulting from the addition of new construction and improvements to property, administrative refunds, an increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made; and

WHEREAS, the City Council is hereby establishing a policy that approximately \$0.064833/\$1,000 of this property tax levy, for a dollar amount equal to amount established in the 2023 property tax levy, shall be used only for street improvements and further directs staff to establish a committed reserve account in the appropriate fund to segregate these funds from any other general fund dollars and that these funds are restricted from any other purpose without city council approval; and

WHEREAS, the City Council hereby establishing a policy that approximately \$0.061128/\$1,000 of this property tax levy, for a dollar amount equal to \$350,000, shall be reserved for Council appropriation in a future biennial budget cycle, and further directs staff to establish a committed reserve account in the appropriate fund to segregate these funds from any other general fund dollars and that these funds are restricted from any other purpose without city council approval; and

WHEREAS, the Sumner City Council finds that to best protect the public health, safety, and welfare, to best protect the City's future property tax levy capacity, to best serve the citizens of Sumner by maintaining an appropriate level of service throughout the City, to appropriately discharge the City's expected expenditures and obligations, and to best serve the citizens of Sumner through a continued commitment throughout the city, substantial needs exists to increase its tax levy authority over last year.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, AS FOLLOWS:

Section 1. Property Tax Levy. The City Council adopts the substantial need findings above, and further finds that in light of substantial increases in costs to maintain and operate basic infrastructure, including streets, realized and anticipated loss of state shared revenues, as well as inflationary impacts

on the cost to provide essential public safety services, parks and recreation programs, information technology, planning, building services, and administration services, the City Council finds that there is in fact a substantial need for additional revenue, great enough to justify an increase in property taxes.

The legally maximum authorized levy is \$4,958,615.55. The required regular property tax levy needed by the City of Sumner of \$4,880,822 is hereby authorized for the levy to be collected in the 2024 tax year. The dollar amount of the increase of the actual levy amount from the previous year is \$48,325. This is a 1.0% increase from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, any increase in the value of state assessed property, any annexations that have occurred and refunds made.

Section 2. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

Section 3. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this resolution, including but not limited to the correction of clerical errors; or references to other local, state, or federal laws, codes, rules, or regulations.

Section 4. This resolution shall become effective immediately upon adoption.

Passed by the City Council and approved by the Mayor of the City of Sumner, Washington, at a regular meeting thereof this 20th day of November, 2023.

Mayor Kathy Hayden

ATTEST:

APPROVED AS TO FORM:

City Clerk Michelle Converse, CMC

City Attorney Andrea Marquez

Levy Certification

Submit this document, or something similar, to the **county legislative authority on or before November 30** of the year preceding the year in which the levy amounts are to be collected.

Courtesy copy may be provided to the county assessor.

This form is not designed for the certification of levies under RCW 84.52.070.

In accordance with RCW 84.52.020, I _____ (Name),
_____, (Title), for _____ (District name),
do hereby certify to the _____ (Name of county) County legislative authority
that the _____ (Commissioners, Council, Board, etc.) of said district requests
that the following levy amounts be collected in _____ (Year of collection) as provided in the district's
budget, which was adopted following a public hearing held on _____ (Date of public hearing).

Regular levies

Levy	General levy	Other levy*
Total certified levy request amount , which includes the amounts below.		
Administrative refund amount		
Non-voted bond debt amount		
Other*		

Excess levies

Levy	General (n/a for school districts)	Bond	Enrichment (school districts only)	Cap. project	Other levy*
Total certified levy request amount , which includes the amounts below.					
Administrative refund amount					
Other*					

*Examples of other levy types may include EMS, school district transportation, or construction levies.
Examples of other amounts may include levy error correction or adjudicated refund amount. Please include a description when using the "other" options.

Signature: _____ **Date:** _____

To request this document in an alternate format, please complete the form dor.wa.gov/AccessibilityRequest or call 360-705-6705. Teletype (TTY) users please dial 711.

SUBJECT: Appointment to Sumner Planning Commission – David Peters

CATEGORY: Motion

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Peters Application
-

STAFF CONTACT: Ann Siegenthaler, Senior Planner

SUMMARY BACKGROUND:

The Sumner Planning Commission serves in an advisory capacity to the City Council. The Commission's main purpose is to assist in the implementation of the vision and policies in the Sumner Comprehensive Plan, including making recommendations on various City plans, goals, and policies, the Sumner Zoning Code and development regulations.

The Planning Commission is comprised of 7 members (currently has 5 members), who are appointed by the Mayor and confirmed by the City Council. The members of the Planning Commission are to be selected without respect to political affiliations and shall serve without compensation. Members are appointed for 4-year terms.

David Peters has a range of experience in church ministry and construction, sponsoring community organizations, and coaching youth in Cub Scouts. He enjoys serving people and would like to continue that service in the Sumner community.

Mayor Hayden is seeking confirmation of Mr. Peters to fill the Planning Commission seat that will be vacated by Mr. Andy Elfers in December 2023, for the remainder of that term ending in April 2024.

COUNCIL COMMITTEE/STUDY SESSION: n/a
--

MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Confirm appointment of David Peters to the Sumner Planning Commission for a term beginning in December 2023 expiring in April 2024.

Planning Commission Online Application 07/27/23– David Peters

I am interested in serving on the following:

Planning Commission

Name:

David M Peters

Phone Number:

[REDACTED]

Email Address

[REDACTED]

Address:

[REDACTED]

Occupation (if retired, please indicate former occupation or profession):

Retired from Church Ministry and Road Construction

Education:

HS

Professional or community involvement:

Started a neighborhood watch, sponsor in various youth sports, President of HS aquatics booster club, Pack Master of Cub Scouts

Why are you interested in serving on this commission?

Have lived most of my adult life serving others and would like to continue serving my city and the people in it at this time of my life.

Have you previously served on a City of Sumner commission?

No

SUBJECT: Amendment to Sumner Meadows Development Agreement

CATEGORY: Motion

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. First Amendment to Development Agreement-Sumner Meadows

STAFF CONTACT: Andrea Marquez, City Attorney

SUMMARY BACKGROUND:

The former Sumner Meadows Golf Course has been under contract since 2013 with purchaser CSHV Sumner Meadows, LLC (the Buyer). In 2018, the City of Sumner revised the agreement to reduce the property being sold by almost half to reserve most of the land for the City's White River Restoration Project, and to carve out approximately 11 acres to accommodate BNSF Railroad, who approached the City to build a side track staging yard. In 2019, the City and the Buyer entered into a Development Agreement (DA) to vest the future industrial development to existing codes and impact fee schedules. After years of negotiating with BNSF, it ultimately chose to walk away from the project, freeing up those 11 acres that were originally being sold to the Buyer. And, after years of seeking a federal permit from the Army Corp of Engineers, the City finally obtained one in November, 2023, allowing the project to hopefully proceed in 2024. The current DA expires in 2024, which by no fault of the Buyer, might cause the DA to expire before the development project even had a meaningful opportunity to proceed. The purpose of tonight's amendment is to update the property's legal description (to include the additional 11 acres) and to extend the term by an additional 5 years.

COUNCIL COMMITTEE/STUDY SESSION: Special Study Session 11/6/23

MEETING/STUDY SESSION DATE: 11/6/2023

COMMITTEE RECOMMENDATION: Do Pass

STAFF RECOMMENDATIONS/MOTION:

Authorize the Mayor to execute the Amendment to Development Agreement updating the property legal description and extending the term of the agreement by an additional five (5) years.

AFTER RECORDING MAIL TO:

Andrea Marquez, City Attorney
City of Sumner
1104 Maple Street, Suite 242
Sumner, WA 98390

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT (this “**Amendment**”) is made and entered into as _____, 2023 (the “**Effective Date**”), by and between CSHV Sumner Meadows, LLC, a Delaware limited liability company (“**Developer**”), and the City of Sumner, a Washington municipal corporation (“**City**”).

RECITALS

A. Developer and City previously entered into that certain *Development Agreement* recorded on August 26, 2019, as Document No. 201908260451 in the Official Records of the Pierce County Recorder’s Office (the “**Development Agreement**”).

B. Developer and City desire to amend the Development Agreement to, among other things, (i) extend the term thereof for an additional five (5) years, (ii) update the legal description of the Property, and (iii) update the Site Plan for the Property, all as more particularly set forth herein.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. **Definitions.** All initially capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Development Agreement, as applicable.
2. **Updated Property Legal Description.** Exhibit A of the Development Agreement is hereby deleted in its entirety and replaced with Exhibit A attached to this Amendment.
3. **Updated Site Plan.** Exhibit B of the Development Agreement is hereby deleted in its entirety and replaced with Exhibit B attached to this Amendment.

4. **City Fees and Charges.** Section 5 of the Development Agreement is hereby deleted in its entirety and replaced with the following:

Developer is vested for a period of ten (10) years from the Effective Date, unless earlier terminated by Developer, to: (a) Water, Sewer, or Storm Water and Sewer Systems Development Charges, or Storm Water Service Charges, or any replacement or similar utility system development charges, all as in effect on the Effective Date except as may be increased by the annual increase in the Seattle Construction Cost Index (SCCI) as set forth in the Sumner Municipal Code, and (b) to building permit fees at the levels that would be in place by application of the Industrial Building Code under SMC 15.08.030. See Exhibit I.

5. **Term.** The fourth sentence of Section 11.1 of the Development Agreement is hereby deleted in its entirety and replaced with the following:

This Agreement shall terminate on a date ten (10) years from the Effective Date of this Agreement.

6. **Effect of this Amendment.** Except as amended and/or modified by this Amendment, the Development Agreement is hereby ratified and confirmed and all other terms of the Development Agreement is and shall remain in full force and effect, unaltered and unchanged by this Amendment. In the event of any conflict between the provisions of this Amendment and the provisions of the Development Agreement, the provisions of this Amendment shall control. Whether or not specifically amended by this Amendment, all of the terms and provisions of the Development Agreement are hereby amended to the extent necessary to give effect to the purpose and intent of this Amendment.

7. **Entire Agreement.** This Amendment contains the entire agreement between the parties hereto with respect to the matters expressly set forth herein and supersedes all prior or contemporaneous agreements (whether oral or written) between the parties with respect to the matters expressly set forth herein.

8. **Counterparts.** This Amendment may be executed in any number of counterparts, each of which shall be deemed an original, but all of which, taken together, shall constitute one and the same instrument.

[Signatures start on following page]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed as of the Effective Date.

“DEVELOPER”

CSHV SUMNER MEADOWS, LLC,
a Delaware limited liability company

By: California State Teachers’ Retirement
System, a public entity, its sole member

By: _____

Name: _____

Its: _____

[Signatures continue on following page]

[Continuation of Signatures to First Amendment to Development Agreement]

“CITY”

CITY OF SUMNER, a Washington municipal
corporation

By: _____
Mayor Kathy Hayden

ATTEST:

By: _____
Michelle Converse, City Clerk

APPROVED AS TO FORM:

By: _____
Andrea Marquez, City Attorney

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss:
County of _____)

On _____, 2023 before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

[Seal]

STATE OF WASHINGTON)
) ss.
County of Pierce)

On this ____ day of _____, 2023, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Kathy Hayden to me known to be the Mayor of the City of Sumner, the municipal corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said municipal; corporation, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute the said instrument and that the seal affixed (if any) is the corporate seal of said corporation.

Witness my hand and official seal hereto affixed the day and year first above written.

Notary Public in and for the State of Washington,
residing _____ at
_____.
Name (printed or typed):
My appointment expires: _____

EXHIBIT A

Legal Description

PARCEL A:

THAT PORTION OF PARCELS A AND C OF CITY OF SUMNER BOUNDARY LINE ADJUSTMENT NUMBER PLN2019-0041, RECORDED UNDER AUDITOR'S FILE NUMBER 201905225001, RECORDS OF PIERCE COUNTY WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL A;
THENCE ALONG THE NORTH LINE OF SAID PARCEL A FOR THE FOLLOWING THREE COURSES;
 THENCE SOUTH 88°26'26" EAST, 43.88 FEET;
 THENCE NORTH 85°43'59" EAST, 98.51 FEET;
 THENCE SOUTH 88°26'26" EAST, 673.48 FEET;
THENCE SOUTH 00°49'05" EAST, 1,381.12 FEET;
THENCE SOUTH 89°24'41" WEST, 584.56 FEET TO THE SOUTHWESTERLY LINE OF SAID PARCEL A;
THENCE ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL A FOR THE FOLLOWING THREE COURSES;
 THENCE NORTH 65°19'57" WEST, 20.12 FEET;
 THENCE NORTH 79°25'37" WEST, 103.69 FEET;
 THENCE NORTH 70°22'14" WEST, 163.56 FEET TO THE WEST LINE OF SAID PARCEL A;
THENCE NORTH 01°01'57" EAST, ALONG THE WEST LINE OF SAID PARCEL A, FOR 1,317.02 FEET TO THE POINT OF BEGINNING.

PARCEL B:

THAT PORTION OF PARCELS A, B, D AND G OF CITY OF SUMNER BOUNDARY LINE ADJUSTMENT NUMBER PLN2019-0041, RECORDED UNDER AUDITOR'S FILE NUMBER 201905225001, RECORDS OF PIERCE COUNTY WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL B;
THENCE SOUTH 88°26'26" EAST, ALONG THE NORTH LINE OF SAID PARCEL G, FOR 216.71 FEET TO THE NORTHEAST CORNER OF SAID PARCEL G;
THENCE SOUTH 00°55'12" EAST, ALONG THE EAST LINE OF SAID PARCEL G, FOR 1,342.71 FEET;
THENCE SOUTH 89°24'41" WEST, 1,026.40 FEET;
THENCE NORTH 00°49'05" WEST, 1,381.12 FEET;
THENCE SOUTH 88°26'26" EAST, 808.17 FEET TO THE POINT OF BEGINNING.

PARCEL C:

THAT PORTION OF PARCELS A AND C OF CITY OF SUMNER BOUNDARY LINE ADJUSTMENT NUMBER PLN2019-0041, RECORDED UNDER AUDITOR'S FILE NUMBER 201905225001, RECORDS OF PIERCE COUNTY WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL C;
THENCE ALONG THE SOUTHWEST LINE OF SAID PARCEL C FOR THE FOLLOWING FOUR COURSES;
 THENCE NORTH 30°27'29" WEST, 100.52 FEET;
 THENCE NORTH 17°51'40" WEST, 175.23 FEET;

Exhibit A

THENCE NORTH 51°55'49" WEST, 173.54 FEET;
THENCE NORTH 65°19'57" WEST, 75.84 FEET;
THENCE NORTH 89°24'41" EAST, 584.56 FEET;
THENCE SOUTH 00°49'05" EAST, 373.62 FEET TO THE START OF A CURVE TO THE LEFT, HAVING A RADIUS OF 135.00 FEET;
THENCE ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°31'33", FOR 20.09 FEET;
THENCE SOUTH 89°04'48" WEST, 281.43 FEET TO THE POINT OF BEGINNING.

PARCEL D:

THAT PORTION OF PARCELS A, C, D AND G OF CITY OF SUMNER BOUNDARY LINE ADJUSTMENT NUMBER PLN2019-0041, RECORDED UNDER AUDITOR'S FILE NUMBER 201905225001, RECORDS OF PIERCE COUNTY WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL D;
THENCE ALONG THE SOUTHWEST LINE OF SAID PARCEL D FOR THE FOLLOWING THREE COURSES;
THENCE NORTH 33°57'43" WEST, 70.20 FEET;
THENCE NORTH 17°06'19" WEST, 209.21 FEET;
THENCE NORTH 23°07'10" WEST, 275.67 FEET;
THENCE NORTH 89°04'48" EAST, 25.80 FEET TO THE START OF A NON-TANGENT CURVE, CONCAVE TO THE EAST, THE RADIUS POINT OF WHICH BEARS NORTH 80°39'22" EAST, 135.00 FEET;
THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°31'33", FOR 20.09 FEET;
THENCE NORTH 00°49'05" WEST, 373.62 FEET;
THENCE NORTH 89°24'41" EAST, 1,026.40 FEET TO THE EAST LONE OF SAID LOT G;
THENCE SOUTH 00°55'12" EAST, ALONG THE EAST LINE OF SAID LOT G, FOR 902.70 FEET;
THENCE SOUTH 89°04'48" WEST, ALONG THE SOUTH LINE OF SAID PARCEL D, OR THE EASTERLY EXTENSION THEREOF FOR 850.64 FEET TO THE POINT OF BEGINNING.

PARCEL E:

THAT PORTION OF PARCEL G OF CITY OF SUMNER BOUNDARY LINE ADJUSTMENT NUMBER PLN2019-0041, RECORDED UNDER AUDITOR'S FILE NUMBER 201905225001, RECORDS OF PIERCE COUNTY WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL G;
THENCE ALONG THE SOUTH LINE OF SAID PARCEL G FOR THE FOLLOWING THREE COURSES;
THENCE SOUTH 89°04'48" WEST, 97.49 FEET;
THENCE NORTH 01°18'37" EAST, 100.00 FEET;
THENCE NORTH 88°26'21" WEST, 123.02 FEET THE WEST LINE OF SAID PARCEL G;
THENCE NORTH 00°55'12" WEST, ALONG THE WEST LINE OF SAID PARCEL G, FOR 1,934.39 FEET;
THENCE NORTH 89°04'48" EAST, 216.51 FEET TO THE EAST LINE OF SAID PARCEL G;
THENCE SOUTH 00°55'12" EAST, ALONG THE EAST LINE OF SAID PARCEL G, FOR 2,039.64 FEET TO THE POINT OF BEGINNING.

Exhibit A

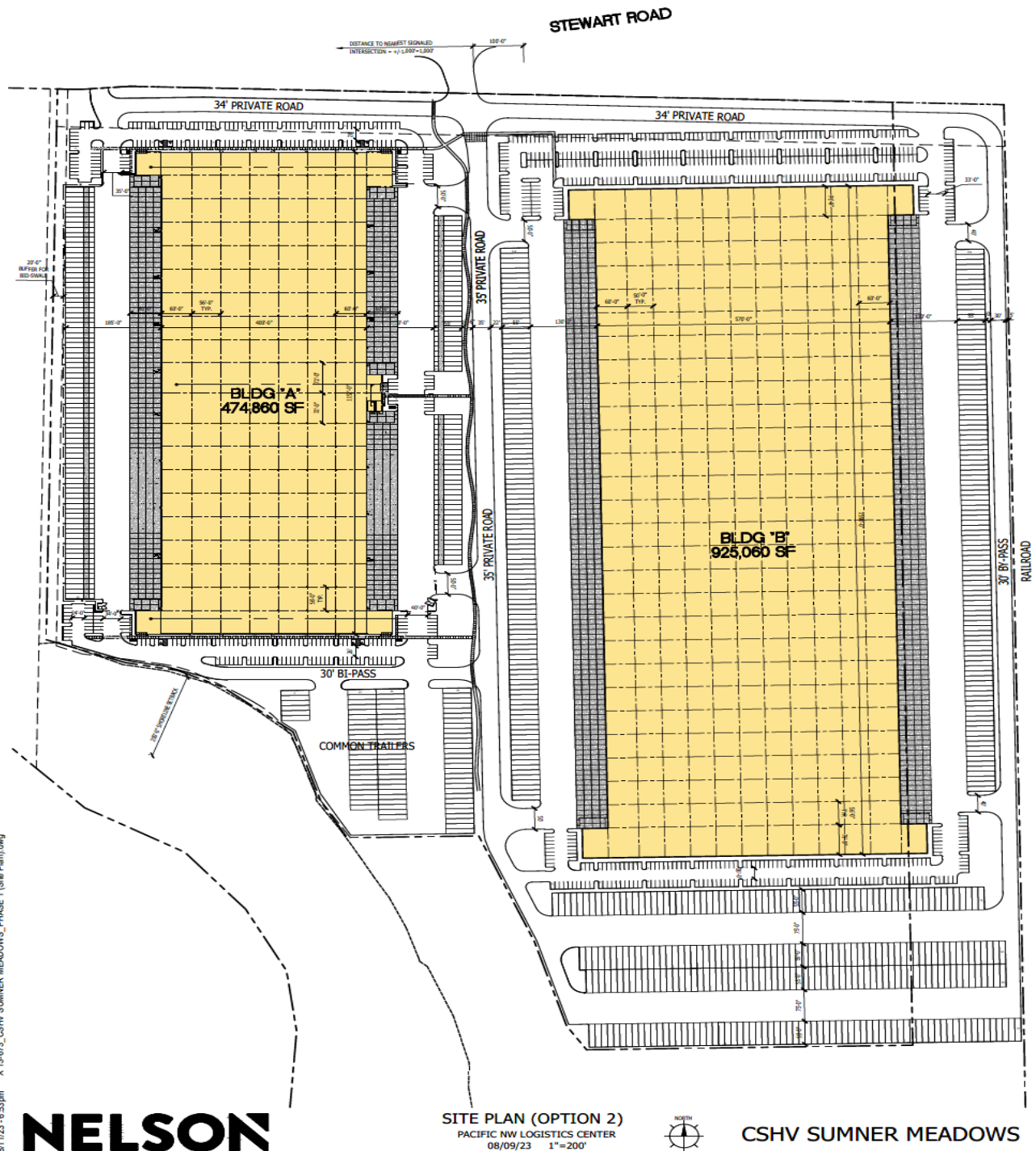
EXHIBIT B

Site Plan

[See attached.]

Exhibit B

BUILDING AREA		PARKING		BUILDING "B"		TOTAL	
474,860 SF	BUILDING A	OFFICE (5%)	= 23,802 SF @ 2.5/1000	OFFICE (3%)	= 27,752 SF @ 2.5/1000	STALLS REQUIRED	= 805 STALLS
925,060 SF	BUILDING B	60 STALLS		70 STALLS		STALLS PROVIDED	= 821 STALLS
1,399,920 SF	TOTAL	WHSE (95%)	= 652,138 SF @ 1/2000	WHSE (97%)	= 897,308 SF @ 1/2000		
			= 226 STALLS		= 449 STALLS		
			= 286 STALLS REQUIRED		= 519 STALLS REQUIRED	COMMON TRAILERS	85 STALLS
		STALLS PROVIDED	= 292 STALLS PROVIDED	STALLS PROVIDED	= 529 STALLS PROVIDED		
		TRAILERS PROVIDED	= 143 TRAILER STALLS	TRAILERS PROVIDED	= 495 TRAILER STALLS		



NELSON

SITE PLAN (OPTION 2)
PACIFIC NW LOGISTICS CENTER
08/09/23 1"=200'



CSHV SUMNER MEADOWS

Exhibit B

067921\17141299v2

921\17141299v2