



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.

<https://sumnerwa-gov.zoom.us/j/82459259645>

Or One tap mobile: +12532158782,,82459259645# US

Or Telephone: +1 253 215 8782 US (Tacoma)

Webinar ID: 824 5925 9645

CALL TO ORDER

Pledge of Allegiance

Invocation

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

OATH OF OFFICE

1. Councilmember Andy Elfers

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. Employment Agreement with M. Kosa for Public Works Director
2. Approval of the minutes from the November 20th, 2023 regular council meeting and the 27th of November 2023 study session.

PUBLIC HEARING

1. Ordinance No. 2874 - 2023/2024 Mid-Biennial Budget Amendment

REGULAR BUSINESS

1. **Unfinished Business**
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. Ordinance No. 2875 – Utility Rate Adjustments
 - b. Ordinance No. 2876 - System Development Charge Adjustments
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: Employment Agreement with M. Kosa for Public Works Director

CATEGORY: Motion

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. M. Kosa Employment Agreement

STAFF CONTACT: Jason Wilson, City Administrator

SUMMARY BACKGROUND:

Public Works Director Mike Dahlem announced that he will be retiring January 12, 2024. To aid in the transition, the Mayor appointed City Engineer Michael Kosa as Interim Public Works Director effective September 18, 2023. Since being appointed Mr. Kosa has been performing well in the role. Mr. Kosa has 20 years of engineering and public works experience, including over six years serving with the City of Sumner. He holds a bachelor's degree in civil engineering from Seattle University, and he has been a licensed professional engineer since 2009.

The City has 48 active Capital Improvement Projects, with several more identified for the future. It is important for the success of those projects to have consistent leadership and vision. The proposed agreement provides both the City and Mr. Kosa with employment certainty, while providing the City with the flexibility to manage the appointed executive position in an effective manner. The agreement is largely consistent with other department director employment agreements, with the exception of paid COBRA benefits for the severance period.

COUNCIL COMMITTEE/STUDY SESSION:

MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Move to authorize the Mayor to enter into an Employment Agreement with Mr. Kosa in a form approved by the City Attorney.

PUBLIC WORKS DIRECTOR EMPLOYMENT AGREEMENT

THIS AGREEMENT is entered into on this 13th day of January 2024, by and between the City of Sumner, Washington, a non-charter optional municipal code city (hereinafter referred to as “City”), and Michael Kosa, (hereinafter referred to as “Mr. Kosa”).

WHEREAS, the City desires to employ the service of Mr. Kosa as the Public Works Director for the City of Sumner, Washington, through its authority provided by the Personnel Regulations of the City of Sumner and RCW 35A.12.020, and any amendments thereto; and

WHEREAS, it is the desire of the City Council and Mayor of the City of Sumner to establish and provide certain benefits, and establish and enforce City-wide conditions of employment; and

WHEREAS, it is the desire of the City to: 1) secure and retain the services of Mr. Kosa and provide incentive for him to remain in an employment relationship with the City; 2) provide Mr. Kosa with peace of mind by ensuring his employment status is secure into the future; 3) prevent and deter malfeasance or dishonesty by Mr. Kosa for his personal gain; and 4) provide a just and transparent means for the termination of Mr. Kosa’s services at such time that he is found to be unable to fully discharge his duties or when the City otherwise desires to terminate his employment; and

WHEREAS, Mr. Kosa desires to accept employment as the Public Works Director for the City of Sumner, Washington;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, such consideration being hereby acknowledged, the City and Mr. Kosa agree as follows:

SECTION 1. EMPLOYMENT

1.0 Commencement of Employment: The City hereby agrees to employ Mr. Kosa as Public Works Director and the City hereby agrees to accept such employment in accordance with

the terms and conditions of this Agreement. Mr. Kosa's employment in the position described in this paragraph commenced on September 18, 2023, and by approval of this Agreement, the City ratifies any acts consistent with this Agreement that may have occurred prior to its approval.

SECTION 2. DUTIES.

2.0 Duties: Mr. Kosa shall perform the duties of Public Works Director as specified in Exhibit "A" to this Agreement, which is attached hereto and hereby incorporated as if fully set forth herein and shall be subject to amendment from time to time as appropriate, Chapter 35A.12 RCW, the Personnel Regulations of the City of Sumner and shall perform other legally permissible and proper duties and functions as the City Administrator or Mayor shall from time to time assign.

2.1 Outside Employment / Work: Mr. Kosa shall be permitted to perform other work, such as consulting, teaching, writing, or other services performed on his own time, provided that such activities shall not conflict with (1) Mr. Kosa's position with the City, (2) the best interests of the City or interfere with his employment with the City. Should Mr. Kosa engage in outside employment, he must notify the City Administrator prior to commencing said outside employment.

SECTION 3. TERM & TERMINATION.

3.0 Term: Nothing in this agreement shall prevent, limit or otherwise interfere with the right of the City to terminate the services of Mr. Kosa at any time subject only to the provisions set forth in this Agreement. Mr. Kosa may voluntarily resign at any time from his position with the City, subject only to the provisions set forth in section 3.3 of this Agreement.

3.1 Employment Status: The Public Works Director is an "at-will" employee serving at the pleasure of the Mayor.

3.2 Trial Period (Probation): This position is subject to a 12 month trial period pursuant to 2.100 SMC. Mr. Kosa's time serving as Interim Public Works Director shall count towards the

12 month trial period. In the event that Mr. Kosa does not successfully complete his trial period, he may be terminated. Such termination is subject to Section 4.

3.3 Termination for Disability or Inability to Perform: In the event Mr. Kosa becomes mentally or physically incapable, with reasonable accommodation, of performing the functions and duties required by this Agreement, and it reasonably appears, or is confirmed, that such incapacity will result in the inability to perform the duties of the position for more than six (6) months, the Mayor is hereby permitted to terminate Mr. Kosa. If the Mayor elects to terminate Mr. Kosa due to incapacity, Mr. Kosa shall receive severance benefits as provided in Section 4, so long as he executes and does not thereafter revoke a general release of claims.

3.4 Resignation by Public Works Director: If Mr. Kosa terminates this Agreement and resigns from his position herein, he shall be required to give the City Administrator a minimum of thirty (30) days advance written notice prior to the effective date of his resignation, unless the parties otherwise agree in writing. Mr. Kosa shall not be eligible for severance pay in the event of his voluntary resignation.

Section 4. Severance.

Severance: Mr. Kosa shall be entitled to severance rights, subject to the limitations set forth in the preceding sections 3.2 and 3.3, as follows:

Mr. Kosa acknowledges that the severance rights provided in this section shall constitute the sole entitlement to him in the event of termination, and Mr. Kosa expressly waives any and all other rights to severance pay except as provided herein. Nothing in this paragraph shall be construed as precluding Mr. Kosa's right to contest the grounds or appropriateness of termination, as further described in sections 4.1 and 5 below, in Pierce County Superior Court, or any court of competent jurisdiction or to otherwise bring an action to enforce the provisions of this Agreement.

4.1 Termination For Cause: If the Mayor terminates Mr. Kosa for “cause,” as defined in Section 5.0 of this Agreement, the City shall not be required to make the severance payment described herein.

4.1.1 Written Statement Describing Cause; Name-Clearing Hearing: In the event Mr. Kosa is terminated for cause, the City shall provide Mr. Kosa with a written statement describing the cause serving as the basis for the termination and, upon request by Mr. Kosa, shall afford Mr. Kosa a name-clearing hearing before the Mayor at a reasonable time upon reasonable notice. The name-clearing hearing shall not delay or prevent the City from terminating Mr. Kosa and may therefore take place after the termination has occurred.

4.1.2 No Severance Payment While Under Investigation: In the event Mr. Kosa is under investigation for any of the reasons set forth in Section 5 below, the City may withhold part or all of any severance payment afforded Mr. Kosa herein until it is determined if criminal charges will be filed, and if such charges are filed, until final judgement is rendered; provided, however, that the City may not withhold the severance payment (if any), in whole or in part, beyond twelve (12) calendar months of the initiation of an investigation and/or the filing or charges, whichever shall last occur.

4.2 Termination or Separation Without Cause: If the Mayor, through the exercise of his/her discretion, terminates or otherwise chooses to separate with Mr. Kosa without cause given, Mr. Kosa shall be entitled to the following payments and benefits, or in the alternative, Mr. Kosa shall have the right to no less than four months written notice prior to the effective date of separation or termination:

- a. Four (4) months’ base salary; and
- b. A lump sum payment for “COBRA” benefits (medical, dental, vision and HRA) as of the time of termination, for four (4) months for Mr. Kosa and his dependents.

The lump sum shall be calculated at the cost of the “COBRA” premium at the time of termination. No adjustment will be made for future rate increases that may occur during the four (4) month period.

c. Health Savings Account contributions that would normally occur during the four (4) month COBRA period.

4.3 Severance Conditioned on Release of Claims: The remittal of any severance payment by the City pursuant to this Agreement shall be conditioned upon Mr. Kosa’s execution of a release of claims, and payment shall not occur until after the expiration of the release revocation period. In the event Mr. Kosa declines to execute or revokes the release of claims, he shall not be entitled to, and expressly waives, any severance payment to which he would otherwise be entitled.

4.4 No Severance if Termination Initiated By Public Works Director: Mr. Kosa expressly agrees that if he initiates the termination of this Agreement, he shall not be entitled to any severance payment as the result of the termination of this Agreement, and that any such voluntary termination by way of resignation must be in accordance with section 3.3 above.

SECTION 5. TERMINATION FOR CAUSE.

5.0 Definition of Cause: The City shall not be obligated to make any severance payment as described in Section 4 above if Mr. Kosa is terminated for cause. For the purpose of this Agreement “cause” for termination shall include, but is not limited to, the following:

- a. Loss of mental capacity for more than six (6) consecutive months as determined by a licensed medical practitioner and/or court of competent jurisdiction;
- b. Persistent, habitual or willful neglect of job duties;

- c. Insubordination (which shall be defined as a repeated failure to carry out a lawful directive of a supervisor or directives of the Mayor, following notice to Mr. Kosa of the same);
- d. Corrupt or willful misconduct in office;
- e. Willful malfeasance, or conviction of an illegal act (excepting minor traffic or moving violations) amounting to an act of dishonesty or moral turpitude (a conviction following a plea of *nolo contendere* is deemed a conviction for purposes of this Agreement);
- f. Willful destruction or misuse of City property;
- g. Intoxication while on duty, whether by alcohol, marijuana, prescription or non-prescription drugs, and in the case of prescription drugs, where they are being used in a manner not authorized by valid prescription from Mr. Kosa's treating physician;
- h. Inexcusable absence without an authorized leave of absence;
- i. Theft or attempted theft;
- j. Financial mismanagement of City funds;
- k. Material dishonesty or dishonesty during the course of an investigation;
- l. Willful violation of Federal, State or City discrimination and harassment laws concerning race, religious creed, color, national origin, ancestry, physical handicap, marital status, sexual orientation, sex or age concerning either members of the general public or City employee(s) while acting in the course and scope of employment, while on City premises or time;
- m. Willful and unlawful retaliation against any City officer or employee or member of the general public who in good faith reports, discloses, divulges or otherwise brings

to the attention of any appropriate authority any facts or information relative to actual or suspected violations of any law occurring on the job or related directly thereto;

- n. Willful violation of any personnel policy presently adopted or hereafter amended;
- o. Engaging in conduct tending to bring embarrassment or disrepute to the City.

SECTION 6. COMPENSATION.

6.0 Base Compensation: The City agrees to compensate Mr. Kosa for his services in accordance with the adopted 2023 compensation schedule, in an amount of \$16,426 per month. Further, the City agrees to increase such amount annually by an amount equal to the annual cost of living increases provided to exempt City employees.

6.1 Deferred Compensation: The City shall contribute to a 457b deferred compensation plan for Mr. Kosa an amount equal to what is provided to all other non-represented City employees.

SECTION 7. PERFORMANCE EVALUATION.

7.0 Performance Evaluation: The City Administrator shall review and evaluate the performance of Mr. Kosa no less than annually. Any performance evaluation shall be in accordance with specific criteria developed jointly by the City Administrator and Mr. Kosa. Such criteria may be added or deleted as the City Administrator may from time to time determine, in consultation with Mr. Kosa.

SECTION 8. HOURS OF WORK.

8.0 Hours of Work: Mr. Kosa shall be hired on a full-time work week basis. The position is classified as exempt and shall not be compensated for overtime work in excess of the compensation figure established in Section 6 of this Agreement.

SECTION 9. PAID LEAVE.

9.0 Vacation Leave: Mr. Kosa shall continue to accrue and may utilize vacation leave as provided for in Chapter 2.100 SMC (Personnel Policies), as may be amended from time to time. For the purposes of vacation accrual only, Mr. Kosa's service date shall be adjusted to May 1, 2011.

9.1 Sick Leave: Mr. Kosa shall continue to accrue and may utilize sick leave as provided for in Chapter 2.100 SMC (Personnel Policies) for exempt employees, as may be amended from time to time.

9.2 Holidays: The City shall provide Mr. Kosa with and pay for those holidays (regular and floating) the City recognizes as paid holidays for all exempt City employees, as described in 2.100.520 SMC, and as may be amended from time to time.

9.3 Other Leave: Mr. Kosa is entitled to any other leave currently available or which shall in the future be provided to non-represented exempt City employees, e.g. bereavement.

9.4 Leave Cash-out Upon Termination: Upon termination, Mr. Kosa is entitled to cash out any of his un-used vacation and sick leave in accordance with Chapter 2.100 SMC.

SECTION 10. BENEFITS.

10.0 Medical Benefits: The City agrees to provide medical coverage to Mr. Kosa, his spouse and dependent children, and make all required payments for medical, dental, vision, life, disability, Health Savings Account contributions, Health Reimbursement Account contributions, and other insurance policies, identical to those provided to non-represented exempt City employees. The City reserves its right to amend, within its discretion, its medical coverage provider, and reserves its right to amend the provided plan, and contribution figures, if any.

10.1 Life & Disability Insurance: The City agrees to provide Mr. Kosa the same level of life and disability insurance as provided to non-represented exempt employees.

10.2 Cell Phone: The City will provide a cell phone (smartphone) for Mr. Kosa's use for City business. In lieu of a City-provided cell phone, Mr. Kosa may opt to participate in the City's cell phone stipend (BYOD) program.

SECTION 11. RETIREMENT.

11.0 Federal Social Security: The City shall pay for Mr. Kosa's federal social security benefits.

11.1 State Retirement Plan: The City shall contribute into a State retirement plan on Mr. Kosa's behalf.

Section 12. Professional Development, Travel, Dues and Memberships.

12.0 Professional Memberships: The City encourages Mr. Kosa's professional development and involvement in professional associations and agrees to budget and pay for the professional dues and subscriptions of Mr. Kosa necessary for his full participation in the professional associations and organizations of his choosing.

12.1 Professional Development: The City will budget for Mr. Kosa to attend reasonably necessary conferences and trainings related to the performance of his duties as Public Works Director. The City hereby agrees to budget and pay the travel and subsistence expenses of Mr. Kosa for short courses, seminars, professional and official travel, meetings and occasions which support and advance the professional development of Mr. Kosa, and his official duties for the City. Attendance at conferences shall be at the convenience of the City and upon the advance approval of the City Administrator.

SECTION 13. INDEMNIFICATION.

13.0 Indemnification: The City shall bear the full cost of any fidelity or other bonds required of Mr. Kosa under any law or ordinance and provide professional liability insurance to cover only those actions taken by Mr. Kosa during the course and scope of his employment.

SECTION 14. GENERAL PROVISIONS.

14.0 Confidentiality: Mr. Kosa acknowledges and agrees that his position is a managerial position that has the potential of involving confidential information related to personnel, labor relations, and legal matters and agrees to protect such confidences at all times.

14.1 Severability: If any provision of this Agreement is held unconstitutional, invalid, or unenforceable for any reason, the remaining provisions of this Agreement shall not be affected and shall remain in full force and effect.

14.2 Amendment of Agreement: The parties hereby agree that this Agreement cannot be amended or modified without the written concurrence of both parties.

14.3 Governing Law: This Agreement shall be governed by and construed in accordance with the laws of the State of Washington, and venue shall be exclusively in the Superior Court of Pierce County, unless the parties agree in writing to an alternative dispute resolution process. In any claim or lawsuit for damages arising from the parties' performance of this Agreement, each party shall bear its legal costs and attorney's fees incurred in defending or bringing such claim or lawsuit, except as otherwise provided by law.

14.4 Entire Agreement: The written provisions and terms of this Agreement, together with any Exhibits attached hereto, shall supersede all prior verbal statements of any officer or other representative of the City, and such statements shall not be effective or be construed as entering into or forming a part of or altering in any manner this Agreement. All of the above documents are hereby made a part of this Agreement. However, should any language in any of the Exhibits to this Agreement conflict with any language contained in this Agreement, the terms of this Agreement shall prevail.

14.5 Notices: Any notices required to be given by the City to Mr. Kosa or by Mr. Kosa to the City shall be in writing and be delivered to the following parties at the following addresses:

- a. City of Sumner Mayor's Office
1104 Maple Street; Sumner, WA 98390
- b. Employee at either:
1104 Maple Street; Sumner, WA 98390, **OR**

Any notices may be either delivered personally to the addressee of the notice or may be deposited in the United States mail, postage pre-paid, to the address set forth above. Any notice so posted in the United States mail shall be deemed received three days after the date of mailing.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed and executed as of this _____ day of _____, 2023.

CITY OF SUMNER

EMPLOYEE

Kathy Hayden, Mayor

Michael Kosa

Attest:

Approved as to form only:

Michelle Converse, CMC, City Clerk

Andrea Marquez, City Attorney



CITY OF SUMNER
Revision Date: Apr 8, 2020

Exhibit A

Public Works Director

Class Code:
0120-001

Bargaining Unit: Non-Union

SALARY RANGE

\$16,426.00 Monthly
\$197,112.00 Annually

DESCRIPTION:

This is a full-time, Fair Labor Standards Act exempt position. Attendance at evening meetings is required, and the employee is subject to after-hours emergency contact. The incumbent in this position is not a Civil Service employee.

General Purpose

This is a highly responsible supervisory, administrative and professional engineering position directing and managing the activities of the City of Sumner's Public Works Department, including streets, water, sewer and storm drainage utilities.

This is a highly responsible supervisory, administrative and professional position directing and managing the activities of the Public Works Department. Work includes responsibility and budgeting for capital improvement projects including associated engineering work, environmental protection activities, street maintenance, water, sewer and storm drainage utilities, regional wastewater treatment facility and other programs as identified by the City Administrator. This position is responsible for overall direction and strategy related to the assigned functions in accordance with established professional and administrative standards, municipal ordinances and general policies.

Under the general supervisory direction of the City Administrator, the Public Works Director assumes responsibility for carrying out departmental operations in accordance with federal, state, and city laws and general city policy. Initiative and judgment are used in providing expert advice and policy recommendations to the City Administrator, City Council and Mayor. Work is reviewed through periodic reports on the status of programs and operations. The incumbent directs supervisory, professional, technical, and clerical staff, directly and indirectly. This position may also require temporarily assuming the duties of the City Administrator.

EXAMPLES OF DUTIES:

The job duties and responsibilities represented in this job description in no way imply that these are the only duties to be performed. Employees occupying the position will be required to follow any other job-related instructions and to perform any other job-related duties requested by a supervisor. While requirements may be representative of minimum levels of knowledge, skills and abilities to perform this job successfully, the employee will possess the abilities or aptitudes to perform each duty with expert proficiency.

Establishes goals and objectives for the department to ensure compliance with the policy directives of the Mayor and City Council and all applicable local, state or federal laws, rules, and regulations.

Provides strategic leadership and policy recommendations for areas of responsibility including capital improvement projects including associated engineering work, environmental protection activities, street maintenance, water, sewer and storm drainage utilities, regional wastewater treatment facility, and other programs as identified by the City Administrator. Provide interdepartmental coordination.

Oversees the development and/or update of the City Transportation Improvement Program (T.I.P.), Comprehensive Sewer Plan, Comprehensive Water Plan, the Capital Improvement Program and other plans involving the municipal infrastructure.

Serves as the city's technical advisor and administrator on matters relating to the city code and development; assists the City Council with permitting and related decisions; assists in developing strategies for dealing with development issues; ensures compliance with statutory requirements.

Develops, interprets and implements plans, policies and procedures to accomplish departmental goals and objectives.

Supervises the activities of department personnel to include scheduling, assignment and review of work; providing assistance; administering discipline; evaluating performance and making hiring, termination, and pay change recommendations.

Provides professional, technical and advisory assistance to other departments on issues related to the department assigned.

Prepares and submits reports and grants to support department activities.

Maintains reasonable, predictable, and regular attendance during the standard work week.

Develops, recommends and monitors the department budget including the incorporation of individual division budgets by reviewing past expenditure, analyzing future needs and making determinations regarding the necessary resources to accomplish departmental goals. Approves expenditures to ensure compliance with budgetary guidelines.

Represents the department at City Council, commission, and other meetings to present the department's plans and accomplishments and to discuss the development and implementation of programs, policies, etc.

Works closely with private developers, professional consultants, special interest groups, and other government entities to coordinate activities related to department functions.

Responds to citizen concerns and issues and determines appropriate resolutions to maintain positive community/customer relations for the department and City.

Develops and implements plans, policies and procedures to ensure smooth and continued business operations of their department in the event of an emergency.

QUALIFICATIONS:

Education and Experience:

Bachelor's degree in Civil Engineering, Public Administration, or related field plus five (5) years or more management and supervisory experience and experience in public works administration or related field.

Five years of progressive responsibility in any of the above mentioned fields, with at least three years of management level experience in a public agency.

Candidates who do not meet the education requirement may be considered if they can demonstrate related experience.

Special Qualifications:

Registration as a Professional Engineer in the State of Washington at the time of appointment. Possession of, or the ability to obtain a valid Washington State driver's license at time of appointment.

Knowledge, Skills and Abilities:

Knowledge of:

- Principles, procedures, and practices related to the field;
- Federal, state, and local laws relating to comprehensive and current planning, growth management, building standards, and related issues;
- Environmental impact assessments;
- Municipal organization and department operations;
- Fiscal and budget management principles, practices and procedures;
- Personnel supervision, training and performance evaluation processes, and related city policies and procedures.

Skills:

- Exercise sound judgment in evaluating situations and making decisions;
- Establish and maintain effective working relationships with City personnel, outside agencies, and the general public;
- Guide, direct, and motivate employees;
- Communicate effectively, both orally and in writing; and
- Effectively delegate duties and responsibilities.

Ability to:

- Develop and implement policies and procedures for the effective management of the department and plan, assign and direct the work of the department;
- Effectively train, supervise and evaluate department personnel or direct division managers/supervisors, directly or indirectly, in these activities;
- Work with media and public information technologies and all city staff to develop appropriate public information;
- Effectively present plans, programs and recommendation to the City Administrator, the City Council and the public;
- Establish cooperation and effective communication within the Public Works Department and between other City departments, outside agencies, private organizations and the public;
- Establish and maintain sound management practices within the department and exercise initiative and judgment in all aspects of department management;

- Communicate effectively orally and in writing;
- Establish and maintain effective working relationships with staff, other government officials and agencies, elected officials, administrators and the general public;
- Solve problems through innovation, collaboration and solicitation of ideas/input from others.
- Contribute to achieving the City's Mission, Vision and Values.

SUPPLEMENTAL INFORMATION:

Selection Guidelines:

Formal application, rating of education and experience, oral interview and reference check; job-related tests may be required.

Background checks will include:

Prior Employment Verification: confirms applicant's employment with the listed companies, including dates of employment, position held and additional information available pertaining to performance rating, reason for departure and eligibility for rehire. This verification will be run on the past three employers or the previous five years, whichever comes first.

Personal and Professional References: calls will be placed to individuals listed as references by the applicant.

Employment Eligibility Verification: Form I-9 is used for verifying the identity and employment authorization of individuals hired for employment in the United States.

Educational Verification: confirms the applicant's claimed educational institution, including the years attended and the degree/diploma received.

Criminal History: includes review of criminal convictions and probation. The following factors will be considered for applicants with a criminal history:

The nature of the crime and its relationship to the position.

The time since the conviction.

The number (if more than one) of convictions.

Whether hiring, transferring or promoting the applicant would pose an unreasonable risk to the business, its employees or its customers and vendors.

The following additional background searches will be required if applicable to the position:

Motor Vehicle Records: provides a report on an individual's driving history in the state requested. This search will be run when driving is an essential requirement of the position.

Credit History: confirms candidate's credit history. This search will be run for positions that involve management of City of Sumner funds and/or handling of cash or credit cards.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

PHYSICAL REQUIREMENTS:

The physical demands/work environment described is representative of those that must be met by an employee to successfully perform the essential functions of the job. Requirements may be subject to modifications to reasonably accommodate individuals with disabilities who are otherwise qualified for employment in this position. However, some requirements may exclude individuals who pose a direct threat to significant risk to the health and safety of themselves or other employees.

Description of Work Environment:

Work may be performed both indoors and outdoors, in varying conditions where inclement weather may be encountered. Exposure to dust, chemicals, hazardous fumes and odors. Position may require call out in support of 24-hour, 7-day a week operations.

Amount of Time Spent:	Seldom (1-10%)	Occasional (10-30%)	Frequent (30-70%)	Constant (Over 70%)	Non-Applicable
Sitting				X	
Standing			X		
Walking			X		
Running					X
Driving		X			
Talking/Hearing				X	
Lifting (<10 lbs)		X			
Lifting (<25 lbs)		X			
Lifting (25>50 lbs)	X				
Lifting (50>100 lbs)					X
Carrying (<10 lbs)		X			
Carrying (<25 lbs)		X			
Carrying (25>50 lbs)	X				
Carrying (50>100 lbs)					X
Pushing/Pulling	X				
Climbing Stairs			X		
Climbing Ladders					X
Bending at Waist			X		
Twisting at Waist			X		
Kneeling/Squatting	X				
Crawling	X				
Reaching above Shoulder		X			
Repetitive Arm/Hand Movement				X	
Tasting/Smelling		X			
Using Finger, Handle or Feel				X	

SUBJECT: Approval of the minutes from the November 20th, 2023 regular council meeting and the 27th of November 2023 study session.

CATEGORY: Consent

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Minutes - November 20, 2023
2. Minutes - November 27, 2023

STAFF CONTACT: Michelle Converse, City Clerk

SUMMARY BACKGROUND:

Minutes from the previous two meetings.

COUNCIL COMMITTEE/STUDY SESSION:

MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION: Do Pass

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: Wilson, Marquez, Kosa, Moericke, Siegenthaler, Palmer, Raymond, Steffens, Barber, Waller and 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

COUNCILMEMBER STUARD WAS ABSENT. MOVED BY BITETTO, SECONDED BY COLE TO EXCUSE STUARD FROM TONIGHT'S MEETING.

PASSED BY VOICE VOTE.

CONSENT AGENDA

MOVED BY HOCHSTATTER SECONDED BY BITETTO TO APPROVE THE CONSENT AGENDA

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

PASSED BY VOICE VOTE

PUBLIC HEARING

There was no Public Hearing tonight.

REGULAR BUSINESS

1. Unfinished Business

- a. Resolution No. 1664 – Ad Valorem Property Tax

MOVED BY COLE SECONDED BY HOCHSTATTER TO ADOPT RESOLUTION NO. 1664 - SETTING THE TAX YEAR 2024 AD VALOREM PROPERTY TAX LEVY.

Chief Financial Officer Kassandra Raymond addressed the council.

PASSED BY ROLL CALL VOTE.

2. Public Comment

The following spoke -

Randall Adams, 63rd Street Court East spoke against demolishing the Ryan House.

Julie Noris, Chervenka Avenue spoke in favor of demolishing the Ryan House.

A resident who resides on 162nd Avenue has concerns regarding construction in his neighborhood.

3. New Business

a. Appointment to the Sumner Planning Commission of David Peters

MOVED BY HOCHSTATTER SECONDED BY COLE TO CONFIRM THE APPOINTMENT OF DAVID PETERS TO THE SUMNER PLANNING COMMISSION FOR A TERM BEGINNING IN DECEMBER 2023 AND EXPIRING IN APRIL OF 2024.

Senior Planner Ann Siegenthaler addressed the council.

PASSED BY ROLL CALL VOTE.

b. Amendment to Sumner Meadows Development Agreement

MOVED BY BITETTO SECONDED BY HOCHSTATTER TO APPROVE THE AMENDMENT TO SUMNER MEADOWS DEVELOPMENT AGREEMENT.

City Attorney Andrea Marquez spoke on the topic.

PASSED BY ROLL CALL VOTE.

4. Reports

a. Council

Councilmember Reed shared the Sumner High School Marching Band participated in the Auburn Veterans' Day parade and Marching Band Competition. Reed was happy to report the Sumner Marching Band came away with the Best Over All Award.

Councilmember Brown reminded everyone not to put their leaves in the drain.

Councilmember Bitetto reported on her tour of the elections center in Tacoma on November 7, 2023. She congratulated those who won their races.

Deputy Mayor Hochstatter reminded everyone about the new activities such as vendors and live music on Bridge Lightening Day, November 25th.

Councilmember Cole reported on the Rainier Cable Commission meeting she attended on November 15, 2023.

b. City Administrator

City Administrator Jason Wilson reported on the following:

Upcoming Policy Issues:

- November 27, 2023 – Study Session
 - New Sergeant Swearing In
 - MIC Transit Update
 - Operations Facility Phase 1 Final Financing Review
 - Mid-Biennial Budget Amendment
- December 4, 2023 – Regular Council Meeting
 - Council Vacancy Appointment
 - Public Hearing for the 2023/24 Mid-Biennial Budget Amendment
 - Ordinance adopting the 2024 Utility Rates

Commission Updates: The Planning Commission continues to work through the 2024 comprehensive plan updates. This is requiring them to meet twice a month to ensure that they are staying on schedule. Council will start seeing elements of the comprehensive plan during the first quarter of next year.

The Parks and Forestry Commission is in the process of reviewing the 2024 Parks and Trail Plan. Council will be reviewing it after the first of the year.

The Cultural Arts Commission is currently reviewing the submissions for utility box wraps. A recommendation is expected next week. Once received staff will work with the artists and install art on three boxes early next year.

Personnel Issues:

- Joey Urquhart was promoted from a Parks Groundskeeper to Environmental Technician
- Hiring process is underway for:
 - Community Service Officer
 - Water Quality Operator (Internal)
 - Parks Groundskeeper
- The City is working to fill the following positions:
 - Police Officer – 2 vacancies, with 1 likely filled later this week with a lateral officer from Orting
 - Deputy Public Works Director for Operations

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.
- Congratulations to Sumner Bonney Lake School District Superintendent Dr. Laurie Dent for being named the 2023 Superintendent of the Year by the Washington Association of School Administrators. I appreciate the collaborative working relationship and shared values that the City and School District have built.

c. **Mayor**

Mayor Hayden reminded everyone to visit our Main Street and shop local.

5. Executive Session

There was none tonight.

6. Adjournment

With no other matters before the Council, Mayor Hayden adjourned the meeting at 6:35pm. 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: Wilson, Marquez, Windish, Palmer, Beagle, Moericke (left at 6:15pm), McCurdy (left at 6:15pm), Steffens, Raymond, Barber and Kosa.

Mayor Hayden called to order the Study Session, at 6:02pm.

CALL TO ORDER

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

COUNCILMEMBER STUARD WAS ABSENT.

MOVED BY BITETTO, SECONDED BY COLE TO EXCUSE COUNCILMEMBER STUARD FROM TONIGHT'S MEETING.

PASSED BY VOICE VOTE.

OATH OF OFFICE

Police Sergeants –

Joe Boulay, Marcus McDonald and Justin Gregson (*Police Chief Moericke & Deputy Chief McCurdy*)

REGULAR BUSINESS

1. Manufacturing and Industrial Center (MIC) Transit Update
(*Community & Economic Development Director Ryan Windish and Bobby Lauerjung, Director, Sustainable Commute Programs*)
2. LTGO/BAN 2023: PW Operations Facility Update (*Chief Financial Officer Cassandra Raymond*)
3. Ordinance No. 2874 – 2023/2024 Mid-Biennial Budget Amendment
(*Chief Financial Officer Cassandra Raymond*)

CITY ADMINISTRATOR REPORT

AGENDA SETTING

EXECUTIVE SESSION

ADJOURNMENT

With no additional business, Mayor Hayden adjourned the meeting at 7:40pm.

Attest:

Kathy Hayden, Mayor

Michelle Converse, City Clerk

SUBJECT: Ordinance No. 2874 - 2023/2024 Mid-Biennial Budget Amendment

CATEGORY: Public Hearings

BUDGET IMPACT:

Expenditure Required: Per amendment

Within Budget Allocation: As adopted

ATTACHMENTS:

1. Presentation - Mid-Biennial Budget Amendment
 2. Ordinance No. 2874 - 2023/2024 Mid-Biennial Budget Amendment
-

STAFF CONTACT: Cassandra Raymond, Chief Financial Officer

SUMMARY BACKGROUND: City Council adopted the 2023/2024 Biennial Budget by Ordinance Number 2838 on December 5, 2022. Pursuant to RCW 35A.34.130, cities adopting a biennial budget are required to provide by ordinance a mid-biennial review no later than the conclusion of the first year of the fiscal biennium. This review provides staff with the opportunity to review revenue and expenditure trends, capital programs, and make programmatic adjustments as necessary. A required public hearing is held to afford citizens an opportunity to provide input into the proposed changes.

The proposed mid-biennial budget amendment includes:

General Fund (001):

- Increases professional services for outside legal counsel (Ryan House), and building plan review;
- Recognizes revenue contribution from Pierce County and 2024 expenses to continue the BusUp program through 2024;
- Programs tuition reimbursement for staff development;
- Recognizes increase in per capita expense for Metro Animal Services;
- Authorizes pass-through of state shared funding for affordable housing and opioid treatment.

Sidewalk Capital Fund (302): Programs funding to begin design for West Valley Sidewalk repair and recognizes Sound Transit contribution to Station Access Improvements.

Parks & Trail Capital Fund (310): Recognizes grant funding and offsetting expense for Fryar Ave Trails.

Street Capital Fund (320): Recognizes grant funding and offsetting expense for Maple Street Pedestrian Improvements, and recognizes Sound Transit contribution to bicycle lanes.

Facilities Capital (325): Reduces grant funding and offsetting expenses of expiring grant (Ryan House), and programs grant funding from the Department of Commerce for float storage.

Water Fund (401): Programs expenses for Central Well job shack, Central Well filter media replacement, and meter supplies.

Wastewater Fund (402): Programs Puget Sound Energy incentive and purchase of ammonia probes, programs other WWTF expenses.

Metro Animal Services Fund (440): Recognizes revenue for per capita rate increase in 2024.

Information Technology Fund (551): Recognizes grant revenue from WA Department of Emergency Management for cybersecurity, and offsetting expense.

The mid-biennial budget amendment was reviewed by the Finance and Personnel Committee on November 16, 2023. Council action is scheduled for the December 11, 2023 Regular Council Meeting.

MEETING/STUDY SESSION DATE: 11/27/2023

COMMITTEE RECOMMENDATION: Forward to City Council Study Session

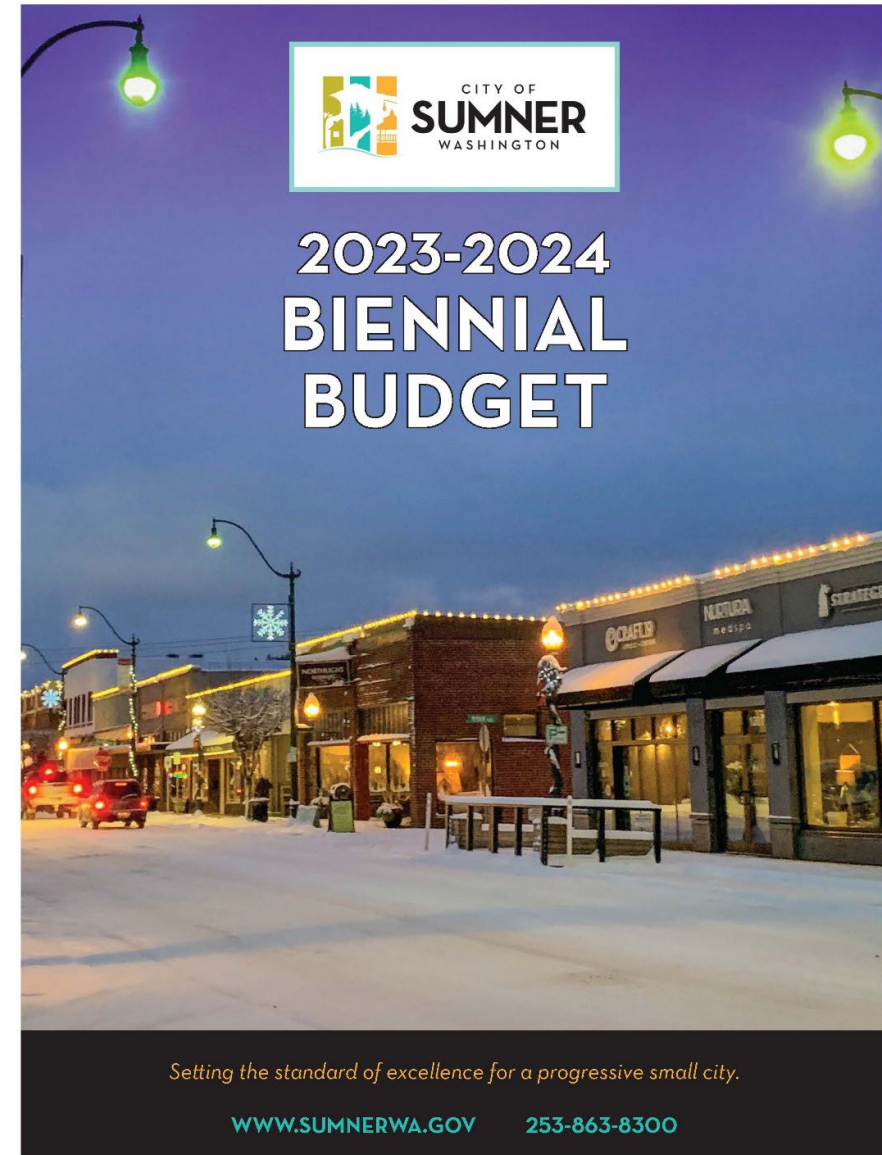
STAFF RECOMMENDATIONS/MOTION:

Hold Public Hearing.

2023-2024 Biennial Budget

Mid-Biennial Budget Amendment

City Council
Public Hearing
December 4, 2023



2023-2024 Biennial Budget adopted December 5, 2022

Why this Amendment?

- RCW 35A.34.130 requires that municipalities budgeting biennially adopt a mid-biennial review.
- Quarterly budget amendments provide Council a timely and transparent view of the budget needs
- Opportunity to review changes, revisit/revise forecasts, and adjust for programmatic changes
- Reviewed in detail by Finance & Personnel Committee
- Integral part of the City's overall financial management process

Amendment at a Glance

	Revenues	Transfer In	Expenditures	Transfer Out
General Fund	\$79,000	\$0	\$425,190	\$0
Special Revenue Funds	\$0	\$0	\$0	\$0
Capital Funds	\$6,158,503	\$0	\$5,625,203	\$0
Utility Funds	\$34,000	\$0	\$642,000	\$0
Other Enterprise Funds	\$36,258	\$0	\$0	\$0
Internal Service Funds	\$32,000	\$0	\$32,000	\$0
Fiduciary Funds	\$0	\$0	\$0	\$0
Total	\$6,339,761	\$0	\$6,724,393	\$0
Total Revenues	\$6,339,761			
Total Expenditures	\$6,724,393			

General Fund

Item	Revenue	Expense
Legal Services (Ryan House)	\$0	\$60,000
Development Services Plan Review	\$0	\$55,000
BusUp Service (Pierce County Funding & 2024 Activity)	\$79,000	\$158,000
Legal Department Tuition Reimbursement	\$0	\$6,600
Metro Animal Services Per Capita	<u>\$0</u>	<u>\$3,240</u>
Operating Change	\$79,000	\$282,840
Allocate Opioid Funding to Pierce County	\$0	\$17,350
Allocate Housing Funding to SSHAPE	\$0	\$125,000
Totals	\$79,000	\$425,190

Fund 302 – Sidewalk Capital

Description	Revenue	Expenditure
West Valley Sidewalk Repair Design	\$-	\$80,000
Sound Transit Station Access Improvements	\$350,000	\$-



West Valley Highway Sidewalk Repair

Fund 310 – Parks & Trails Capital

Description	Revenue	Expenditure
Fryar Avenue Trail Grant Award & Expenditure	\$5,328,450	\$5,328,450

Fund 320 – Street Capital

Description	Revenue	Expenditure
Maple Street Pedestrian Improvements – FHWA HSIP Grant & Expense	\$280,053	\$616,753
Sound Transit Contribution – Bicycle Lanes	\$500,000	\$-



Maple Street Improvements

Fund 325 – Facilities Capital

Description	Revenue	Expenditure
Department of Commerce Grant (PW Operations Facility)	\$100,000	\$-
Ryan House Improvements (PCLTAC Grant)	(\$400,000)	(\$400,000)

Fund 401 – Water Fund

Description	Revenue	Expenditure
Job Shack @ Central Well (2023 and 2024)	\$-	\$23,000
Central Well Filter Media Replacement	\$-	\$150,000
Supplies – Service Meters	\$-	\$310,000

Fund 402 – Wastewater Fund

Description	Revenue	Expenditure
Puget Sound Energy Grant (Purchase of Ammonia Probes)	\$34,000	\$34,000
WWTF Operations – Chemicals	\$-	\$25,000
WWTF Equipment Replacements	\$-	\$100,000

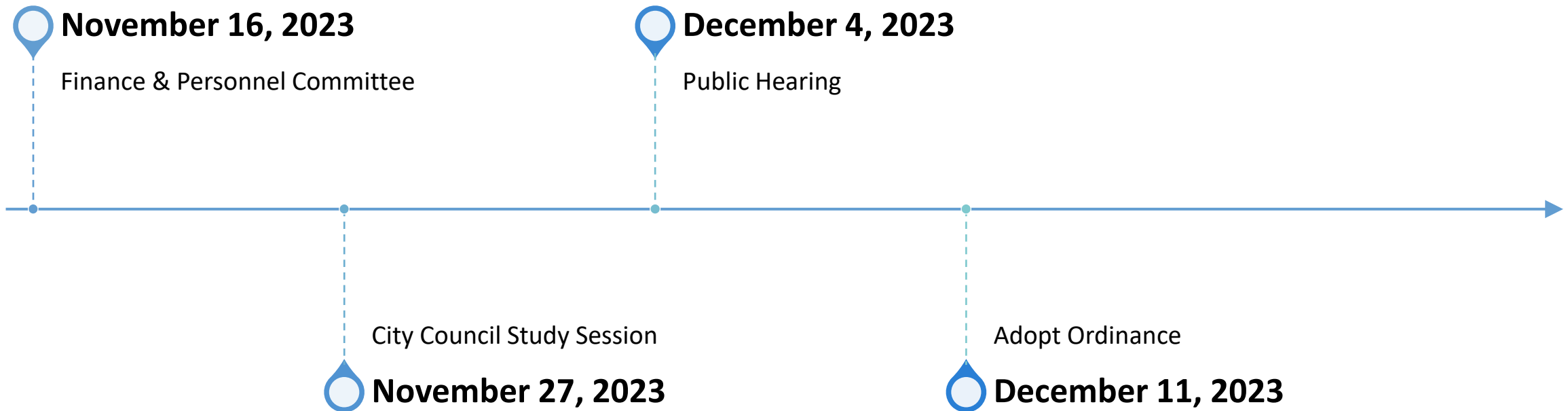
Fund 440 – Animal Control Fund

Description	Revenue	Expenditure
Per Capita Revenues	\$36,258	\$-
<i>2024 per capita increase of \$0.30</i>		

Fund 551 – Information Technology Fund

Description	Revenue	Expenditure
Cybersecurity Grant (WA Dept of Emergency Management)	\$32,000	\$32,000
<i>Microsoft Defender for Cybersecurity</i>		

Next Steps



Questions?

**ORDINANCE NO. 2874
CITY OF SUMNER, WASHINGTON**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, AMENDING THE 2023-2024 BIENNIAL BUDGET AS ORIGINALLY ADOPTED IN ORDINANCE NO. 2838, APPROVED DECEMBER 5, 2022, AND PREVIOUSLY AMENDED IN ORDINANCE 2849, APPROVED MARCH 20, 2023, ORDINANCE 2855, APPROVED JUNE 5, 2023, ORDINANCE 2858, APPROVED JUNE 20, 2023, ORDINANCE 2866, APPROVED AUGUST 7, 2023, ORDINANCE 2871, APPROVED SEPTEMBER 18, 2023, AND ORDINANCE 2872, APPROVED OCTOBER 16, 2023.

WHEREAS, The Sumner City Council approved Ordinance No. 2838 which adopted a biennial budget for fiscal years 2023-2024; and

WHEREAS, The Sumner City Council approved Ordinance No. 2849 which amended the 2023-2024 biennial budget for fiscal years 2023-2024; and

WHEREAS, The Sumner City Council approved Ordinance No. 2855 which amended the 2023-2024 biennial budget for fiscal years 2023-2024; and

WHEREAS, The Sumner City Council approved Ordinance No. 2858 which amended the 2023-2024 biennial budget for fiscal years 2023-2024; and

WHEREAS, The Sumner City Council approved Ordinance No. 2866 which amended the 2023-2024 biennial budget for fiscal years 2023-2024; and

WHEREAS, The Sumner City Council approved Ordinance No. 2871 which amended the 2023-2024 biennial budget for fiscal years 2023-2024; and

WHEREAS, The Sumner City Council approved Ordinance No. 2872 which amended the 2023-2024 biennial budget for fiscal years 2023-2024; and

WHEREAS, RCW 35A.34 provides procedures for adopting, managing, and amending a biennial budget; and

WHEREAS, a public hearing for the 2023/2024 mid-biennial budget amendment was held December 4, 2023; and

WHEREAS, RCW 35A.34.130 requires that the adopted biennial budget be subject to a mid-biennial review and modifications as needed; and

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

Section 1. Amendment. The biennial budget for the City of Sumner for the period January 1, 2023 through December 31, 2024 as contained in the adopted 2023-2024 Biennial Budget for total revenue/sources and expenditures/uses as approved by the City Council, is hereby amended by Total Revenue and Expenditures for each fund as shown on the attached Exhibit A.

Section 2. 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 ordinance, including the correction of clerical errors; ordinance, section, or subsection numbering; or references to other local, state, or federal laws, codes, rules, or regulations.

Section 3. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of the ordinance or the validity of its application to other person’s circumstances.

Section 4. Effective Date. This Ordinance shall become effective five (5) days from and after its passage, approval, and publication as provided by law.

Passed by the City Council and approved by the Mayor of the City of Sumner, Washington, at a regular meeting thereof this 11th day of December, 2023.

Mayor Kathy Hayden

ATTEST:

APPROVED AS TO FORM:

City Clerk Michelle Converse, CMC

City Attorney Andrea Marquez

BA 12/11/2023 Funds	Beginning Fund Balance		Revenues		Expenditures			Ending Fund Balance
	<i>Adopted</i>	<i>Adopted</i>	<i>Previous</i>	<i>12/11/23</i>	<i>Adopted</i>	<i>Previous</i>	<i>12/11/23</i>	<i>Revised</i>
001 General	11,300,000	\$ 41,287,140	\$ 1,239,207	\$ 79,000	\$ 40,975,513	\$ 1,907,677	\$ 425,190	\$ 10,596,966
002 General Fund Reserves	980,824	-	-	-	-	-	-	980,824
003 Building Reserves	450,756	200,000	-	-	390,000	-	-	260,756
103 Complete Streets	-	-	-	-	-	-	-	-
105 Drug Enforcement	65,510	-	-	-	4,000	-	-	61,510
106 Hotel/Motel	262,600	205,000	-	-	338,156	-	-	129,444
115 ARPA Funding	680,624	-	-	-	50,100	124,168	-	506,356
200 Debt Service	2,570,000	465,800	-	-	496,100	-	-	2,539,700
221 LID Guarantee	691,569	-	-	-	-	-	-	691,569
302 Sidewalk	412,457	530,000	553,200	350,000	880,000	553,200	80,000	332,457
305 Real Estate Excise Tax	851,288	1,600,000	-	-	550,000	-	-	1,901,288
310 Parks & Trails Capital Fund	423,721	4,868,061	252,500	5,328,450	5,131,106	(535,000)	5,328,450	948,176
320 Street Capital Fund	7,709,379	17,364,200	2,711,700	780,053	24,625,588	2,957,000	616,753	365,991
325 Facilities Capital Fund	50,000	515,000	3,440,000	(300,000)	565,000	3,440,000	(400,000)	100,000
401 Water	13,219,995	10,189,150	-	-	20,279,605	46,985	483,000	2,599,555
402 Wastewater	9,286,248	15,566,163	2,150	34,000	21,270,227	149,110	159,000	3,310,224
403 Utility Bond Reserves	1,731,342	-	-	-	-	-	-	1,731,342
408 Stormwater	8,227,784	38,031,772	8,000,000	-	42,424,254	9,096,985	-	2,738,317
410 Cemetery Operations	74,238	1,498,200	-	-	1,425,316	8,500	-	138,622
415 Cemetery Development	208,994	300,000	-	-	300,000	-	-	208,994
440 Animal Control	94,087	2,093,628	-	36,258	2,062,680	7,950	-	153,343
501 Unemployment Insurance	9,351	-	-	-	3,991	-	-	5,360
550 Fleet Management	94,835	1,498,570	-	-	1,551,411	-	-	41,994
551 Information Technology	479,281	3,264,440	92,650	32,000	3,336,088	107,650	32,000	392,633
555 Equipment Reserve	1,942,959	2,126,935	-	-	1,770,000	-	-	2,299,894
601 Cemetery Endowment	1,545,873	33,000	-	-	-	-	-	1,578,873
605 Development Impact Fees	6,898,068	500,000	-	-	998,833	1,532,500	-	4,866,735
611 Firemen's Pension	29,798	164,000	-	-	160,000	-	-	33,798
Total All Funds	\$ 70,291,581	\$ 142,301,059	\$ 16,291,407	\$ 6,339,761	\$ 169,587,969	\$ 19,396,725	\$ 6,724,393	\$ 39,514,721

SUBJECT: Ordinance No. 2875 – Utility Rate Adjustments

CATEGORY: Ordinance

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Ordinance No. 2875 - Utility Rate Adjustments
 2. Utility Rates Presentation
-

STAFF CONTACT: Mike Dahlem, Public Works Director, Michael Kosa, City Engineer, Andrew Leach, Associate Engineer

SUMMARY BACKGROUND:

The City of Sumner manages three utilities: water, sewer and stormwater. The operations of the utilities are supported in large part by rate payers and system development charges. The City contracted with the FCS Group to perform the 2023 rate study and System Development Charges (SDC) study for our water, sewer and stormwater utilities. Due to limited staff time and the challenge of incorporating the study simultaneously with the budget cycle, it was decided to change to conducting the study on the off years from the budget cycle. The City Council was provided a summary of the study results that indicated a need for rate increases to adequately fund the operations, maintenance, and capital of each utility.

Rate increases, as recommended by the study, are as follows:

Effective January 1, 2024 the rate for the water utility is increased by 4.0%; the rate for the stormwater utility is increased by 6.0%; and the rate for the sewer utility is increased by 4.5%.

COUNCIL COMMITTEE/STUDY SESSION: Study Session

MEETING/STUDY SESSION DATE: 11/13/2023

COMMITTEE RECOMMENDATION: Information Only

STAFF RECOMMENDATIONS/MOTION:

A motion to adopt Ordinance No. 2875 - Utility Rate Adjustments.

ORDINANCE NO. 2875

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON AMENDING THE UTILITY RATES.

WHEREAS, the Sumner City Council agreed with delaying the biennial utility rate study until 2023 to coincide with off-cycle years of the biennial budget for City provided utilities; and

WHEREAS, the 2023 utility rate study determined the water sewer and stormwater utilities were generating insufficient revenues to cover the annual operating and capital costs and recommended a rate adjustment; and

WHEREAS, the Sumner City Council has determined that adjustments in these utility system development charges are necessary in order to maintain the financial health of the City of Sumner's utility operations.

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

Section 1. Fee Schedule Amended. The City's Utility Rates as set forth in the Sumner Utility Rate and Fee Schedule are hereby amended to reflect effective January 1, 2024, an increase in rates for the water utility of 4.0%, for the sewer utility of 4.5% and for the stormwater utility 6.0%. The Table attached as Exhibit A reflects the proposed rates.

Section 2. 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 3. Severability. If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction; such decision shall not affect the validity of the remaining portions of this ordinance. If the provisions of this ordinance are found to be inconsistent with other provisions of the Sumner Municipal Code, the provisions of this ordinance shall control.

Section 4. Effective Date. This Ordinance shall become effective five (5) days from and after its passage, approval, and publication as provided by law.

Passed by the City Council and approved by the Mayor of the City of Sumner, Washington at a regular meeting thereof this 4th day of December, 2023.

Mayor Kathy Hayden

ATTEST:

APPROVED AS TO FORM:

City Clerk Michelle Converse, CMC

Andrea Marquez, City Attorney

Exhibit "A"			
Summer Utility Rate and Fee Schedule			
Monthly Utility Rates	SMC Title 13- Public Services		
		Effective 1/1/2023	Effective 1/1/2024
		Tax included	Tax included
		2023	2024
Water (15% Surcharge for outside city limits)			
BASED ON METER SIZE AND FLOW IN 100 CU FT (7.48 gal = 1 cu ft)			
per ea 100cf	1 - 1000 cu ft	\$ 2.35	\$ 2.45
	1,000 - 2,000 cu ft	3.10	\$ 3.22
	2,000 cu ft & above	3.70	\$ 3.85
Base Rates	3/4"	26.92	\$ 28.00
Irrigation meters pay 50% base rates	1"	65.20	\$ 67.81
	1 1/2"	130.39	\$ 135.61
	2"	208.56	\$ 216.90
	3"	391.11	\$ 406.75
	4"	651.77	\$ 677.84
	6"	1,337.15	\$ 1,390.63
	8"	2,085.72	\$ 2,169.15
Storm	1.5% Tax		
BASED ON SQ. FT OF IMPERVIOUS AREA (1 ESU = 2400 sq ft)			
	Per ESU	\$ 17.32	\$ 18.36
Sewer (25% Surcharge for outside city limits)	8.53% Tax		
BASED ON WATER FLOW (minimum includes 500 cu ft)			
per ea 100cf	Flow >500 cu ft	\$ 9.20	\$ 9.61
Minimum	Single family residential	62.43	\$ 65.24
	Multi-family (per unit)	53.25	\$ 55.65
	All other customers	62.43	\$ 65.24
Fire Flow			
BASED ON SQ. FT. OF BUILDING (for all buildings 5,000 sq. ft. or more)			
SMC 13.24.360 (D)	Per 1000 sq ft	\$ 0.79	\$ 0.83
		Effective 10/1/2021	Effective 1/1/2024
Sewer System Development Charge	Per equivalent residential unit (ERU)	\$6,150.00	\$5,727.00
Stormwater System Development Charge	Per equivalent service unit (ESU)	\$3,740.00	\$2,626.00
Water System Development Charge^{1,2}	Per meter equivalent (ME)	\$7,699.00	\$7,717.00
1. Single family dwelling and first unit per building for multi-family per meter size; Every other unit per building in multi-family dwellings as 3/4 of an ME			
2. Each industrial customer based on 3.5 ME per acre			
Meter size in inches		Effective 10/1/2021	Effective 1/1/2024
0.75		\$7,698.85	\$7,717.00
1		\$19,247.15	\$19,292.50
1.5		\$38,494.35	\$38,585.00
2		\$61,590.90	\$61,736.00
3		\$115,482.96	\$115,755.00
4		\$192,445.01	\$192,925.00
6		\$384,943.22	\$385,850.00
8		\$615,909.16	\$617,360.00



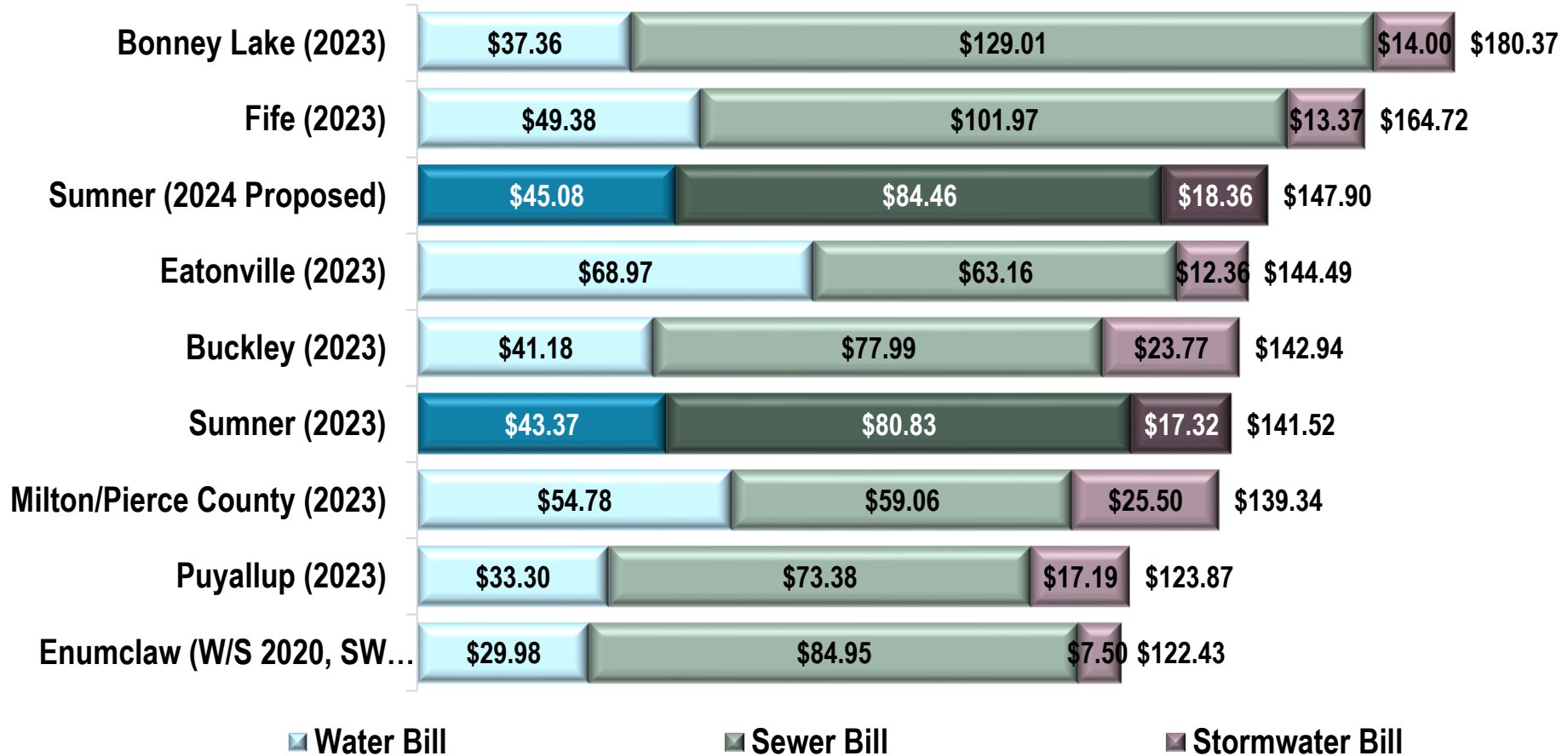
Recommendations

- **Adopt proposed 2024 utility rate increases**
 - » Water: 4.0%
 - » Sewer: 4.5%
 - » Stormwater: 6.0%
- **Adopt updated SDCs**
 - » Water: \$7,699 → \$7,717 per ME
 - » Sewer: \$6,150 → \$5,727 per ERU
 - » Stormwater: \$3,740 → \$2,626 per ESU
- **Monitor financial status regularly; revisit rates and SDCs as needed**



How Do Other Utilities Compare?

Combined Single-Family Utility Bill @ 7 ccf per Month*

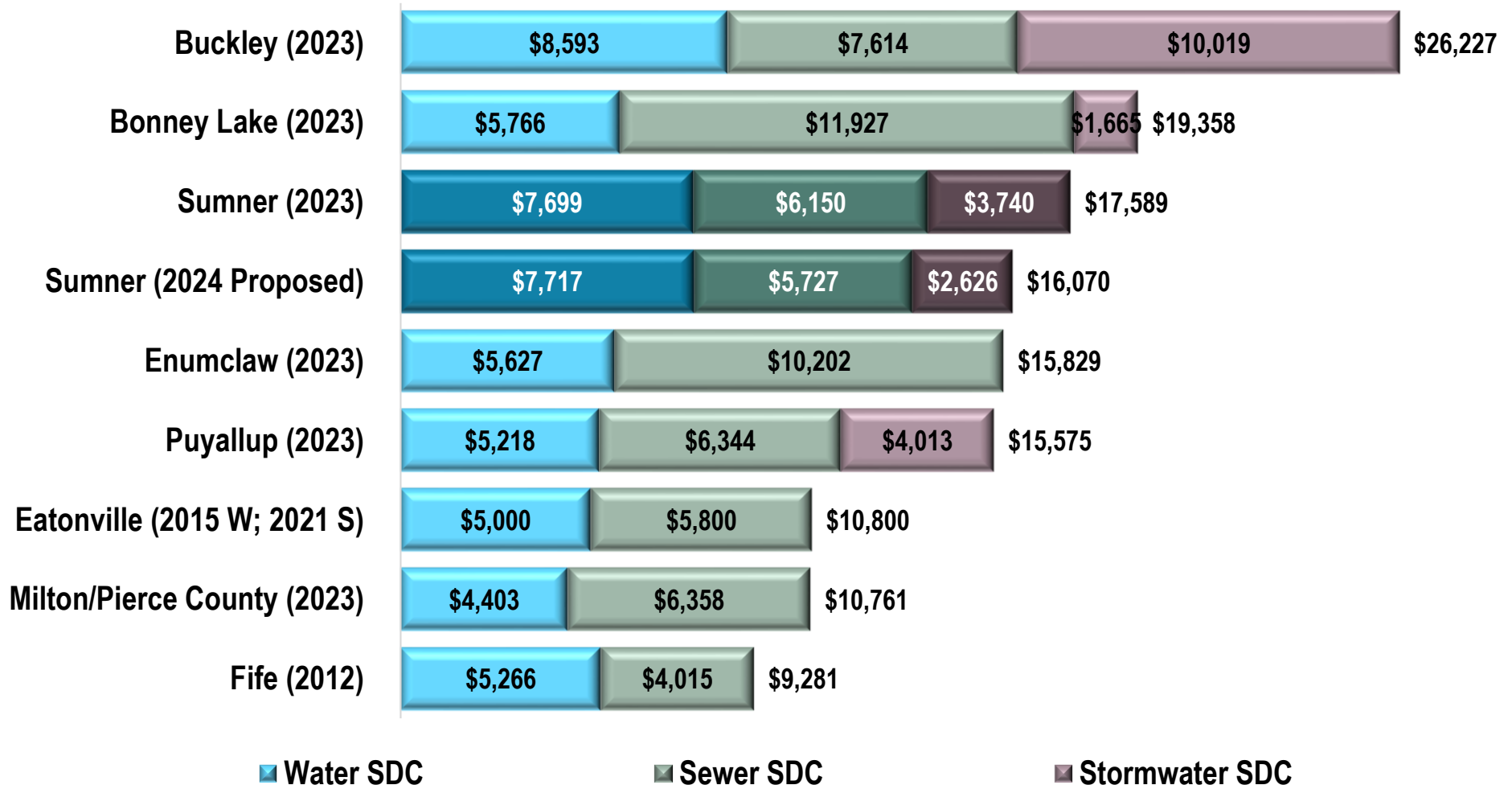


*Includes applicable utility taxes.



How Do Other Utilities Compare?

Combined SDC (3/4" Residential Connection)



SUBJECT: Ordinance No. 2876 - System Development Charge Adjustments

CATEGORY: Ordinance

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Ordinance No. 2876 - System Development Charge Adjustments
 2. Utility Rates Presentation
-

STAFF CONTACT: Mike Dahlem, Public Works Director, Michael Kosa, City Engineer, Andrew Leach, Associate Engineer

SUMMARY BACKGROUND: The City of Sumner manages three utilities: water, sewer and stormwater. The operations of the utilities are supported in large part by rate payers and system development charges. The City contracted with the FCS Group to perform the 2023 rate study and System Development Charges (SDC) study for our water, sewer and stormwater utilities. Due to limited staff time and the challenge of incorporating the study simultaneously with the budget cycle, it was decided to change to conducting the study on the off years from the budget cycle. This 2023 update reflects the necessary SDC adjustments to adequately fund the utilities.

The City Council was presented with the updated data which increases the SDC's for the water utility and a decrease in the SDC's for the Sewer and Stormwater Utilities effective January 1, 2024 as follows:

An increase in Water Utility System Development Charges from \$7,699 to \$7,717 per Meter Equivalent (ME).

A decrease in Stormwater Utility SDC's from \$3,116 to \$2,626 per Equivalent Service Unit (ESU).

A decrease in Sewer Utility SDC's from \$6,150 to \$5,727 per Equivalent Residential Unit (ERU).

COUNCIL COMMITTEE/STUDY SESSION: Study Session

MEETING/STUDY SESSION DATE: 11/13/2023

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

A motion to adopt Ordinance No. 2876 - System Development Charge Adjustments.

ORDINANCE NO. 2876

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON AMENDING THE WATER SEWER AND STORMWATER SYSTEM DEVELOPMENT CHARGES.

WHEREAS, the Sumner City Council agreed with delaying the biennial utility rate study until 2023 to coincide with off-cycle years of the biennial budget to conduct a system development charge study for City provided utilities; and

WHEREAS, the system development charge study determined the charges associated with the water utility should be increased and the storm and sewer utilities should be decreased; and

WHEREAS, the Sumner City Council has determined that adjustments in these utility system development charges are necessary in order to maintain the financial health of the City of Sumner's utility operations.

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

Section 1. Fee Schedule Amended. The City's Utility Rates as set forth in the Sumner Utility Rate and Fee Schedule are hereby amended to include the System Development Charges effective January 1, 2024 as follows: a) Water Utility System Development Charge shall be \$7,717 per Meter Equivalent (ME); b) The Sewer Utility System Development Charge shall be \$5,727 per Equivalent Residential Unit (ERU); and c) The Stormwater Utility System Development Charge shall be \$2,626 per Equivalent Service Unit (ESU). The table attached as Exhibit A reflects the proposed rates and fees.

Section 2. 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 3. Severability. If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction; such decision shall not affect the validity of the remaining portions of this ordinance. If the provisions of this ordinance are found to be inconsistent with other provisions of the Sumner Municipal Code, the provisions of this ordinance shall control.

Section 4. Effective Date. This Ordinance shall become effective five (5) days from and after its passage, approval, and publication as provided by law.

Passed by the City Council and approved by the Mayor of the City of Sumner, Washington at a regular meeting thereof this 4th day of December, 2023.

Mayor Kathy Hayden

ATTEST:

APPROVED AS TO FORM:

City Clerk Michelle Converse, CMC

Andrea Marquez, City Attorney

Exhibit "A"			
Summer Utility Rate and Fee Schedule			
Monthly Utility Rates	SMC Title 13- Public Services		
		Effective 1/1/2023	Effective 1/1/2024
		Tax included	Tax included
		2023	2024
Water (15% Surcharge for outside city limits)			
BASED ON METER SIZE AND FLOW IN 100 CU FT (7.48 gal = 1 cu ft)			
per ea 100cf	1 - 1000 cu ft	\$ 2.35	\$ 2.45
	1,000 - 2,000 cu ft	3.10	\$ 3.22
	2,000 cu ft & above	3.70	\$ 3.85
Base Rates	3/4"	26.92	\$ 28.00
Irrigation meters pay 50% base rates	1"	65.20	\$ 67.81
	1 1/2"	130.39	\$ 135.61
	2"	208.56	\$ 216.90
	3"	391.11	\$ 406.75
	4"	651.77	\$ 677.84
	6"	1,337.15	\$ 1,390.63
	8"	2,085.72	\$ 2,169.15
Storm	1.5% Tax		
BASED ON SQ. FT OF IMPERVIOUS AREA (1 ESU = 2400 sq ft)			
	Per ESU	\$ 17.32	\$ 18.36
Sewer (25% Surcharge for outside city limits)	8.53% Tax		
BASED ON WATER FLOW (minimum includes 500 cu ft)			
per ea 100cf	Flow >500 cu ft	\$ 9.20	\$ 9.61
Minimum	Single family residential	62.43	\$ 65.24
	Multi-family (per unit)	53.25	\$ 55.65
	All other customers	62.43	\$ 65.24
Fire Flow			
BASED ON SQ. FT. OF BUILDING (for all buildings 5,000 sq. ft. or more)			
SMC 13.24.360 (D)	Per 1000 sq ft	\$ 0.79	\$ 0.83
		Effective 10/1/2021	Effective 1/1/2024
Sewer System Development Charge	Per equivalent residential unit (ERU)	\$6,150.00	\$5,727.00
Stormwater System Development Charge	Per equivalent service unit (ESU)	\$3,740.00	\$2,626.00
Water System Development Charge^{1,2}	Per meter equivalent (ME)	\$7,699.00	\$7,717.00
1. Single family dwelling and first unit per building for multi-family per meter size; Every other unit per building in multi-family dwellings as 3/4 of an ME			
2. Each industrial customer based on 3.5 ME per acre			
Meter size in inches		Effective 10/1/2021	Effective 1/1/2024
0.75		\$7,698.85	\$7,717.00
1		\$19,247.15	\$19,292.50
1.5		\$38,494.35	\$38,585.00
2		\$61,590.90	\$61,736.00
3		\$115,482.96	\$115,755.00
4		\$192,445.01	\$192,925.00
6		\$384,943.22	\$385,850.00
8		\$615,909.16	\$617,360.00



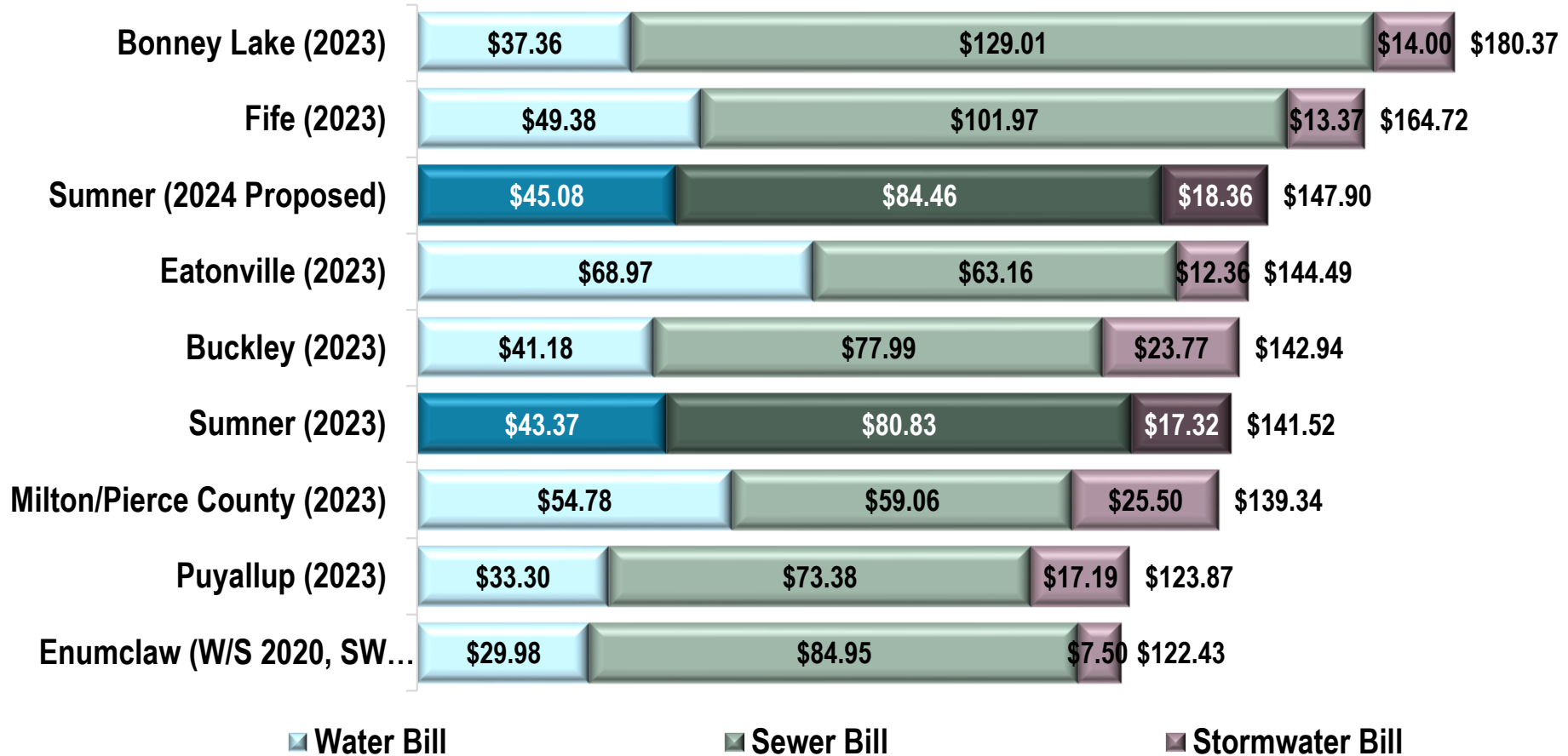
Recommendations

- **Adopt proposed 2024 utility rate increases**
 - » Water: 4.0%
 - » Sewer: 4.5%
 - » Stormwater: 6.0%
- **Adopt updated SDCs**
 - » Water: \$7,699 → \$7,717 per ME
 - » Sewer: \$6,150 → \$5,727 per ERU
 - » Stormwater: \$3,740 → \$2,626 per ESU
- **Monitor financial status regularly; revisit rates and SDCs as needed**



How Do Other Utilities Compare?

Combined Single-Family Utility Bill @ 7 ccf per Month*

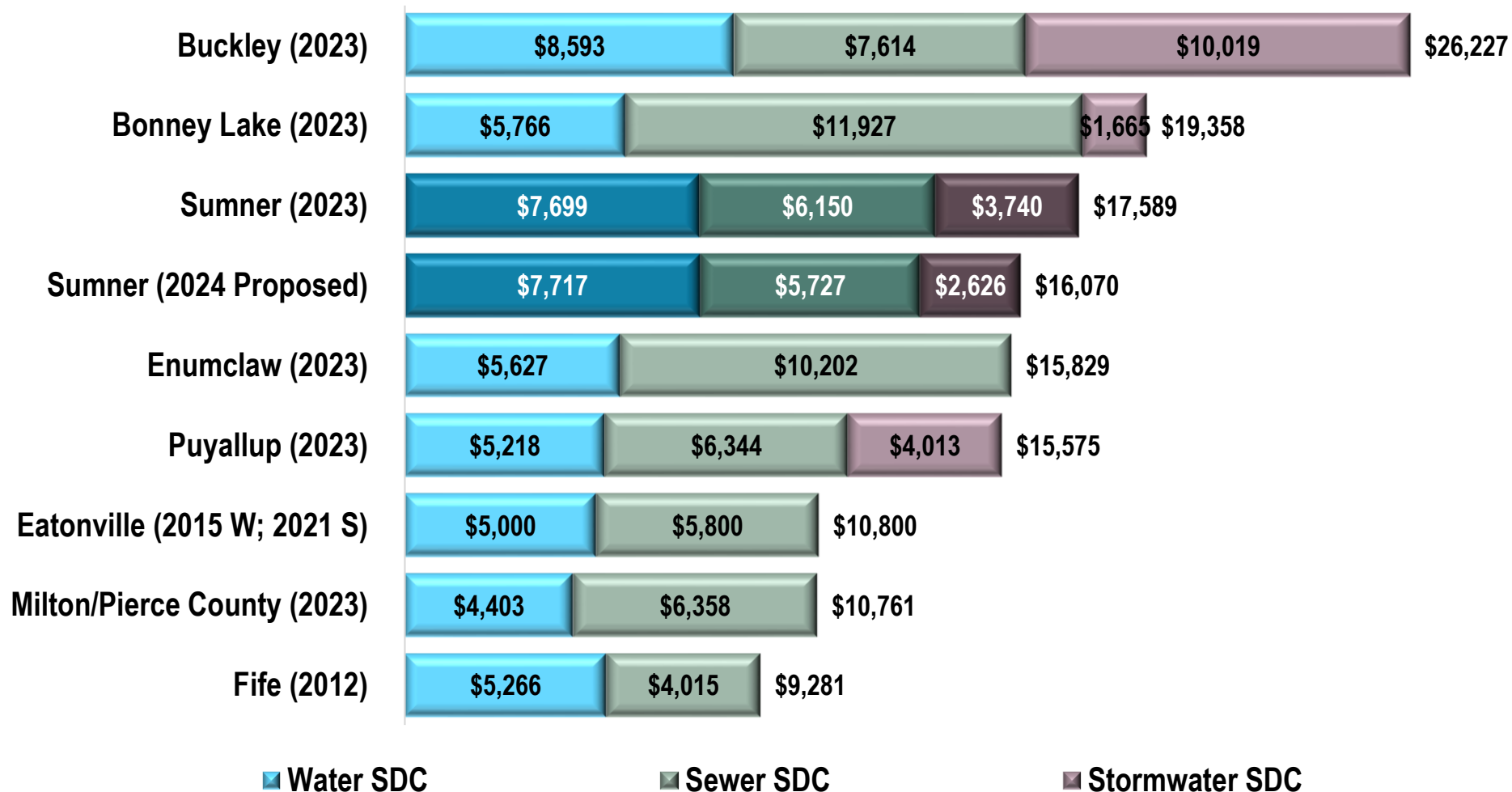


*Includes applicable utility taxes.



How Do Other Utilities Compare?

Combined SDC (3/4" Residential Connection)



DECEMBER 2023

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2
4	5	6	7	8	9
6:00PM Regular Council Meeting (Hybrid)	4:00PM Public Works Committee	5:30PM Finance & Personnel (Hybrid) 6:30PM Design Commission	6:00PM - CANCELLED Planning Commission		
11	12	13	14	15	16
6:00PM - CANCELLED Study Session Special Council Meeting 6:00PM (Hybrid)			4:30PM Forestry/Parks Commission (Hybrid)		
18	19	20	21	22	23
6:00PM - CANCELLED Regular Council Meeting		5:30PM CANCELLED Public Safety		Holiday Observed City Hall Closed	
25	26	27	28	29	30
Holiday City Hall Closed		5:00PM CANCELLED CD Committee			

Meeting dates and times may change. Please contact City Hall to confirm this information prior to any meeting you plan to attend. **These meetings are accessible to persons with disabilities.** For individuals who require special accommodations, please contact City Hall at (253) 299-5500, 24 hours in advance.

Name: Michelle Converse, CMC

Title: City Clerk

City of Sumner
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