CITY OF SUMNER WASHINGTON

FINANCE & PERSONNEL COMMITTEE AGENDA
CITY HALL – 1104 MAPLE STREET
JUNE 13, 2024 4:00 PM

Members: Barbara Bitetto, Carla Bowman, Pat Cole, Greg Reinke (alt)

Staff Liaison: Administrative Services Director Jeff Steffens, Chief Operating Officer Kassandra Raymond

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 (First Floor Conference Room), or virtually by using the meeting access link below. -

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CALL TO ORDER

COMMITTEE BUSINESS

1. Ordinance No. 2891 -- Amending Affordable Housing Sales and Use Tax Code (SMC 3.22)
2. 2024 Sidewalk Repairs Program: Construction Contract Award
3. Ordinance No. 2889 Amending SMC 2.100 Personnel Policies
4. Ordinance No. 2890 2023/2024 Budget Amendment

REPORTS

1. Monthly Sales Tax Report
2. Recruitment & Negotiation Update

ADJOURNMENT

FINANCE & PERSONNEL COMMITTEE MEETING
DATE: June 13, 2024
AGENDA BILL: 24-213

SUBJECT: Ordinance No. 2891 -- Amending Affordable Housing Sales and Use Tax Code (SMC 3.22)

CATEGORY: Ordinance

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Ordinance No. 2891

STAFF CONTACT: Ryan Windish, Community Development Director

SUMMARY BACKGROUND:

Ordinance No. 2891 would amend the Affordable Housing Sales and Use Tax code (SMC 3.22) that was adopted by the City Council in 2020 consistent with state law (HB 1406) which authorizes the governing body of a city or county to impose a local sales and use tax for the acquisition, construction or rehabilitation of affordable housing or facilities providing supportive housing, for the operations and maintenance costs of affordable or supportive housing, or, if eligible, for providing rental assistance to tenants.

The City Council adopted Ordinance No. 2741 on July 20, 2020, to authorize the maximum capacity of the sales and use tax for affordable and supportive housing in accordance with HB 1406. In 2024, Senate Bill 6173 (SB 6173) created additional flexibility for the usage of the tax to serve households whose income is at or below eighty (80) percent of the County median income if the funding is supporting the development of affordable housing intended for owner occupancy as defined in RCW 84.14.010. Ordinance No. 2891 would allow for this change to (80) percent of the County median income and be consistent with our partners in the South Sound Housing Affordability Partnership (SSHA^{3}P) and provide greater flexibility for administering these funds.

COUNCIL COMMITTEE/STUDY SESSION: **Finance & Personnel Committee** **MEETING/STUDY SESSION DATE: 6/13/2024** **COMMITTEE RECOMMENDATION:**

STAFF RECOMMENDATIONS/MOTION:

Move to adopt Ordinance No. 2891 amending the Affordable Housing Sales and Use Tax code to be consistent with recent changes in state law.

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMNER WASHINGTON, AMENDING CHAPTER 3.22 OF THE SUMNER MUNICPAL CODE IN ACCORDANCE WITH SENATE BILL 6173 (CHAPTER 136, LAWS OF 2024).

WHEREAS, in the 2019 Regular Session, the Washington State Legislature approved, and the Governor signed, Substitute House Bill 1406 (Chapter 338, Laws of 2019) ("SHB 1406"); and

WHEREAS, SHB 1406 authorizes the governing body of a city or county to impose a local sales and use tax for the acquisition, construction or rehabilitation of affordable housing or facilities providing supportive housing, for the operations and maintenance costs of affordable or supportive housing, or, if eligible, for providing rental assistance to tenants; and

WHEREAS, the City Council adopted Ordinance No. 2741 on July 20, 2020, to authorize the maximum capacity of the sales and use tax for affordable and supportive housing in accordance with SHB 1406; and

WHEREAS, in the 2024 Regular Session, the Washington State Legislature approved, and the Governor signed, Senate Bill 6173 (Chapter 136, Laws of 2024) ("SB 6173"); and

WHEREAS, SB 6173 created additional flexibility for the usage of the tax to serve households whose income is at or below eighty percent of the County median income if the funding is supporting the development of affordable housing intended for owner occupancy as defined in RCW 84.14.010; and

WHEREAS, the tax is credited against state sales taxes already collected within the City and, therefore, will not increase the amount of sales and use taxes already paid by customers, purchasers, or recipients of goods within the City; and

WHEREAS, the tax represents an additional source of funding to address housing needs and will be used to provide affordable housing or housing assistance to persons whose income is at or below sixty percent of the County median income or at or below eighty percent of the County median income if the funding is supporting the development for affordable housing intended for owner occupancy as defined in RCW 84.14.010; and

WHEREAS, the City Council now desires to authorize tax funds to be used for such eligible activities as authorized under RCW 82.14.540;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, AMENDED CHAPTER 3.22 OF THE SUMNER MUNICIPAL CODE AS FOLLOWS:

<u>Section 1</u>. The Sumner Municipal Code, "Affordable Housing Sales and Use Tax" is hereby amended as follows:

Affordable Housing Sales and Use Tax

3.22.010 Scope and Interpretation
3.22.020 Imposed
3.22.030 Rate
3.22.040 Collection
3.22.050 Administration

3.22.010 Scope and Interpretation.
This chapter is intended to authorize the City to act to the fullest extent permitted by, and not to limit the authority of the City to act in accordance with, RCW 82.14.540, as currently enacted or hereafter amended. The tax imposed by this chapter allows the City to receive a portion of the sales and use taxes already collected by the state and, therefore, does not result in any additional or new taxes being imposed on purchasers or recipients of goods within the city. For the purpose of this chapter, the words and terms used shall have the same meaning each has under RCW 82.14.540, as currently enacted and hereafter amended.

3.22.020 Imposed.
There is imposed an affordable housing sales and use tax that shall be assessed on either the selling price, in the case of a sales tax, or value of an article used, in the case of a use tax, for every taxable event, as defined in Chapter 82.14 RCW, occurring within the City of Sumner.

3.22.030 Rate.
Pursuant to RCW 82.14.540, the rate of tax shall be 0.0073 percent, or if a higher amount is authorized by RCW 82.14.540, then up to the maximum amount authorized therein.

3.22.040 Collection.
The tax shall be deducted from the amount of sales or use tax otherwise required to be collected or paid to the Department of Revenue under Chapter 82.08 RCW or Chapter 82.12 RCW. The Department of Revenue shall collect such taxes on behalf of the City of Sumner at no cost to the City. The Department of Revenue shall distribute the proceeds of this tax to the City as provided in RCW 82.14.540, up to the maximum amount authorized by state law.

3.22.050 Administration.
A. There is created a special fund in the treasury of the city to be known as the affordable housing sale and use tax fund. All taxes collected herein shall be placed in said special fund.
B. The City Administrator, or designee, is authorized to execute, for and on behalf of the City of Sumner, any necessary agreement with the Department of Revenue for the collection and administration of the tax and to administer the tax in accordance with state laws and regulations.

3.22.060 Purpose and Use.
A. Revenues collected pursuant to this chapter shall only be used as authorized by RCW 82.14.540, as currently enacted or hereafter amended. RCW 82.14.540 authorizes the following uses:

1. Acquiring, rehabilitating, or constructing affordable housing, which may include new units of affordable housing within an existing structure or facilities providing supportive housing services under RCW 71.24.385;

2. Funding the operations and maintenance costs of new units of affordable or supportive housing; or

3. Providing rental assistance to tenants.

B. The housing and services provided with the revenues of the tax may only be provided to persons whose income is at or below sixty <u>(60) </u>percent of the median income of the city<u>, or at or below eighty (80) percent of the median income of the city if it is supporting the development of affordable housing intended for owner occupancy, as defined in RCW 84.14.010. Projects funded through an interlocal agreement, as authorized in this section, may use median income of the county or partner jurisdiction, as appropriate</u>.

3.22.070 Interlocal Agreements.
The City may enter into an interlocal agreement with one or more counties, cities, or public housing authorities in accordance with Chapter 39.34 RCW. Such agreements may allow for the pooling of tax receipts received under RCW 82.14.540, pledging those taxes to bonds issued by one or more parties to the agreement, and allocating the proceeds of the taxes levied or the bonds issued in accordance with such interlocal agreements.

3.22.080 Duration.
The tax shall become effective as of December 1, 2019 or the earliest practical date consistent with RCW 82.14.055. The tax shall expire 20 years after the date on which the tax is first imposed unless otherwise extended in accordance with state law.

<u>Section 2</u>. Effective Date. This ordinance shall take effect five days after its publication, or publication of a summary thereof, in the City's official newspaper, or as otherwise provided by law.

<u>Section 3</u>. Severability – Construction. 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.

<u>Section 4</u>. 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.

<u>Section 5</u>. Ratification. By and through adoption of this ordinance, the City Council hereby ratifies and confirms any and all acts prior to and consistent with the authority granted herein. Passed by the City

Passed by the City Council and approved by the Mayor of the City of Sumner, Washington, at a regular meeting thereof this _____day of ____________

____
Mayor Kathy Hayden

ATTEST: APPROVED AS TO FORM:

________________________________ ______________________________________

City Clerk Michelle Converse, CMC Andrea Marquez, City Attorney

First Reading:
Date Adopted:
Date of Publication:
Effective Date:

FINANCE & PERSONNEL COMMITTEE MEETING
DATE: June 13, 2024
AGENDA BILL: 24-107

SUBJECT: 2024 Sidewalk Repairs Program: Construction Contract Award **CATEGORY:** Consent

BUDGET IMPACT:
Expenditure Required: $XXXXX Within Budget Allocation: Yes

ATTACHMENTS:
STAFF CONTACT: Courtney Littrell, Engineering Specialist

SUMMARY BACKGROUND:
The 2024 Sidewalk Repair Program project consists of replacing sidewalks within the City that are failing due to street tree damage where there are existing sidewalk gaps, replacing sidewalks as part of the Helping Homeowners Program, and replacing sidewalk panels inside the Wastewater Treatment Facility. These sidewalk replacements also include a number of ADA curb ramp upgrades due to the location of the repairs. These sidewalk replacements will take place in different areas of the City, with the locations of the street tree damage being focused on equity.

NUMBER (#) bids were received on June 11, 2024 for this project. The lowest responsible bidder was submitted by CONTRACTOR, with a bid amount of $XXXXX. The engineer's estimate was $784,688.48.

The contractor will have one hundred (100) working days to complete the project.

COUNCIL COMMITTEE/STUDY SESSION: Finance & Personnel Committee
MEETING/STUDY SESSION DATE: 6/13/2024
COMMITTEE RECOMMENDATION: Do Pass

STAFF RECOMMENDATIONS/MOTION:
A motion authorizing the Mayor and City Administrator to execute all necessary contract documents with CONTRACTOR, in an amount not-to-exceed $XXX for the 2024 Sidewalk Repairs Program Project (CIP23-03), substantially in a form approved by the City Attorney.

CITY OF SUMNER WASHINGTON

FINANCE & PERSONNEL COMMITTEE MEETING
DATE: June 13, 2024
AGENDA BILL: 24-201

SUBJECT: Ordinance No. 2889 Amending SMC 2.100 Personnel Policies **CATEGORY:** Ordinance

BUDGET IMPACT:
Expenditure Required: None Within Budget Allocation: N/A

ATTACHMENTS:
STAFF CONTACT: Jeff Steffens, Administrative Services Director

SUMMARY BACKGROUND:
The City has an Employee Personnel Manual that outlines employee polices and procedures. However, areas affecting salaries. leave and/or benefits reside in the Sumner Municipal Code chapter 2.100. Ordinance No. 2889 makes several changes to that chapter.

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

STAFF RECOMMENDATIONS/MOTION:

CITY OF SUMNER WASHINGTON

FINANCE & PERSONNEL COMMITTEE MEETING
DATE: June 13, 2024
AGENDA BILL: 24-208

SUBJECT: Ordinance No. 2890 2023/2024 Budget Amendment **CATEGORY:** Ordinance

BUDGET IMPACT:
Expenditure Required: Per Exhibit Within Budget Allocation: Yes, as amended

ATTACHMENTS:
1. Ordinance 2890 BA 07012024

STAFF CONTACT: Kassandra Raymond, Chief Financial Officer

SUMMARY BACKGROUND: The 2023/2024 Biennial Budget was adopted on December 5, 2022 with Ordinance No. 2838. Staff regularly reviews the budget progress as well as any programmatic changes. Based on this review, staff presents the second quarter 2024 budget amendment for consideration.

This budget amendment:

- General Fund (001):
  - Transfer $70,000 from the City Council Strategic Reserve funds for the design of temporary park amenities at 902/906 Kincaid;
  - Transfer $300,000 from the City Council Strategic Reserve funds for the design of Washington Street Improvements;
  - Transfer $76,000 from the General Fund to the Facilities Capital Fund (325) for Cemetery Building Security Improvements;
  - Reduce the appropriation for the 2023/2024 Street Overlay program by $300,000;
  - Recognize $8,700 in insurance recovery for the Bill Heath arson, and increase the facilities' appropriation by $8,700;
  - Recognize $500,000 Climate Change Grant, and increases appropriations by $100,000 to recognize anticipated 2024 expenditures;
  - Program $43,300 in increased operating costs ($18,000 budget survey, $14,000 Tyler Technologies PACE training package, $11,300 animal control costs).
- Complete Streets Fund (103): Recognizes $500,000 grant award and increases expenditure appropriation by same;
- Parks Capital Fund (310):
  - Programs transfer-in of $70,000 from General Fund and associated expenditures;
  - Programs $1,600,000 Pierce County LTAC grant for Heritage Park and programs associated expenditures;
- Street Capital Fund (320): Programs transfer-in of $300,000 from General Fund for Washington Street design and associated expenditure;
- Facilities Capital Fund (325): Recognizes transfer in from the General Fund and programs $76,000 for Cemetery Building security improvements.
- Stormwater Fund (408): Recognizes Floodplains by Design grant of $1,500,000 and programs associated expenditure;
- Animal Control Fund (440):
  - Amends per capita revenues to calculated amounts;
  - Recognizes grant from Best Friends for $1,700 for training and programs associated expenditure.

	Ord No. 2890	
	BA 07/01/2024	
	Revenues	*Expenditures*
General Fund	$ 508,700	298,000
Reserve Funds	-	-
Special Revenue Funds	500,000	500,000
Debt Service Funds	-	-
Capital Funds	2,046,000	2,046,000
Utility Funds	1,500,000	1,500,000

Other Enterprise Funds	(81,777)	1,700
Internal Service Funds	-	-
Fiduciary Funds	-	-
	$ 4,472,923	$ 4,345,700

COUNCIL COMMITTEE/STUDY SESSION: **Finance & Personnel Committee**
MEETING/STUDY SESSION DATE: 5/31/2024
COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:
Approve Ordinance No. 2890 amending the 2023/2024 Biennial Budget.

ORDINANCE NO. 2890
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, ORDINANCE 2872, APPROVED OCTOBER 16, 2023, ORDINANCE 2874, APPROVED DECEMBER 11, 2023 AND ORDINANCE 2883, APPROVED MARCH 18, 2024.

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, The Sumner City Council approved Ordinance No. 2874 which amended the 2023-2024 biennial budget for fiscal years 2023-2024; and

WHEREAS, The Sumner City Council approved Ordinance No. 2883 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

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 1st day of July, 2024.

____
Mayor Kathy Hayden

ATTEST: **APPROVED AS TO FORM:**

____
City Clerk Michelle Converse, CMC

____
City Attorney Andrea Marquez

BA 07/01/2024	Beginning Fund Balance	Revenues			Expenditures			Ending Fund Balance
Funds	*Adopted*	*Adopted*	*Previous*	*07/01/24*	*Adopted*	*Previous*	*07/01/24*	*Revised*
001 General	11,300,000	$ 41,287,140	$ 1,318,207	$ 508,700	$ 40,975,513	$ 2,519,367	$ 298,000	$ 10,621,166
002 General Fund Reserves	980,824	-	-	-	-	-	-	980,824
003 Building Reserves	450,756	200,000	-	-	390,000	-	-	260,756
103 Complete Streets	-	-	-	500,000	-	-	500,000	-
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	903,200	-	880,000	633,200	-	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	4,737,780	1,670,000	5,131,106	3,925,280	1,670,000	973,176
320 Street Capital Fund	7,709,379	17,364,200	3,491,753	300,000	24,625,588	3,573,753	300,000	365,991
325 Facilities Capital Fund	50,000	515,000	3,310,000	76,000	565,000	3,210,000	76,000	100,000
401 Water	13,219,995	10,189,150	-	-	20,279,605	529,985	-	2,599,555
402 Wastewater	9,286,248	15,566,163	36,150	-	21,270,227	308,110	-	3,310,224
403 Utility Bond Reserves	1,731,342	-	-	-	-	-	-	1,731,342
408 Stormwater	8,227,784	38,031,772	8,000,000	1,500,000	42,424,254	9,096,985	1,500,000	2,738,317
410 Cemetery Operations	74,238	1,498,200	16,500	-	1,425,316	25,000	-	138,622
415 Cemetery Development	208,994	300,000	-	-	300,000	-	-	208,994
440 Animal Control	94,087	2,093,628	46,258	(81,777)	2,062,680	7,950	1,700	79,866
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	124,650	-	3,336,088	139,650	-	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	1,123,415	-	5,275,820
611 Firemen's Pension	29,798	164,000	-	-	160,000	-	-	33,798
Total All Funds	$ 70,291,581	$ 142,301,059	$ 21,984,498	$ 4,472,923	$ 169,587,969	$ 25,216,863	$ 4,345,700	$ 39,899,529

FINANCE & PERSONNEL COMMITTEE MEETING
DATE: June 13, 2024
AGENDA BILL: 24-163

SUBJECT: Monthly Sales Tax Report | **CATEGORY:** Information Only

BUDGET IMPACT: N/A

ATTACHMENTS:
STAFF CONTACT: Kassandra Raymond, Chief Financial Officer

SUMMARY BACKGROUND:
Staff will review monthly sales tax reporting. This is a regular reporting item. Please note, this report is provided only to those who have a WA State Department of Revenue Secrecy Affidavit Confidential Affidavit on file.

COUNCIL COMMITTEE/STUDY SESSION: **Finance & Personnel Committee**
MEETING/STUDY SESSION DATE: 6/13/2024
COMMITTEE RECOMMENDATION: Informational only; no Committee action required.

STAFF RECOMMENDATIONS/MOTION:
Informational only; no further action required.

FINANCE & PERSONNEL COMMITTEE MEETING
DATE: June 13, 2024
AGENDA BILL: 24-164

SUBJECT: Recruitment & Negotiation Update

CATEGORY: Information Only

BUDGET IMPACT: N/A

ATTACHMENTS:
STAFF CONTACT: Jeff Steffens, Administrative Services Director

SUMMARY BACKGROUND:
Staff will provide a verbal update on recruitment and negotiation activity.

COUNCIL COMMITTEE/STUDY SESSION: **Finance & Personnel Committee**
MEETING/STUDY SESSION DATE: 6/13/2024
COMMITTEE RECOMMENDATION: Informational only; no Committee action required.

STAFF RECOMMENDATIONS/MOTION:
Informational only; no Committee action required.