

Members Present: Councilmembers Matthew Kenna (Chair), Andy Elfers, Mark Evers

Staff Present: Michael Kosa, Alisa O’Haver-Ayala, Ryan Johnstone, Doug Ruth, Andrew Leach, Drew McCarty, Christy Tollefson

The meeting convened at 4:00 PM.

The following topics were discussed:

Fryar Avenue Trail Project Property Acquisition - Dhaliwal Investment Group 2, LLC

Assistant Engineering Manager Leach stated that as part of the anticipated Fryar Avenue Trail project, the City is currently in the property acquisition phase. Dhaliwal Investment Group 2, LLC is a property owner within the project footprint. Dhaliwal Investment Group is willingly conveying the necessary property to the City for the project, for an agreed-upon price of \$1,600.00. This project is grant funded and this acquisition was negotiated with the assistance of the City's consultant, Commonstreet in accordance with all applicable laws. *“Do-Pass Recommendation by the Committee”*

Fryar Ave Trail - ROW Consultant Agreement Supplement

Assistant Engineering Manager Leach stated the Fryar Trail Project will construct approximately 3,300 linear feet of shared use path that parallels Fryar Avenue from West Main Street to Puyallup Street. In order to construct the project, partial acquisitions and/or easements are needed from twenty-three parcels along the project corridor. These twenty-three parcels are owned by thirteen different property owners. The City of Sumner was awarded \$655,143 in Federal CMAQ funding for right of way purchases and \$5,000,000 in WSDOT Pedestrian & Bicycle Safety Program state funds for completing the design, right of way, and construction of the project. After a public Request for Qualifications solicitation to perform this service, qualifications from four (4) firms were received. City Staff reviewed the qualifications and found Commonstreet Consulting to be qualified to perform this work. A negotiated scope and budget were prepared with a total contract amount of \$240,115.85. Due to inexact process of estimating labor hours for property negotiations that is controlled by the attitudes, interests, and opinions of property owners, a contract supplement is needed. This supplement increases the total contract value by \$58,969.42 to a new total amount of \$299,085.27, based on a best estimate of the remaining work. This contract and supplement will be fully funded by the WSDOT Pedestrian and Bicycle Program grant. *“Do-Pass Recommendation by the Committee”*

Heritage Park Phase 3 & 4 - Design Consultant Contract Amendment

This item was removed from the agenda and will be addressed at a later date.

Foster Pilot Water Rights Project - Consultant Contract Amendment

Public Operations Director Johnstone stated that as part of the City’s ongoing Foster pilot water rights project, Terraphase Engineering Inc. (formerly Robinson-Noble) has been asked to assist with the processing of five additional water rights to move them into permanent trust as part of the Tier 2 mitigation for the larger project. The contract for this project was executed on April 23, 2019, with a budget of \$222,120 and a completion date of December 31, 2021. In 2021, Amendment 1 was issued extending the completion date to December 31, 2024. In 2022, Amendment 2 was issued, which increased the budget by \$15,052 and allowed Terraphase to charge project work based on their 2022 fee schedule. In 2024, Amendment 3 was issued, which increased the budget by \$125,393, extended the completion date to December 31, 2026, and allowed Terraphase to charge project work based on their 2024 and 2025 fee schedules. As of December 2025, there is \$41,233 remaining in the authorized budget, which is sufficient to complete one draft Report of Examination (ROE) and finalize two other ROE's, and then finalize the water rights mitigation plan. Additional funding will be needed to process the five mitigation trust rights.

The estimated cost required to process the additional five mitigation trust water rights is \$28,720. *“Do-Pass Recommendation by the Committee”*

Resolution No. 1741: Setting Public Hearing Date for Vacation of the Alley South of Harrison St. Deputy City Attorney Ruth stated that an alley exists between Harrison Street and the on-ramp to Hwy 410. The alley has been an unused right-of-way for many years, with the easterly portion being incorporated into a parking lot for several businesses. The alley abuts Traffic Avenue but does not connect to that avenue. Currently, the end of the alley makes up two stalls in the parking lot. A property owner of one of the lots adjacent to the alley is seeking vacation of the portion of the alley that abuts his land. This portion stretches from the end of the alley near Traffic Avenue over part of the parking lot. Because the city did not pay for the alley and it has been unused for a considerable amount of time, the city is not seeking compensation for transferring the alley to the applicant property owner. *“Do-Pass Recommendation by the Committee”*

Project Managers provided updates on projects under construction.

Adjournment 4:29 pm