



**FINANCE & PERSONNEL COMMITTEE
MEETING AGENDA
CITY HALL – 1104 MAPLE STREET
JULY 7, 2021 5:30 PM**

Members: Barbara Bitetto, Cindy Hochstatter (Alternate), Charla Neuman, Patrick Reed (Chair)

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

City Hall remains closed during Governor Inslee’s “Healthy Washington - Roadmap to Recovery” order, a consequence of the Covid-19 pandemic. The public is invited to attend the meeting telephonically using the call-in instructions below, or join the meeting via the link below.

You are invited to a Zoom webinar.

When: July 7, 2021 05:30 PM Pacific Time (US and Canada)

Please click the link below to join the webinar:

<https://sumnerwa-gov.zoom.us/j/85226512749>

Or One tap mobile :

US: +12532158782,,85226512749# or +16699006833,,85226512749#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 669 900 6833 or +1 346 248 7799 or +1 301 715 8592 or +1 312 626 6799
or +1 929 205 6099

Webinar ID: 852 2651 2749

International numbers available: <https://sumnerwa-gov.zoom.us/j/85226512749>

CALL TO ORDER

Roll Call: Barbara Bitetto, Cindy Hochstatter (Alternate) Charla Neuman, Patrick Reed (Chair)

COMMITTEE BUSINESS

1. Deputy Police Chief Compensation Approval
2. Resolution No. XXXX - Interlocal Agreement with WA State Auditor
3. Ordinance No. XXXX - 2nd Quarter 2021/2022 Budget Amendment

REPORTS

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

ADJOURNMENT

SUBJECT: Deputy Police Chief Compensation Approval

CATEGORY: Consent

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

STAFF CONTACT: Brad Moericke, Police Chief

SUMMARY BACKGROUND:

The City has engaged in an open recruitment process for Deputy Police Chief following the retirement announcement of DC Engel. The top candidate for this position is currently a King County Deputy Sergeant and has been the contract Chief of Police for the City of Covington since 2015. The 2021 Compensation schedule range (DT2) for Deputy Police Chief is \$9,662 (step 1) to \$12,074 (step 5). The current candidate's King County salary is above this range and the City desires to offer compensation that is commensurate with this candidate's background, education, and experience. Personnel Policies adopted by the Council (2.100.310) requires Council approval for any newly hired employee starting above step 3 in the respective range of the compensation schedule.

COUNCIL COMMITTEE/STUDY SESSION:

MEETING/STUDY SESSION DATE: 7/7/2021

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Authorize the City to compensate the new Deputy Police Chief at step 5 of the 2021 DT2 compensation rate (\$12,074)

SUBJECT: Resolution No. XXXX - Interlocal Agreement with WA State Auditor

CATEGORY: Resolution

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Res XXXX ILA SAO Data Sharing
2. 0606 SAO Data Sharing Agreement

STAFF CONTACT: Kassandra Raymond, Chief Financial Officer

SUMMARY BACKGROUND:

The Washington State Legislature passed ESSB5432 (Concerning cybersecurity and data sharing in Washington State government) in 2021 requiring a data sharing agreement for all state and local governments sharing data, including the data the City of Sumner shares with the State Auditor's office for the annual audit.

The law takes effect July 1, 2021. No operational changes are anticipated, and there is no associated cost impact.

COUNCIL COMMITTEE/STUDY SESSION:

MEETING/STUDY SESSION DATE: 7/7/2021

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Approve Resolution No. XXXX approving an interlocal agreement with the WA State Auditor for data sharing.

RESOLUTION NO. _____

CITY OF SUMNER, WASHINGTON

A RESOLUTION OF THE CITY OF SUMNER, WASHINGTON, AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SUMNER AND THE WASHINGTON STATE AUDITOR'S OFFICE FOR DATA SHARING .

WHEREAS, the Washington State Legislature passed ESSB5432 concerning cybersecurity and data sharing in Washington state government; and

WHEREAS, this legislation becomes effective July 1, 2021; and

WHEREAS, the City of Sumner and the Washington State Auditor's Office seek to enter into an intergovernmental agreement enabling the City of Sumner to share data for audit and other purposes; and

WHEREAS, the City Council has determined it to be in the best interest of the City of Sumner to enter into said intergovernmental agreement; and

WHEREAS, the City of Sumner is authorized, pursuant to Chapter 39.34 RCW, Interlocal Cooperation Act, to enter into such agreement;

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

Section 1. Authorization. That the City Council hereby approves the Interlocal Agreement between the City of Sumner and the Washington State Auditor's Office for the purpose of data sharing, a copy of which is attached and incorporated by reference, and authorizes the Mayor to sign said agreement on behalf of the City of Sumner substantially in a form as approved by the City Attorney.

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

ADOPTED AND APPROVED this 19th day of July, 2021.

Attest:

William L. Pugh, Mayor

Michelle Converse, City Clerk

Approved as to form:

Andrea Marquez, City Attorney

INTERAGENCY DATA SHARING AGREEMENT

Between

City of Sumner

And the Office of the Washington State Auditor

This Interagency Data Sharing Agreement (DSA) is entered into by and between City of Sumner hereinafter referred to as “Agency”, and the Office of the Washington State Auditor, hereinafter referred to as “SAO”, pursuant to the authority granted by Chapter 39.34 RCW and 43.09 RCW.

AGENCY PROVIDING DATA: Agency

Agency Name:	City of Sumner
Contact Name:	Kassandra Raymond
Title:	Chief Financial Officer
Address:	1104 Maple St Sumner, WA 98390
Phone:	(253) 299-5541
E-mail:	kassandrar@sumnerwa.gov

AGENCY RECEIVING DATA: SAO

Agency Name:	Office of the Washington State Auditor
Contact Name:	Saundra Groshong
Title:	Audit Manager
Address:	949 Market Street, Ste 560 Tacoma, WA 98402
Phone:	(253) 290-7503
E-mail:	saundra.groshong@sao.wa.gov

1. PURPOSE OF THE DSA

The purpose of the DSA is to provide the requirements and authorization for the Agency to exchange confidential information with SAO. This agreement is entered into between Agency and SAO to ensure compliance with legal requirements and Executive Directives (Executive Order 16-01, RCW 42.56, and OCIO policy 141.10) in the handling of information considered confidential.

2. DEFINITIONS

“Agreement” means this Interagency Data Sharing Agreement, including all documents attached or incorporated by reference.

DSA Agreement between Agency and SAO
Agency DSA: 21-01

“Data Access” refers to rights granted to SAO employees to directly connect to Agency systems, networks and/ or applications combined with required information needed to implement these rights.

“Data Transmission” refers to the methods and technologies to be used to move a copy of the data between systems, networks and/ or employee workstations.

“Data Storage” refers to the place data is in when at rest. Data can be stored on removable or portable media devices such as a USB drive or SAO managed systems or OCIO/ State approved services.

“Data Encryption” refers to enciphering data with a NIST-approved algorithm or cryptographic module using a NIST-approved key length. Encryption must be applied in such a way that it renders data unusable to anyone but the authorized users.

“Personal Information” means information defined in RCW 42.56.590(10).

3. PERIOD OF AGREEMENT

This agreement shall begin on May 24, 2021, or date of execution, whichever is later, and end on May 23, 2024, unless terminated sooner or extended as provided herein.

4. JUSTIFICATION FOR DATA SHARING

SAO is the auditor of all public accounts in Washington State. SAO’s authority is broad and includes both explicit and implicit powers to review records, including confidential records, during the course of an audit or investigation.

5. DESCRIPTION OF DATA TO BE SHARED

The data to be shared includes information and data related to financial activity, operation and compliance with contractual, state and federal programs, security of computer systems, performance and accountability for agency programs as applicable to the audit(s) performed. Specific data requests will be limited to information needed for SAO audits, investigations and related statutory authorities as identified through auditor requests.

6. DATA ACCESS

If desired, with the Agency’s permission, the Agency can provide direct, read-only access into its system. SAO will limit access to the system to employees who need access in support of the audit(s). SAO agrees to notify the agency when access is no longer needed.

7. DATA TRANSMISSION

Transmission of data between Agency and SAO will use a secure method that is commensurate to the sensitivity of the data being transmitted.

8. DATA STORAGE AND HANDLING REQUIREMENTS

Agency will notify SAO if they are providing confidential data. All confidential data provided by Agency will be stored with access limited to the least number of SAO staff needed to complete the purpose of the DSA.

9. INTENDED USE OF DATA

The Office of the Washington State Auditor will utilize this data in support of their audits, investigations, and related statutory responsibilities as described in RCW 43.09.

10. CONSTRAINTS ON USE OF DATA

The Office of the Washington State Auditor agrees to strictly limit use of information obtained under this Agreement to the purpose of carrying out our audits, investigations and related statutory responsibilities as described in RCW 43.09.

11. SECURITY OF DATA

SAO shall take due care and take reasonable precautions to protect Agency's data from unauthorized physical and electronic access. SAO complies with the requirements of the OCIO 141.10 policies and standards for data security and access controls to ensure the confidentiality, and integrity of all data shared.

12. NON-DISCLOSURE OF DATA

SAO staff shall not disclose, in whole or in part, the data provided by Agency to any individual or agency, unless this Agreement specifically authorizes the disclosure. Data may be disclosed only to persons and entities that have the need to use the data to achieve the stated purposes of this Agreement. In the event of a public disclosure request for the Agency's data, SAO will notify the Agency

- a. SAO shall not access or use the data for any commercial or personal purpose.
- b. Any exceptions to these limitations must be approved in writing by Agency.
- c. The SAO shall ensure that all staff with access to the data described in this Agreement are aware of the use and disclosure requirements of this Agreement and will advise new staff of the provisions of this Agreement.

13. OVERSIGHT

The SAO agrees that Agency will have the right, at any time, to monitor, audit, and review activities and methods in implementing this Agreement in order to assure compliance.

14. TERMINATION

Either party may terminate this Agreement with 30 days written notice to the other party's Agreement Administrator named on Page 1. However, once data is accessed by the SAO, this Agreement is binding as to the confidentiality, use of the data, and disposition of all data received as a result of access, unless otherwise amended by the mutual agreement of both parties.

15. DISPUTE RESOLUTION

In the event that a dispute arises under this Agreement, a Dispute Board shall determine resolution in the following manner. Each party to this Agreement shall appoint one member to the Dispute Board. The members so appointed shall jointly appoint an additional member to the Dispute Board. The Dispute Board shall review facts, contract terms, and applicable statutes and rules and make a determination of the dispute.

16. GOVERNANCE

- a. The provisions of this Interagency Data Sharing Agreement are severable. If any provision of this Agreement is held invalid by any court that invalidity shall not affect the DSA Agreement between Agency and SAO
- Agency DSA: 21-01

other provisions of this Interagency Data Sharing Agreement and the invalid provision shall be considered modified to conform to the existing law.

- b. In the event of a lawsuit involving this Interagency Data Sharing Agreement, venue shall be proper only in Thurston County, Washington.

17. SIGNATURES

The signatures below indicate agreement between the parties.

Agency

Office of the Washington State Auditor

Signature

Date

Signature

Date

Title: _____

Title: _____

SUBJECT: Ordinance No. XXXX - 2nd Quarter 2021/2022 Budget Amendment

CATEGORY: Ordinance

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Ordinance - BA 07192021
 2. 2021 2022 BA 07192021 Exh A
-

STAFF CONTACT: Cassandra Raymond, Chief Financial Officer

SUMMARY BACKGROUND:

The 2nd Quarter Budget Amendment for the 2021/2022 Biennial Budget includes several items:

1. Recognize the receipt of \$2,910,676 in American Rescue Plan Act (ARPA) funds over the biennium. This amendment recognizes the revenue only; use of the ARPA funding will be programmed through separate City Council action at a future date.
 2. In early June the city was notified by the Sumner Main Street Association (SMSA) that they would not be holding Rhubarb Days in 2021. This action constituted a breach of our MOA for event sponsorship with SMSA. The City terminated the agreement with the SMSA. The attached budget amendment ordinance removes \$26,250 of financial sponsorship and \$10,000 of special event services credit from the budget, and reallocates a portion (\$6500) to the Cultural Arts Commission. The Cultural Arts Commission will use the additional funds to add a fourth mural to their 2021 mural project, host two Nights on Ryan events and bring back an in person component to the annual chalk art festival. The net change to the General Fund balance is \$29,750.
 3. Appropriate funding to add an Associate City Engineer to the Public Works Department. This position will primarily support the White River Restoration project, and be funded 85% from the Stormwater Fund. The remaining funding will be split between the General Fund (Streets), Water, and Sewer Administration. The position was included in the 2020 Utility Rate Model, and would have an anticipated start date of September 2021. The total cost for 2021 (4 months) is \$57,809 and for 2022 (12 months) \$180,994.
 4. Appropriate \$159,000 in Legal Services: This action appropriates the remaining contract balance between the City and Cairncross & Hempelmann for legal services related to the sale of the Sumner Meadows Golf Course.
 5. Appropriate \$85,000 over the biennium for the implementation of a body-worn camera program.
 6. Recognize \$600,000 revenue for the FHWA grant supporting the 166th Ave improvements. The total grant award of \$1,219,650 was accepted at the June 21, 2021 City Council meeting. The remainder of the grant award will be programmed in the upcoming biennium.
 7. Appropriate \$27,000 for the acquisition of a concrete loader for PW Operations;
 8. Appropriate \$111,352 in WWTF Capital. This action appropriates the remaining contract balance for the Biosolids Improvement Project remaining at 12/31/2020.
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COUNCIL COMMITTEE/STUDY SESSION: MEETING/STUDY SESSION DATE: 7/7/2021 COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Approve Ordinance No. XXXX amending the 2021/2022 Biennial Budget.

ORDINANCE NO. XXXX
CITY OF SUMNER, WASHINGTON

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, AMENDING THE 2021-2022 BIENNIAL BUDGET AS ORIGINALLY ADOPTED IN ORDINANCE NO. 2758, APPROVED DECEMBER 7, 2020, AND PREVIOUSLY AMENDED IN ORDINANCE 2762, APPROVED FEBRUARY 16, 2021 AND ORDINANCE 2771, APPROVED APRIL 19, 2021.

WHEREAS, The Sumner City Council approved Ordinance No. 2758 which adopted a biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2762 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; and

WHEREAS, The Sumner City Council approved Ordinance No. 2771 which amended the 2021-2022 biennial budget for fiscal years 2021-2022; 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, 2021 through December 31, 2022 as contained in the adopted 2021-2022 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 19th day of July, 2021.

Mayor William L. Pugh

ATTEST:

City Clerk Michelle Converse, CMC

APPROVED AS TO FORM:

City Attorney Andrea Marquez

Funds	Beginning Fund	Revenues			Expenditures			Ending Fund
	Balance	Adopted	Previous	07/19/21	Adopted	Previous	07/19/21	Balance
	Adopted	Adopted	Previous	07/19/21	Adopted	Previous	07/19/21	Revised
001 General	\$ 5,978,542	\$ 31,643,467	\$ 144,403	\$ -	\$ 31,919,065	340,939	\$ 234,406	\$ 5,272,001.29
002 General Fund Reserves	980,824	-	-	-	-	-	-	980,824
003 Building Reserves	475,000	200,000	-	-	80,000	150,000	-	445,000
103 Complete Streets	241,851	-	-	-	200,000	41,654	-	197
105 Drug Enforcement	63,457	-	-	-	4,500	-	-	58,957
106 Hotel/Motel	273,747	215,000	-	-	106,245	-	-	382,502
115 ARPA Funding	-	-	-	2,910,676	-	-	-	2,910,676
200 Debt Service	2,570,000	527,200	-	-	520,000	-	-	2,577,200
221 LID Guarantee	694,969	-	-	-	-	-	-	694,969
302 Sidewalk	477,769	4,308,069	(320,000)	-	3,524,069	(320,000)	-	1,261,769
305 Real Estate Excise Tax	1,093,200	1,600,000	-	-	-	326,000	-	2,367,200
307 LID Capital Project Fund	9,545	-	-	-	-	-	-	9,545
310 Parks & Trails Capital Fund	544,740	1,237,500	461,000	-	1,237,500	461,000	-	544,740
320 Street Capital Fund	826,206	6,709,520	-	600,000	7,679,245	-	-	456,481
325 Facilities Capital Fund	183,773	26,200,000	150,000	-	15,700,000	150,000	-	10,683,773
401 Water	13,477,844	11,104,747	-	-	15,719,366	68,000	20,156	8,775,068
402 Wastewater	20,996,349	15,706,582	-	-	18,404,296	70,000	126,108	18,102,527
403 Utility Bond Reserves	1,729,536	-	-	-	-	-	-	1,729,536
408 Stormwater	14,788,274	14,201,134	-	-	18,573,507	-	213,055	10,202,846
410 Cemetery Operations	31,493	1,352,800	-	-	1,358,895	-	-	25,398
415 Cemetery Development	-	-	-	-	-	-	-	-
440 Animal Control	12,239	1,496,319	-	-	1,460,055	-	-	48,503
501 Unemployment Insurance	43,989	-	-	-	3,055	-	-	40,934
550 Fleet Management	6,261	1,251,664	-	-	1,251,660	-	-	6,265
551 Information Technology	273,009	2,385,042	26,400	1,600	2,385,040	10,000	1,600	289,411
555 Equipment Reserve	1,013,749	1,297,245	168,000	-	790,000	226,000	-	1,462,994
601 Cemetery Endowment	1,472,385	60,000	-	-	-	-	-	1,532,385
603 Alder Ave Remediation	25,649	-	-	-	-	-	-	25,649
605 Development Impact Fees	7,026,351	700,000	-	-	3,397,200	135,000	-	4,194,151
611 Firemen's Pension	11,832	160,000	-	-	160,000	-	-	11,832
Total All Funds	\$ 75,322,583	\$ 122,356,289	\$ 629,803	\$ 3,512,276	\$ 124,473,699	\$ 1,658,593	\$ 595,325	\$ 75,093,334



SUBJECT: Monthly Sales Tax Report

CATEGORY: Information Only

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

STAFF CONTACT: Kassandra Raymond, Chief Financial Officer

SUMMARY BACKGROUND:

Staff will provide a monthly report on sales tax activities and receipts. Information is limited to those with appropriate Department of Revenue information on file.

COUNCIL COMMITTEE/STUDY SESSION: Finance & Personnel Committee

MEETING/STUDY SESSION DATE: 7/7/2021

COMMITTEE RECOMMENDATION: Informational only; no action required.

STAFF RECOMMENDATIONS/MOTION:

Informational only; no action required.



SUBJECT: Recruitment & Negotiation Update

CATEGORY: Information Only

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

STAFF CONTACT: Jeff Steffens, Administrative Services Director

SUMMARY BACKGROUND:

Staff will provide a verbal update on recruitment and negotiation activities.

COUNCIL COMMITTEE/STUDY SESSION: Finance & Personnel Committee

MEETING/STUDY SESSION DATE: 7/7/2021

COMMITTEE RECOMMENDATION: Informational only; no action required.

STAFF RECOMMENDATIONS/MOTION:

Informational only; no action required.