



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/86597370486>

Phone one-tap: +12532050468,,86597370486#, +12532158782,,86597370486# (Tacoma)

Join via audio: +1 253 205 0468, +1 253 215 8782 (Tacoma)

Webinar ID: 865 9737 0486

International numbers available: <https://sumnerwa-gov.zoom.us/u/kdoGklNVXf>

AMENDED AGENDA

CALL TO ORDER

Pledge of Allegiance

Invocation

Roll Call: Bitetto, Bowman, Clerget, Cole, Elfers, Kenna and Reinke

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. Resolution No. 1724 - RAVE Foundation Donation Acceptance
2. Approval of the meeting minutes from the regular council meeting of June 16, 2025 and the June 22, 2025, study session.
3. ~~Pavement Crack Seal – Change Order~~

PUBLIC HEARING

1. Forming a Transportation Benefit District

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 attend the meeting via the ZOOM 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 Michellec@sumnerwa.gov no later than 4:00pm on the day of the meeting. Please contact the City Clerk at 253-299-5590 with any questions.
3. **New Business**
 - a. Ordinance No. 2927 - Amending Sumner Municipal Code Chapter 2.100 - Personnel Policies
 - b. Ordinance No. 2928 - Amending Sumner Municipal Code Chapter 2.116 Employee Recognition

Program

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: Resolution No. 1724 - RAVE Foundation Donation Acceptance

CATEGORY: Resolution

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Resolution No. 1724 - Donation Acceptance
-

STAFF CONTACT: Derek Barry, Community Services Manager

SUMMARY BACKGROUND:

The City of Sumner has been working with the RAVE Foundation on their 26 MORE by 2026 initiative. The RAVE Foundation is the official charitable arm of the Seattle Sounders FC and Seattle Reign FC. Their 26 MORE by 2026 initiative celebrates the upcoming FIFA World Cup by partnering with communities to make free and accessible fields where neighbors meet, children play and communities thrive. The donation includes converting the north half of the existing court into a futsal court, including goals, and fencing, as well as resurfacing the entire court. An additional goal and fencing will be added at the south end of the court to encourage additional play. Seibenthaler Park was selected and will be celebrating this milestone with an "All Sumner Soccer Celebration" this August.

The donation is subject to council approval and includes a donation memorandum of agreement between the City and the RAVE Foundation.

COUNCIL COMMITTEE/STUDY SESSION: Study Session MEETING/STUDY SESSION DATE: 6/23/2025 COMMITTEE RECOMMENDATION:
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STAFF RECOMMENDATIONS/MOTION:

A motion to accept the donation from RAVE and authorizing the Mayor to sign the Memorandum of Agreement with the RAVE Foundation.

**RESOLUTION NO. 1724
CITY OF SUMNER, WASHINGTON**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, ACCEPTING THE DONATION FROM THE RAVE FOUNDATION, THE OFFICIAL CHARITABLE ARM OF THE SEATTLE SOUNDERS FC AND SEATTLE REIGN FC FOR THE PURPOSE OF BUILDING A FUTSAL COURT AND ASSOCIATED IMPROVEMENTS AT SEIBENTHALER PARK IN CELEBRATION OF THE 2026 FIFA WORLD CUP.

WHEREAS, The City of Sumner is authorized to deliver recreational facilities to the residents of Sumner; and

WHEREAS, RAVE has launched an initiative to establish 26 outdoor community futsal courts in underserved areas across Washington State by the 2026 FIFA World Cup; and

WHEREAS, RAVE's initiative aims to enrich sportsmanship, foster life skills, and promote education, all of which aligns with the City's mission, vision and values.

WHEREAS, The City of Sumner and RAVE have identified Seibenthaler Park as an attractive location for this initiative.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON DOES RESOLVE AS FOLLOWS:

Section 1. The donation by the RAVE Foundation is hereby accepted.

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

Section 4. Effective Date. This resolution shall take effect and be in force immediately upon passage by City Council.

ADOPTED AND APPROVED this 7th day of July, 2025.

Mayor Kathy Hayden

ATTEST:

APPROVED AS TO FORM:

Michelle Converse, CMC, City Clerk

City Attorney Andrea Marquez

MEMORANDUM OF AGREEMENT
between
THE CITY OF SUMNER and THE RAVE FOUNDATION

THIS MEMORANDUM OF AGREEMENT (“MOA”) is entered into on _____, 2025 (“date of execution”) by and between the City of Sumner, a Washington municipal corporation located at 1104 Maple St, Sumner WA 98390 (“City”), and RAVE Foundation, the official charitable arm of the Seattle Sounders, located at 1901 Oakesdale Ave SW, Renton, WA 98057 (“RAVE”), separately, the “Party”, or together, the “Parties”

RECITALS

WHEREAS, The City of Sumner is authorized to deliver recreational facilities to the residents of Sumner.

WHEREAS, RAVE has launched an initiative to establish 26 outdoor community futsal courts in underserved areas across Washington State by the start of the 2026 FIFA World Cup.

WHEREAS, RAVE's initiative aims to enrich sportsmanship, foster life skills, increase youth athleticism, and promote education, all of which aligns with the City's mission, vision and values.

WHEREAS, The City of Sumner and RAVE have identified Seibenthaler Park as an attractive location for this initiative.

NOW, THEREFORE, in consideration of the mutual covenants, and performances contained herein, the parties agree as follows:

TERMS AND CONDITIONS

1. **Term**. This Agreement shall begin on the execution date listed above, construed as the date last signed by the Parties below, and shall continue until the completion of the installation of the improvements, RAVE’s Sumner Event, and any necessary follow-up procedures.

DONATION OF SPORTS IMPROVEMENTS

2. **Permanent Donation**. RAVE agrees to donate to the City of Sumner the following improvements to Seibenthaler Park:

- a) Conversion of the existing basketball court to include an outdoor futsal court, including refinishing the courts with acrylic court surfacing, striping one court for futsal, and the other for one basketball hoop and an additional futsal goal, painting logo(s), and the installation of fencing.
- b) Procuring futsal goals (with nets), coordinating delivery to City, and installation of the goals.

The donations shall be at the sole cost of RAVE, including any applicable tax obligations and permit fees. RAVE will obtain all necessary permissions from the City to make improvements within Seibenthaler Park. RAVE may access and use the Park anytime during its normal hours of operation, which are 0800 – sunset.

3. **City Responsibilities.** To facilitate the installation of the improvements and assist in the execution of RAVE's event, the City endeavors to perform the following:

- a) Installing the concrete pads for the futsal goals (provided by RAVE Foundation), storing goals until installation occurs.
- b) Remove the north basketball hoop and repair at grade with concrete.

4. **Conveyance and Continuing Obligations.** The Parties agree that the donated improvements shall become unrestricted property of the City upon installation and shall thereafter be managed on behalf of the Sumner citizens by the City. Upon installation, RAVE shall have no further responsibility or obligation to maintain or repair the improvements and the donations shall not be subject to any express or implied warranty except as stated in this agreement. Maintenance, repair, replacement, and removal shall be at the sole discretion of the City. This agreement creates no obligation upon the City to perform maintenance, repair, and replacement of the improvements at any time.

5. **Warranties and Right To Use.** RAVE represents and warrants that RAVE and or its contractors and subcontractors will perform all improvements identified in this Agreement in a professional and workmanlike manner and in accordance with all reasonable and professional standards and laws, including applicable City standards or guidelines (e.g. design criteria and standard). If needed, professional engineers shall certify engineering plans, specifications, and reports, as applicable. Upon installation, RAVE will transfer to the City any warranty of the improvements provided as part of RAVE's vendor agreements.

RAVE further represents and warrants that all final work product created for and delivered to the City pursuant to this Agreement shall be the original work of the RAVE and free from any intellectual property encumbrance which would restrict the City from using the work product.

RAVE grants to the City a nonexclusive, perpetual right and license to use, reproduce, distribute, adapt, modify, and display all final work product produced pursuant to this Agreement. The

City's or other's adaptation, modification or use of the final work products other than for the purposes of this Agreement shall be without liability to the RAVE.

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

6. **Construction Timeline.** The Parties shall draft a comprehensive timeline for the project, encompassing the responsibilities of both the City and RAVE, with all work conducted by RAVE Foundation completed by no later than August, 2025.

7. **Logos.** Subject to design approval, the City grants RAVE Foundation permission to display the City of Sumner logo, the Seattle Sounders logo, the Seattle 2026 World Cup logo, the RAVE Foundation logo, and one corporate partner logo (approved by the City of Sumner) on each futsal court. RAVE will present the designs to City of Sumner in a timely manner for approval.

USE OF PARK FACILITY

8. **Seibenthaler Park Event.** The City and RAVE will work together to provide a project completion grand opening on a mutually agreeable date in August 2025. The proposed event will occur at Seibenthaler Park ("Park") and will celebrate the completion of the project, partnership, and community.

RAVE Foundation shall provide for the event:

- a) Free food and refreshments in collaboration with city event planners, as well as other mutually-agreeable non soccer related activities.
- b) Coordination for potential appearances by Seattle Sounders player(s) or alumni players during the grand opening event.
- c) Soccer skills training and soccer related activities for children of multiple ages, and all equipment necessary for such activities.

9. **City's Responsibilities.** In consideration for RAVE's event, the City will provide:

- a) Media advertising - support
- b) Onsite staff and equipment resources
- c) City Council member representation
- d) Assist in Special Event review and covering event fees and city costs
- e) Approval for RAVE Foundation to install additional event signage featuring event partners.

10. **Access.** RAVE may access and use the Park anytime during its normal hours of operation, which are 0800 – sunset. Use of the Park shall be according to the provisions of this agreement and Sumner Park Rules.

11. **Rules and Regulations.** RAVE agrees to at all times conduct its operation in a safe and prudent manner and in strict compliance with all applicable local, state and federal

rules, regulations, and restrictions. The event shall be free of charge to the public and no alcohol will be served at the event. All food service vendors/contractors must have a current public health certificate, business license, and occurrence-based commercial general liability insurance. Any form of music (D.J., streamed, live) must be kept to a reasonable volume.

12. **Insurance.** RAVE shall carry and maintain, for the duration of this Agreement, General Liability insurance against claims for injuries to person or damage to property which may arise from or in connection with the improvement and use of the Park. Evidence of insurance must (1) be sent to the City of Sumner and (2) include the actual policy provision (Endorsement) that documents the "City of Sumner" as the certificate holder and an additional insured for primary and non-contributory limits of liability (the mere statement of additional insured status on an Acord or other certificate of insurance does not meet this requirement). The General Liability insurance shall be written with limits no less than \$2,000,000 each occurrence, \$2,000,000 general aggregate.

RAVE is responsible for Worker's Compensation coverage for any persons employed by RAVE.

RAVE Foundation will ensure that any selected contractors either performing any of the improvements or providing services at the event also provide to the City the necessary insurance coverage identified above.

13. **Indemnification.** RAVE assumes all risks and liabilities arising out of its use of the Park by its employees, agents, representatives, contractors, or invitees. RAVE shall defend, indemnify, and hold harmless the City of Sumner, its officers, officials, employees and volunteers from and against any and all claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property, which arises out of installation of the improvements, use of the Park, or from any activity, work or thing done, permitted, or suffered by RAVE in or about the Park, except such injury or damage as shall have been occasioned by the gross negligence of the City of Sumner.

However, should a court of competent jurisdiction determine that any part of this Agreement is subject to RCW 4.24.115, then, in the event of liability caused by or resulting from the concurrent negligence of RAVE and the City, RAVE's liability, including the duty and cost to defend, shall be only to the extent of RAVE's negligence.

It is further expressly understood that this indemnification constitutes RAVE's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section will survive the expiration or termination of this Agreement.

The provisions of this section were separately and mutually negotiated by the parties.

14. **Discrimination.** RAVE agrees not to discriminate against any legally protected class in the operation, conduct or administration of the event.

15. **Assignment.** RAVE shall not assign, convey or transfer this Agreement or any interest herein, without the prior written consent of Sumner.

16. **Independent Relationship.** The nature of the relationship between RAVE and the City with respect to this Agreement shall be that of independent entities and parties. No RAVE agent, employee, representative, or contractor or subcontractor of RAVE shall be, or shall be deemed to be, the contractor, employee, agent, representative, or subcontractor of the CITY. RAVE shall be responsible for paying all applicable taxes.

17. **Public Records.** RAVE acknowledges that the City is an agency subject to Chapter 42.56 RCW “Public Records Act.” If RAVE becomes a custodian of public records of the City and request for such records is received by the City, RAVE shall respond to the request by the City for such records within five (5) business days by either providing the records, or by identifying in writing the additional time necessary to provide the records with a description of the reasons why additional time is needed. Such additional time shall not exceed twenty (20) business days unless extraordinary good cause is shown.

In the event the City receives a public records request for protected work product of RAVE within its possession, the City shall, prior to the release of any protected work product or as a result of a public records request or subpoena, provide RAVE at least ten (10) business days prior written notice of the pending release and to reasonably cooperate with any legal action which may be initiated by RAVE to enjoin or otherwise prevent such release.

18. **General Provisions.**

- a) **Notice.** Notice provided for in this Agreement shall be sent by either personal service upon the individuals below, or by certified mail to the physical address of the parties, or by electronic transmission to the e-mail addresses designated for the party below.

City:

Derek Barry, or his designee
Community Services Manager
1104 Maple Street
Sumner, Washington 98390
derekb@sumnerwa.gov

RAVE:

Ashley Fosberg, or his/her designee
Executive Director
1901 Oakesdale Ave SW Renton, WA
98057
ashleyf@soundersfc.com

- b) **Dispute Resolution.** In the event of a dispute regarding the enforcement, breach, default, or interpretation of this Agreement, the individuals identified in subsection (a), or their designees, shall first meet in a good faith effort to resolve such dispute. In the event the dispute cannot be resolved by agreement of the parties, said dispute shall be resolved by arbitration pursuant to RCW 7.04A, as amended, with both parties waiving the right of a jury trial upon trial de novo. The substantially prevailing party shall be entitled to its reasonable attorney fees and costs as additional award and judgment against the other. The venue of any action brought to interpret or enforce any provision of this Agreement shall be laid in Pierce County, where the Property is situated

- c) **Governing Law.** This Agreement shall be governed by and interpreted according to the laws of the State of Washington and the City of Sumner.
- d) **Entire Agreement/Amendments.** This document contains the entire agreement of the parties and supersedes all of their previous understandings and agreements, written and oral, with respect to this transaction. This Agreement may be amended only upon the consent of both Parties. Any amendments shall be in writing and shall be ratified and executed by the Parties in the same manner in which this Agreement was originally adopted.
- e) **Waiver.** The waiver by any party of any breach of any term, covenant, or condition of this Agreement shall not be deemed to be a waiver of any subsequent breach of the same term, covenant, or condition of this Agreement.
- f) **Severability.** If any provision of this Agreement shall be held or determined to be invalid, the remainder of the Agreement shall not be affected thereby.
- g) **Counterparts.** This Agreement shall be effective whether signed by all Parties on the same document or signed in counterparts.
- h) **Termination.** This Agreement may be terminated at any time by Sumner if any section of the agreement is not being followed, and for any reason by either party by providing the other with thirty (30) days written notice of the intention to terminate the same.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed.

CITY OF SUMNER, WASHINGTON

RAVE FOUNDATION

Jason Wilson, City Administrator

Ashley Fosberg, Executive Director

DATE: _____, 2025

DATE: _____, 2025

APPROVED AS TO FORM:

Andrea Marquez, City Attorney

SUBJECT: Approval of the meeting minutes from the regular council meeting of June 16, 2025 and the June 22, 2025, study session.

CATEGORY: Consent

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Minutes - June 16, 2025
2. Minutes - June 23, 2025

STAFF CONTACT: Michelle Converse

SUMMARY BACKGROUND:

Approval of the meeting minutes from the previous council meetings.

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

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Approve as presented.



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

Staff present: Marquez, Kosa, Moericke, Steffens, Palmer 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 Taylor Ford

Roll Call: Bitetto, Bowman, Clerget, Cole, Elfers, Kenna and Reinke

CONSENT AGENDA

MOVED BY BOWMAN SECONDED BY COLE TO APPROVE THE CONSENT AGENDA CONSISTING OF:

1. Association of Washington Cities Conference Voting Delegates
2. Approval of the minutes from the May 19, 2025, regular council meeting, the June 2, 2025 special joint study session and the June 9, 2025 study session.
3. Approval of the checks and electronic payments in the amount of \$17,688,984.31.
4. Approval of Councilmember Bitetto's absence from the Special Study Session of June 2, 2025.
5. Operations Facility - Puget Sound Energy (PSE) Easement
6. Approval of Settlement Agreement with Reed Trucking related to Town Center Utility Woonerf Construction Project
7. Resolution No. 1722 - Pollution Prevention Assistance Program Agreement
8. Amended Resolution 1695 - Council Rules of Procedure
9. Stormwater Comprehensive Plan Update - Consultant Contract
10. Public Works Trust Fund Loan - Applicant Certification for Biosolids Equipment Modernization Project
11. Resolution No. 1723 - Vehicle Miles Traveled & Greenhouse Gas Reduction Plan, 2025

PASSED BY VOICE VOTE.

PUBLIC HEARING

There was no Public Hearing tonight.

REGULAR BUSINESS

1. Unfinished Business

2. Public Comment

Randall Adams, 15013 63rd Street Court East. Spoke about the Ryan House

3. New Business

a. Main Street Crossings – Design Consultant Contract Award

MOVED BY CLERGET, SECONDED BY ELFERS TO APPROVE MAIN STREET CROSSINGS- DESIGN CONSULTANT CONTRACT AWARD.

Public Works Director Michael Kosa addressed the Council.

Clarifying questions were asked by:

Deputy Mayor Bowman

Councilmember Kenna

Councilmember Reinke

PASSED BY ROLL CALL VOTE 7-0.

4. Reports

a. Council

Councilmember Clerget announced the Public Safety Committee meeting of June 18, 2025, will be held at the new East Pierce Fire and Rescue Headquarters, 8601 Main Street East; Bonney Lake, 98391.

Councilmember Kenna reported on the Council and community partners' trip to Kenmore and their tour of the Hanger. He extended a belated Happy Father's Day and shared he enjoyed his day. He congratulated recent graduates. He and other Councilmembers toured the White River Restoration project kick-off. He couldn't believe the City has been working on this project since 2014. Congrats to the staff who have been shepherding that project over the years.

Councilmember Reinke also participated in the visit to Kenmore and was interested in seeing the Hanger and the surrounding entities, it was very well thought out and could provide ideas for Hops Alley. He also went to the White River Restoration Project kick-off and remarked on the activity happening in the north end. Mr. Reinke reminded everyone this weekend (June 21 and 22, 2025) is Rhubarb Days. Next week he and other Councilmembers along with Mayor Hayden and City Administrator Jason Wilson will be attending an Association of Washington Cities Conference in Kennewick, WA. On a personal note, he welcomed his 10th grandchild.

Councilmember Bitetto addressed the tragic news regarding the murders and attempted murder of state law makers in Minnesota last week, because of decisions they made as elected officials. Councilmember Bitetto takes into consideration opinions from residents, listens to staff recommendations but her responsibility is to make decisions in the best interest of the City.

Deputy Mayor Bowman also attended the tour of the Kenmore Hanger, and the White River Restoration Project Kick-off. She noted how impressive it is, not only how long the City has been working on the project, but also the strong partnership Pierce County and Tribal. On May 22, 2025, she and City Administrator Jason Wilson attended the Puget Sound Regional Council meeting where the topic was, "A Regional Safety Action Plan, Improving Road Safety." Road safety is a state-wide concern, not just in Sumner. Coming up June 25 - August 27th from 5-8pm, the Wednesday Night Market on Ryan Avenue. She will also be attending the Association of Washington Cities Conference, it will be a full four-days, and she is looking forward to it.

Councilmember Elfers congratulations to the 2025 graduates. He attended the Growth Management Board. Sumner's long-term growth plan was approved. This is an important first step and will help the City when applying for future grants.

Councilmember Cole, support Rhubarb Days!

b. **City Administrator**

Deputy City Administrator Jeff Steffens shared the following:

Upcoming Policy Issues:

- June 23, 2025 – Study Session
 - Legislative Wrap-Up (Bill Clark / Carmen)
 - Resolution No. XXXX - Seibenthaler Park Donation (Derek)
 - Transportation Benefit District Recap (Carmen)
- June 30, 2025 – 5th Monday, no meeting
- July 7, 2025 – Regular Council Meeting
 - **Public Hearing regarding the formation of a Transportation Benefit District**
 - Resolution accepting a donation for Seibenthaler Park
 - Ordinance adopting an employee travel policy
 - Ordinance Amending the Employee Recognition Program

Miscellaneous:

- Holidays: City offices will be closed this Thursday for Juneteenth and Friday, July 4th for Independence Day. Reminder that we allow legal fireworks only on July 4th from Noon to Midnight. We hope everyone has a safe and happy holiday.

c. **Mayor**

Mayor Hayden also spoke about Rhubarb Days.

5. Executive Session

There was no Executive Session tonight.

6. Adjournment

With no additional business before the council, Mayor Hayden adjourned the meeting at 6:44pm. Councilmembers concurred.

ATTEST:

Michelle Converse, CMC, City Clerk

Kathy Hayden, Mayor



Staff present: Wilson, Marquez, Palmer, Barry, Kosa, Steffens, Moericke and Beagle

Councilmembers present: Bowman, Clerget, Elfers, Kenna and Reinke

THE MEETING WAS CALLED TO ORDER AT 6:00PM BY MAYOR HAYDEN.

COUNCILMEMBERS BITETTO AND COLE WERE BOTH ABSENT.

A MOTION WAS MADE BY ELFERS TO EXCUSE COUNCILMEMBER BITETTO,
SECONDED BY BOWMAN. PASSED 5-0.

A MOTION WAS MADE BY REINKE TO EXCUSE COUNCILMEMBER COLE, SECONDED
BY CLERGET. PASSED 5-0.

STUDY SESSION BUSINESS

1. 2025 Legislative Recap
City Lobbyist Bill Clarke and Communications Director Carmen Palmer
2. Transportation Benefit District Update
City Administrator Jason Wilson and Communications Director Carmen Palmer
3. Resolution No. 1724 – Donation Acceptance
Community services Manager Derek Barry

CITY ADMINISTRATOR REPORT

AGENDA SETTING

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

ADJOURNMENT

The meeting was adjournment at 7:16PM.

Michelle Converse, City Clerk

Attest:

Kathy Hayden, Mayor

SUBJECT: ~~Pavement Crack Seal – Change Order~~

CATEGORY: Consent

BUDGET IMPACT:

Expenditure Required: \$69,000.00

Within Budget Allocation: Yes

ATTACHMENTS:

1. Change Order 01 - Additional Crack Seal

STAFF CONTACT: Courtney Littrell, Assistant Engineering Manager

SUMMARY BACKGROUND:

The 2025 Pavement Crack Seal Project is preventative maintenance work aimed at extending the service life of pavement by applying crack sealant to pavement surface cracks to prevent further deterioration.

This change order adds nine (9) additional tons of crack sealant, of which will be applied to the remaining Priority 3 and 4 locations shown on the attached map. The original contract amount was \$78,100.00 and this change order adds \$69,000.00 for a total contract amount of \$147,500.00.

COUNCIL COMMITTEE/STUDY SESSION: Public Works Committee

MEETING/STUDY SESSION DATE: 7/1/2025

COMMITTEE RECOMMENDATION: Do Pass

STAFF RECOMMENDATIONS/MOTION:

A motion approving a change order to BP Construction, LLC's Construction Contract for the 2025 Pavement Crack Seal Project (W-25-01), increasing the contract amount by \$69,000.00 to a total authorized amount not-to-exceed \$161,810.00, and authorizing the Mayor and City Administrator to execute any and all documents necessary to effectuate the amendment, substantially in a form as approved by the City Attorney.



1104 MAPLE STREET, SUMNER WA 98390

PUBLIC WORKS DEPARTMENT

Suite 260

253-299-5700 Fax: 253-299-5539

CHANGE ORDER NO. 01: Additional Crack Seal

NAME OF CONTRACTOR, CONSULTANT, OR VENDOR: **BP Construction, LLC**

CONTRACT NAME & PROJECT NUMBER: **2025 Pavement Crack Seal Project, W-25-01**

ORIGINAL CONTRACT DATE: **May 13, 2025**

This Change Order amends the above-referenced contract; all other provisions of the contract that are not inconsistent with this Change Order shall remain in effect. For valuable consideration and by mutual consent of the parties, the project contract is modified as follows:

1. Section I of the Agreement, is hereby modified as follows:

New **Pay Item CO01-1, "Mobilization, LS"** is added at a lump sum price of \$4,000.00 to the contract to compensate the Contractor for additional costs associated with hauling nine (9) tons of Crack Sealant.

New **Pay Item CO01-2, "Additional Crack Seal, TON"** is added at a tonnage price of \$5,000.00 to the contract to compensate the Contractor for additional costs associated with the installation of an additional nine (9) tons of crack sealant throughout priority areas 3 and 4, as shown on the attached map.

New **Pay Item CO01-3, "Temporary Traffic Control, LS"** is added at a lump sum price of \$20,000.00 to the contract to compensate the Contractor for additional costs associated with providing traffic control to install nine (9) tons of Crack Sealant.

2. The contract amount and time for performance provisions of are hereby modified as follows:

Current Change Order	\$69,000
Applicable WSST Tax on this Change Order	\$0.00
Days Required $\pm$ for this Change Order	0 working days

CHANGE ORDER 01: Additional Crack Seal

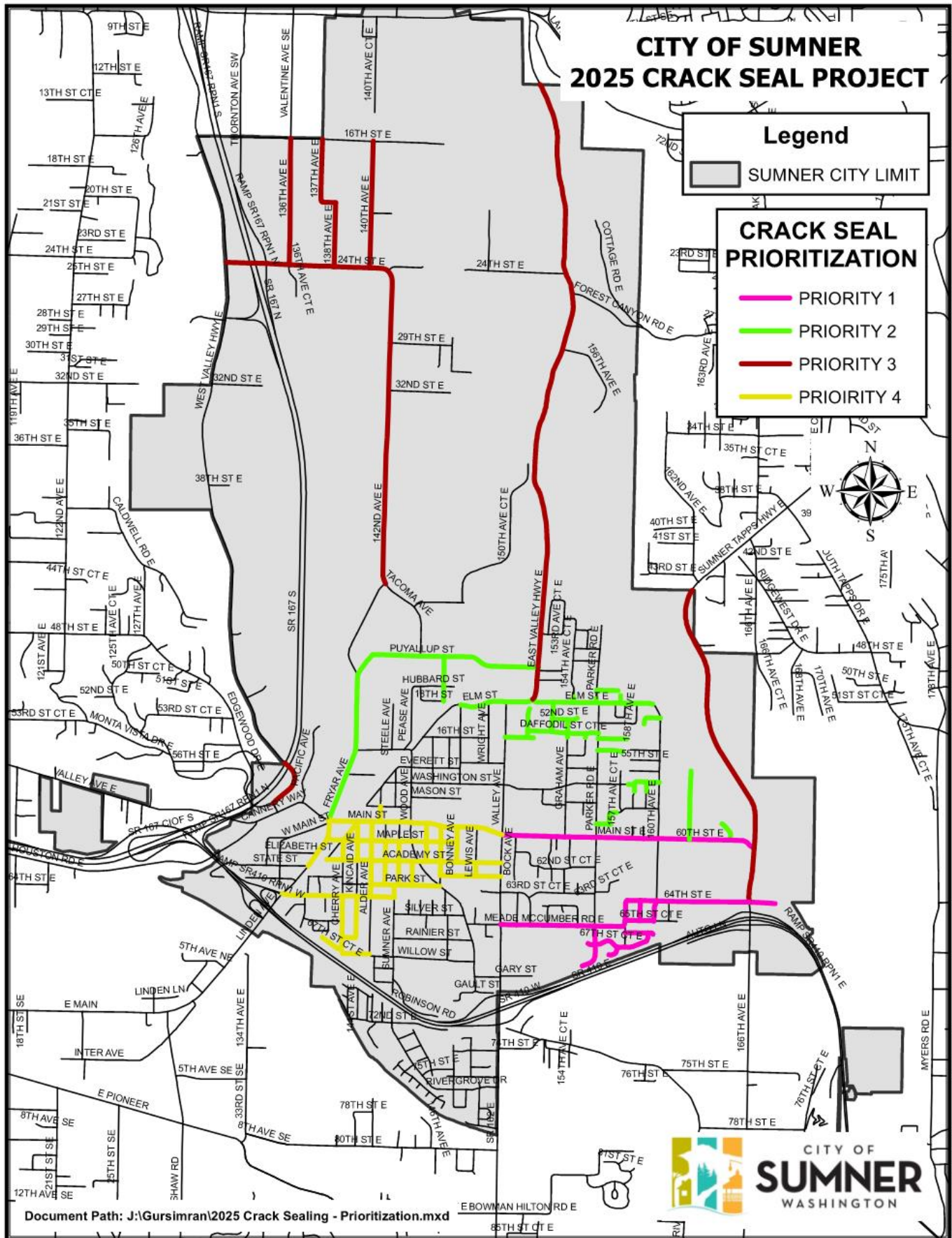
The Contractor accepts all requirements of this Change Order by signing below. Also, pursuant to the above-referenced contract, Contractor agrees to waive any protest it may have regarding this Change Order and acknowledges and accepts that this Change Order constitutes final settlement of all claims of any kind or nature arising from or connected with any work either covered or affected by this Change Order, including, without limitation, claims related to contract time, contract acceleration, onsite or home office overhead, or lost profits.

The parties whose names appear below swear under penalty of perjury that they are authorized to enter into this contract modification, which is binding on the parties of this contract.

3. The Contractor will adjust the amount of its performance bond (if any) for this project to be consistent with the revised contract sum shown in section 2, above.

IN WITNESS, the parties below have executed this Agreement, which will become effective on the last date written below.

CONTRACTOR:	CITY OF SUMNER:
By: _____ <i>(signature)</i>	By: _____ <i>(signature)</i>
Print Name: _____	Print Name: _____
Its _____ <i>(Title)</i>	Its _____ <i>(Title)</i>
DATE: _____	DATE: _____
	APPROVED AS TO FORM:
	_____ Sumner City Attorney



SUBJECT: Forming a Transportation Benefit District

CATEGORY: Public Hearings

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Presentation

STAFF CONTACT: Carmen Palmer, Communications Director

SUMMARY BACKGROUND:

In making difficult priority decisions for the 2025-2026 Biennial Budget, road maintenance did not get funded as high as staff or council would have preferred. The City Council asked staff to review the process for a Transportation Benefit District (TBD) in 2025. The State had established TBDs as a funding mechanism local governments could use for a number of reasons, the most popular being roadway maintenance. Many cities in Pierce County have already established TBDs for quite a few years.

In February and March, Council reviewed the process for forming and funding a TBDs as well as the benefits and drawbacks. They asked staff to proceed with the process. The State outlines a three-step process for TBDs:

- 1) A City must form the new district.
- 2) The City may have their Council assume leadership of the district rather than having a separate board or process.
- 3) The City must decide how it's going to fund the district from the variety of choices outlined by State law.

Tonight, the Council is considering the first step - forming the district. Staff recommend that the City form the District to include the entire City of Sumner corporate boundary as the boundary currently exists or as it may exist following future annexations. Council expressed no desire to form a district that covered only a portion of the City of Sumner. Tonight's public hearing is to hear from the public about the formation.

In addition, Councilmembers asked staff to pursue only the funding option of a 0.1% sales tax. While this decision will be formalized in the third step of the process, staff have drafted the code forming the TBD to allow only this funding option. The reason for this is to be very transparent with the public and not leave any ambiguity regarding how the TBD would be funded after formation.

COUNCIL COMMITTEE/STUDY SESSION: Study Sessions

MEETING/STUDY SESSION DATE: 6/23/2025

COMMITTEE RECOMMENDATION: Do-Pass

STAFF RECOMMENDATIONS/MOTION:

Hold a public hearing.

Forming a Transportation Benefit District

July 7, 2025



Refresher on Prior Discussions

- Recommendation: Form a Transportation Benefit District for all of Sumner.
- Use the 0.1% Sales Tax Option available through a Council vote.
- Generates \$800,000 - \$850,000 per year exclusively for transportation construction, maintenance.
- Renewable after 10 years.

A photograph of a residential street undergoing construction or maintenance. The road is paved with asphalt and shows signs of wear. On the right side, there are orange traffic cones and a diamond-shaped warning sign. In the background, there are houses, trees, and a clear blue sky with some clouds.

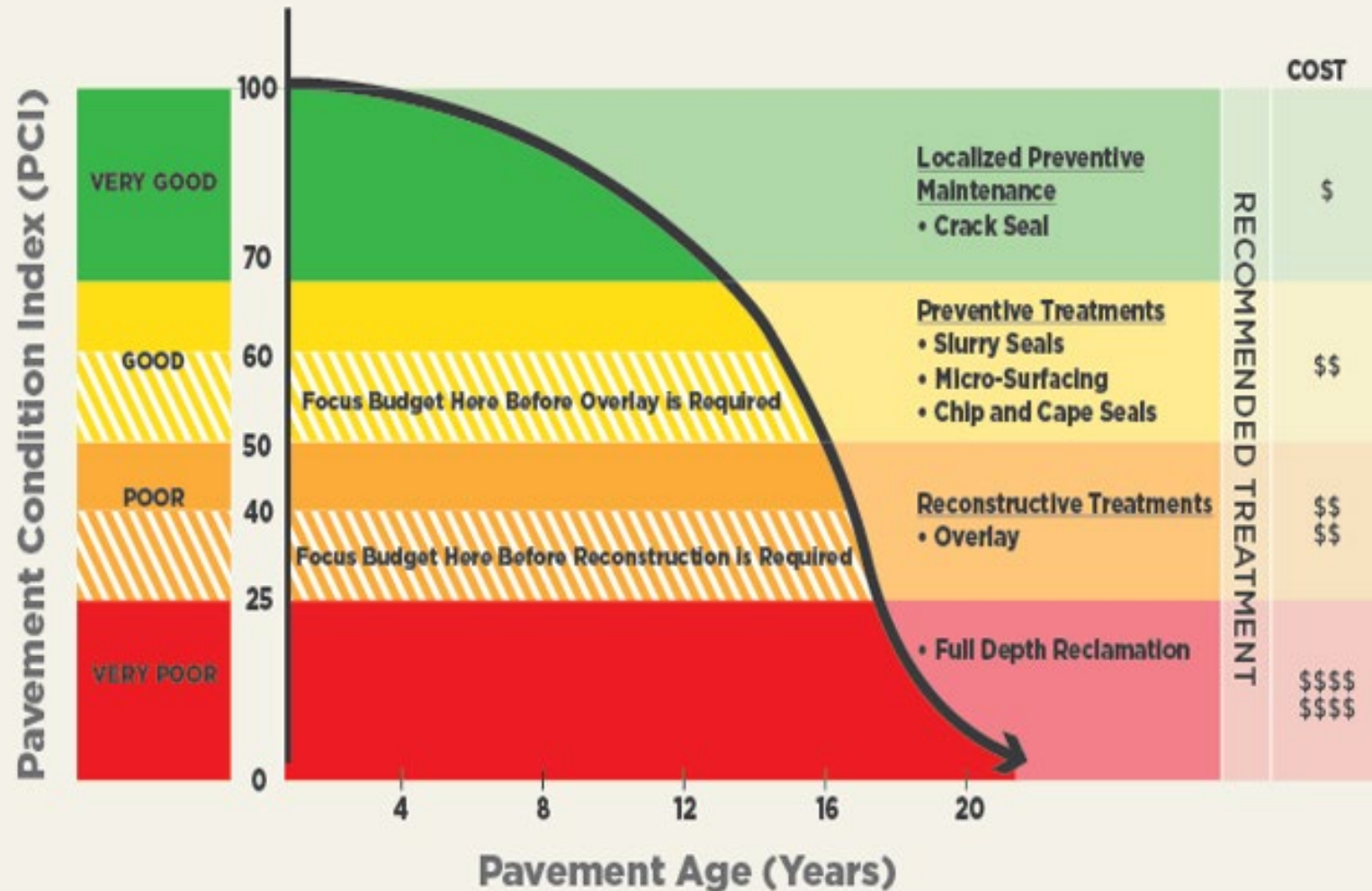
What It Would Do

Provide a stable funding source for roads, transit service, sidewalks, transportation demand management. Costs can be for construction, maintenance, and operation.

Provides funding to keep up with current maintenance cycle without falling behind.

THE CONCEPT OF PAVEMENT PRESERVATION

CATCH STREETS BEFORE THEY FAIL



City	Established	Powers Assumed	Sales Tax	Vehicle License Fee	Other Notes
Auburn	2011	Yes	0.10%		\$59 million bond measure failed in 2012. Enacted a \$20 vehicle license fee; repealed before it took effect. Enacted councilmanic sales tax effective 2023.
Buckley	2012	Yes	0.10%	\$20	
Carbonado	2012	Yes		\$20	
DuPont	2013	No	0.10%	\$20	
Eatonville	2012	Yes		\$20	
Edgewood	2013	Yes			\$20 vehicle license fee repealed in 2020
Fife	2015	No		\$20	
Gig Harbor	2018	Yes	0.20%		
Lakewood	2012	Yes		\$20	
Puyallup	2024	No	0.10%		
Roy	2014	Yes		\$20	
Steilacoom	2015	No			Unfunded/no information
Tacoma	2012	No	0.10%	\$20	
University Place	2009	Yes		\$10	
Wilkeson	2014	No		\$20	
None to Date: Sumner, Fircrest, Milton, Ruston, Bonney Lake, Orting, South Prairie					

TBDs in Pierce County

Sales Tax Rates – Pierce County

Jurisdiction	Rate	Base	Total
Tacoma	0.038	0.065	0.103
Puyallup Tribe - Tacoma	0.038	0.065	0.103
Auburn/Pierce	0.037	0.065	0.102
Pacific/Pierce	0.037	0.065	0.102
Puyallup	0.037	0.065	0.102
Puyallup Tribe - Puyallup	0.037	0.065	0.102
Edgewood	0.036	0.065	0.101
Puyallup Tribe - Edgewood	0.036	0.065	0.101
Fife	0.036	0.065	0.101
Puyallup Tribe - Fife	0.036	0.065	0.101
Fircrest	0.036	0.065	0.101
Lakewood	0.036	0.065	0.101
Milton/Pierce	0.036	0.065	0.101
Puyallup Tribe - Milton	0.036	0.065	0.101
Pierce Co. Unincorporated PTBA	0.036	0.065	0.101
Nisqually Tribes - Lakewood	0.036	0.065	0.101
Ruston	0.036	0.065	0.101

* Cities with an automatic lower rate because located outside the RTA.

Jurisdiction	Rate	Base	Total
Steilacoom	0.036	0.065	0.101
University Place	0.036	0.065	0.101
DuPont	0.031	0.065	0.096
Sumner with TBD	0.031	0.065	0.096
Bonney Lake	0.03	0.065	0.095
Orting	0.03	0.065	0.095
Sumner	0.03	0.065	0.095
Pierce Co. Unincorporated	0.026	0.065	0.091
Gig Harbor*	0.026	0.065	0.091
Pierce Co. Unincorp. PTBA Non-RTA*	0.022	0.065	0.087
Buckley*	0.017	0.065	0.082
Pierce Co. Unincorp. Non-RTA*	0.016	0.065	0.081
Bonney Lake Non-RTA*	0.016	0.065	0.081
Carbonado*	0.016	0.065	0.081
Eatonville*	0.016	0.065	0.081
Roy*	0.016	0.065	0.081
South Prairie*	0.016	0.065	0.081
Wilkeson*	0.016	0.065	0.081

State collects an additional 0.3% on vehicle sales, an addition that would increase the tax on car sales in *all* above jurisdictions.



No Alternatives

- Few/no grants available for maintenance, especially residential roads.
- 1% cap on property tax revenue drives tough budget choices.
- Only other funding option – LID – puts sole burden on property owners, not all users of roadways.

Cost Estimates

The current yellow sections account for 8.77% of the City's roads.

The red sections account for 1.63% of the City's roads.

Remaining 89.6% of roads will also continue to deteriorate.

Chip Seal (Yellow) and Complete Reconstruction (Red)

Cost: \$9,516,000

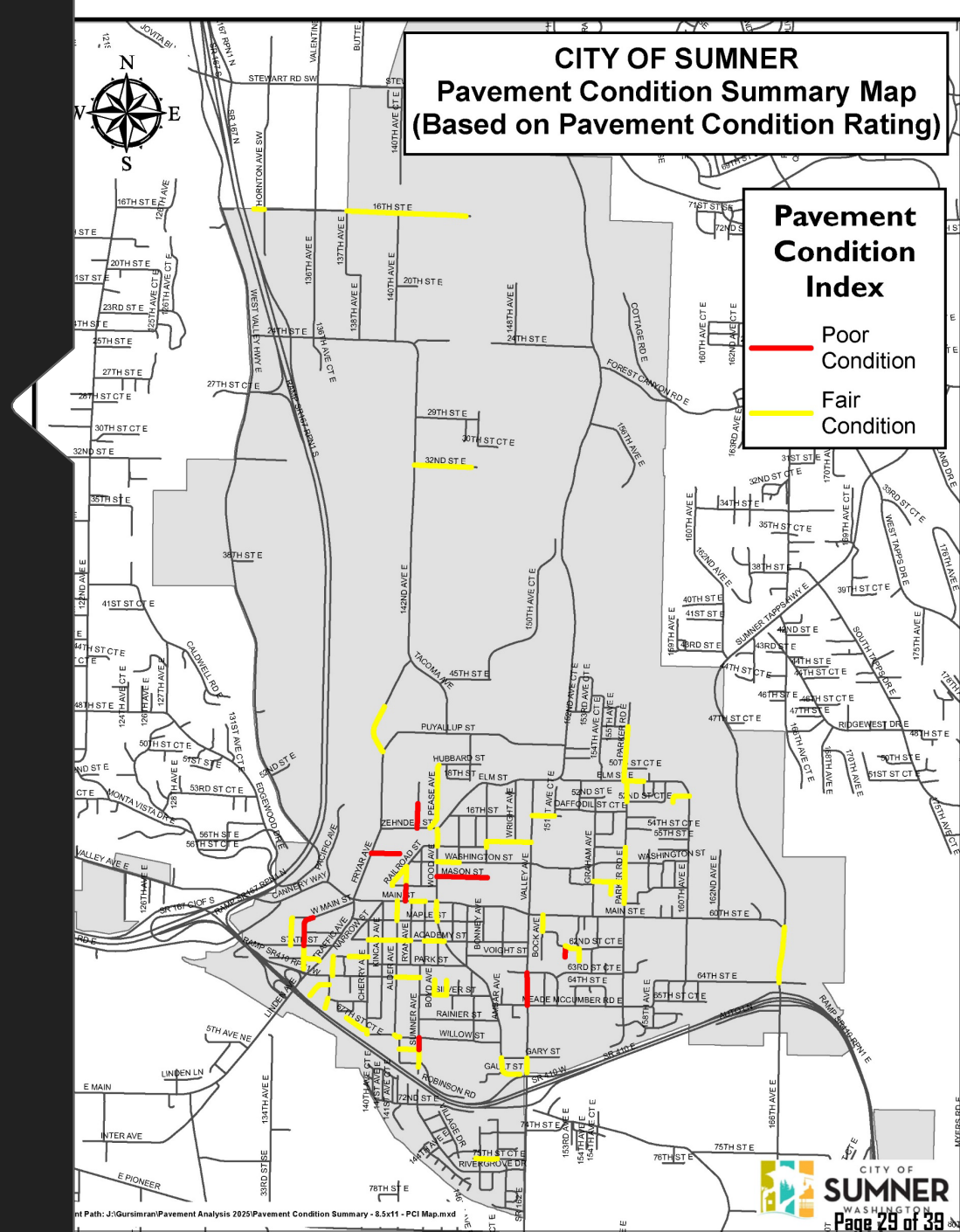
Lasts 7-10 years

Overlay (Yellow) and Complete Reconstruction (Red)

Cost: \$16,412,000

Lasts 15 years

9



Playing Catch Up – 15 year goal

The 15-year preservation budget need is:

\$1,250,000 Crack Seal

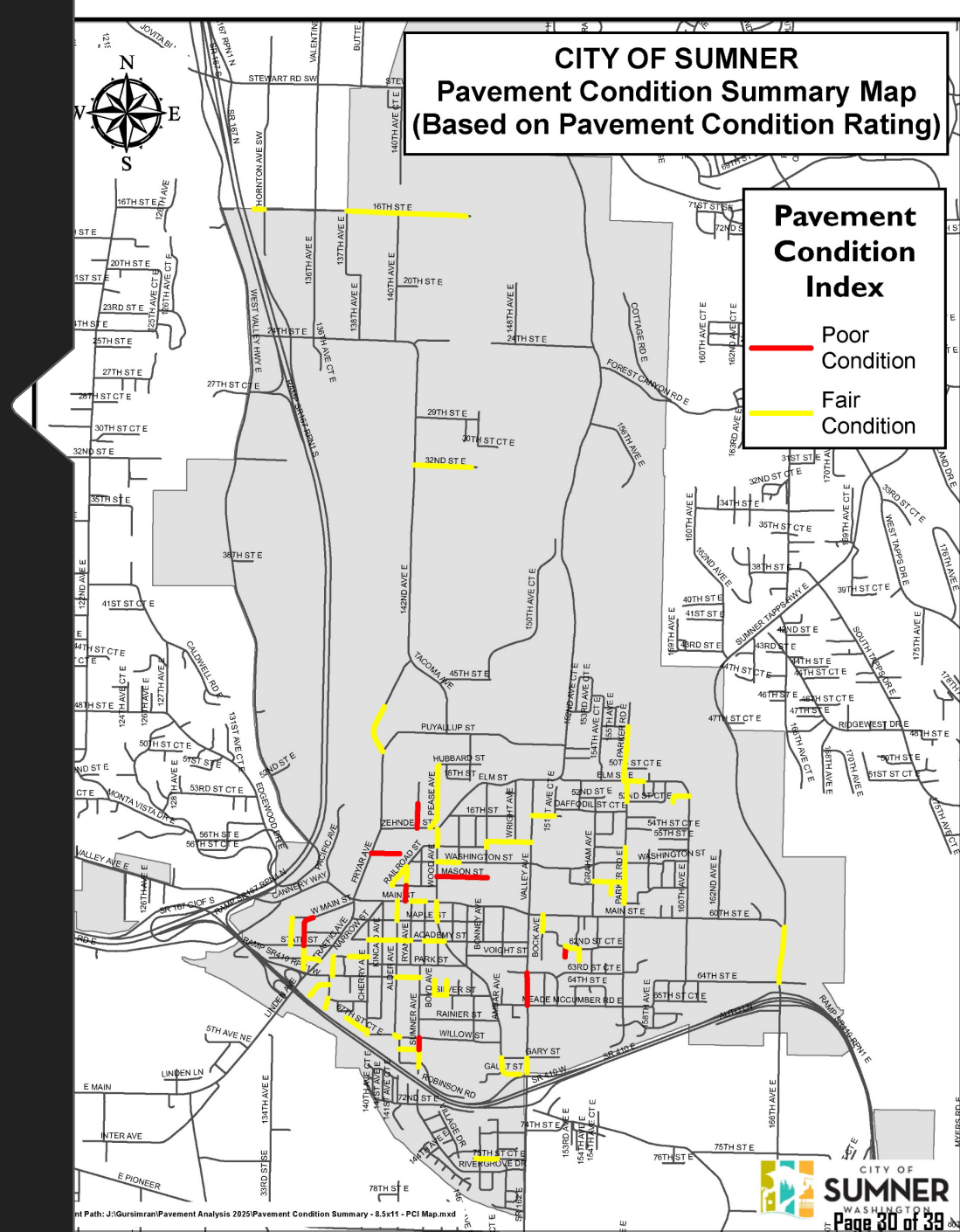
\$5,000,000 Pavement Patching

\$7,500,000 Chip Seal

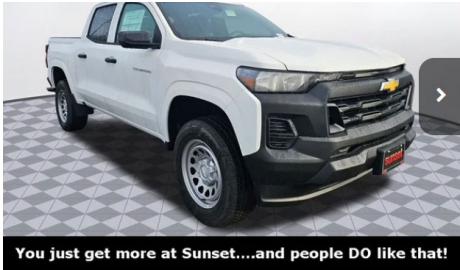
\$13,750,000 TOTAL

Current budget is \$400,000 per year (\$6M over 15 years)

15 years of revenue from TBD = \$12,750,000



Impacts to Consumer/Business



New 2024 Chevrolet Colorado WT

VIN: 1GCGSBEC9R1315345 Stock: 24575 Model: 14C43

☒ In Stock ☐ Ext. ☒ Int.

Bluetooth Android Auto Apple CarPlay Wi-Fi Info Add to Cart

\$32,370
MSRP

Current Sales Tax: \$3,172.26
Proposed Sales Tax: \$3,204.63
Difference: \$32.37



448 Stanton Sofa - Hazey
Fog
\$858

Current Sales Tax: \$81.51
Proposed Sales Tax: \$82.37
Difference: \$0.86



\$79⁹⁹
Instant Pot®
Duo™ Mini 3-...
3 qt

Current Sales Tax: \$7.60
Proposed Sales Tax: \$7.68
Difference: \$0.08

Process from Here

Form the TBD

- Public Hearing 7/7

- Ordinance (Formation)
7/21 Council Mtg



Assume the TBD

- Resolution setting Public Hearing 7/21
- Notice 7/23 & 7/30
- Public Hearing 8/4 Council Mtg
- Ordinance (Assumption) 8/18 Council Mtg



Funding the TBD

- Ordinance (Funding)
9/2 Council Mtg

Collection Goal: beginning in 2026

SUBJECT: Ordinance No. 2927 - Amending Sumner Municipal Code Chapter 2.100 -
Personnel Policies

CATEGORY: Ordinance

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Ordinance No. 2927 - Amending Sumner Municipal Code Chapter 2.100 Personnel Policies

STAFF CONTACT: Jeff Steffens, Deputy City Administrator

SUMMARY BACKGROUND:

Staff recently updated our Personnel Manual covering employee reimbursements related to expenses incurred while traveling for work purposes. Typically, these employee reimbursements stem from training-related overnight travel. As part of our policy research, it was discovered that each municipality is required to adopt an ordinance or resolution that outlines the rules and regulations for reimbursing travel expenses.

The staff's recommendation is to continue to allow the Mayor to develop a policy to administer travel-related employee reimbursements.

COUNCIL COMMITTEE/STUDY SESSION: Finance & Personnel Committee

MEETING/STUDY SESSION DATE: 6/12/2025

COMMITTEE RECOMMENDATION: Do Pass

STAFF RECOMMENDATIONS/MOTION:

Approve Ordinance No. 2927 - Travel Reimbursement Policy

ORDINANCE NO. 2927
CITY OF SUMNER, WASHINGTON

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, AMENDING SUMNER MUNICIPAL CODE 2.100 - PERSONNEL POLICIES.

WHEREAS, employees may be entitled to reimbursement for work related travel expenses; and

WHEREAS, the City is required to develop a policy for such reimbursements.

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

Section 1. Amendment to City Code. Sumner Municipal Code Section 2.100 is hereby amended as follows:

2.100.565 Travel Reimbursement

Whenever it becomes necessary for an elected or appointed official, or employee of the city to travel and incur expenses for City related business he/she may be entitled to a reimbursement. The mayor is authorized to develop a policy that allows for travel reimbursement.

Section 2. 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 3. Effective date. This ordinance shall be effective five (5) days from and after its passage approval and publication as provided by law.

Section 4. 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 5. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Passed by the City Council and approved by the Mayor of the City of Sumner, Washington, at a regular meeting thereof this 7th day of July 2025.

Mayor Kathy Hayden

ATTEST:

APPROVED AS TO FORM:

Michelle Converse, City Clerk

City Attorney Andrea Marquez

SUBJECT: Ordinance No. 2928 - Amending Sumner Municipal Code Chapter 2.116
Employee Recognition Program

CATEGORY: Ordinance

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Ordinance No. 2928 - Amending Sumner Municipal Code Chapter 2.116 Employee Recognition Program

STAFF CONTACT: Jeff Steffens, Deputy City Administrator

SUMMARY BACKGROUND:

The City's Diversity, Equity, Inclusion and Belonging (DEIB) Committee was asked to review and suggest updates to the City's Employee Recognition Award program, which was last updated in 2017. The DEIB Committee formed a sub-group consisting of Deputy City Administrator Jeff Steffens, Human Resources Manager Adrienne McNeilly and Financial Services Manager Dori Franich, who took on the task of not only expanding the program but also increasing the monetary value of the awards.

The proposed changes allow all members of the executive team to now have a voice in determining who is deserving of an award. With an increased number of staff working for the City, the Committee felt that the number of awards given annually should also be expanded. A new category was created which recognizes and awards an outstanding manager, as these employees were typically not recognized under the previous program.

COUNCIL COMMITTEE/STUDY SESSION: Finance & Personnel Committee MEETING/STUDY SESSION DATE: 6/12/2025 COMMITTEE RECOMMENDATION: Do Pass
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STAFF RECOMMENDATIONS/MOTION:

Approve Ordinance No. 2928 - Amending Sumner Municipal Code Chapter 2.116 - Employee Recognition Program

**ORDINANCE NO. 2928
CITY OF SUMNER, WASHINGTON**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMNER,
WASHINGTON, AMENDING SMC 2.116 EMPLOYEE RECOGNITION PROGRAM.**

WHEREAS, employees who perform in an exemplary fashion deserve to be acknowledged; and

WHEREAS, the City has developed and Employee Recognition Program to celebrate and reward these employees.

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

Section 1. Amendment to City Code. Sumner Municipal Code Section 2.116 is hereby amended as follows:

2.116.010 Employee recognition program.

The ~~city administrator~~ **City Administrator** is authorized to develop and implement an employee recognition program to recognize the outstanding performance of city employees. The award shall be given as provided:

Recognition	Award
Customer Service Employee of the Year	Certificate, \$200.00 \$500.00 (gross amount) and one day paid leave from work
Manager of the Year	Certificate, \$500.00 (gross amount) and one day paid leave from work
Vision Award	Certificate, \$200.00 \$500 (gross amount) and one day paid leave from work
Values Award	Certificate, \$100.00 (gross amount) and one day paid leave from work (up to three days under extraordinary circumstances)

The ~~mayor~~ **Mayor, City Administrator** and **Department Directors** ~~the city administrator~~ shall make presentation of the recognition awards.

For the purposes hereof, “nonexecutive team” employees refer to all regular employees of the city other than the mayor, city councilmembers, city administrator, and department directors.

The annual ~~customer service award~~ **Employee of the Year Award** shall recognize a ~~nonexecutive nonmanagerial~~ team employee of the city who had distinguished himself or herself in his or her commitment to providing high quality service to **the Sumner community and/or their fellow co-workers.** ~~those people who seek municipal services from the city.~~ This award is nominated by and voted on by all employees of the city.

The annual **Manager of the Year Award** shall recognize a managerial team employee who has distinguished themselves in their commitment to providing high quality leadership to their staff. This award is nominated by and voted on by all employees of the city.

The annual ~~vision award~~ **Vision Award** shall recognize a nonexecutive team employee of the city who has demonstrated an outstanding dedication to achieving the city's vision **of setting the standard of excellence for a progressive small city.** The recipient of this award is determined by the **Mayor and City Administrator** ~~city administrator~~ with input from the executive team.

The ~~values award~~ **Values Awards** shall recognize any employee of the city who has demonstrated their commitment to the city's values. ~~The city administrator may award up to eight values awards annually.~~ The recipient of this award is determined by the **department directors.** ~~city administrator with input from the executive team.~~ **Values awards shall be given quarterly based on the following criteria: Innovative, Visionary, Collaborative, Professional, Responsive, Accountable, Respect and Integrity with one award given per criteria per year.**

Decisions of the City Administrator in determining the recipients of the awards and/or in determining or interpreting the procedures or elements of the employee recognition program shall be final. (Ord. 2595 § 2, 2017)

2.116.020 Definitions

For the purposes of this chapter the following definitions shall apply:

“Executive Team” refers to the Mayor, City Councilmembers, City Administrator and Department Directors.

“Managerial Team” refers to FLSA Exempt employees who supervise staff.

Section 2. 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.

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City Attorney Andrea Marquez