

On June 30th, Governor Inslee issued the “Washington Ready” guidelines, effectively re-opening the State of Washington and removing the Covid-19 restrictions. The City of Sumner looks forward to welcoming members of the public to its meetings in-person, but until further notice will continue to conduct its meetings 100% virtually, using the ZOOM platform. The public is invited to attend using the ZOOM meeting access information below.

<https://sumnerwa-gov.zoom.us/j/83454691714>

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834 5469 1714

CALL TO ORDER

Pledge of Allegiance

Invocation -Robert Ihler

Roll Call: Bitetto, Brown, Hamilton, Hayden, Hochstatter, Neuman and Reed

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. Approval of the minutes from the regular council meeting of June 21, 2021 and June 28 and July 12, 2021 study session.
2. Approval of checks / electronic payments in the amount of \$2,126,556.74
3. Resolution No. 1587 - Interlocal Agreement with WA State Auditor
4. Deputy Police Chief Compensation Approval

PUBLIC HEARING

REGULAR BUSINESS

1. **Unfinished Business**
2. **Public Comment (Limit 3 minutes)**
Members of the community who wish to give public comment are strongly encouraged to join the meeting via the ZOOM link or by telephone. If you are unable to join the meeting, please submit your public comment in writing via email to the City Clerk at Michellec@sumnerwa.gov no later than

5:30pm on the date of the meeting. Any written comments received will be read into the record and provided to the City Council. Please contact the City Clerk at 253-299-5590 with any questions.

3. New Business

- a. Ordinance No. 2785 - Amending SMC 3.44 "Funds"

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: Approval of the minutes from the regular council meeting of June 21, 2021 and June 28 and July 12, 2021 study session.

CATEGORY: Consent

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Minutes - June 21, 2021 regular council meeting
2. Minutes - June 28, 2021 study session
3. Minutes - July 12, 2021

STAFF CONTACT: Michelle Converse, City Clerk

SUMMARY BACKGROUND:

Minutes from the previous council meetings.

COUNCIL COMMITTEE/STUDY SESSION: MEETING/STUDY SESSION DATE: COMMITTEE RECOMMENDATION:
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STAFF RECOMMENDATIONS/MOTION:

Approve as written.

**CITY OF SUMNER
Council Meeting
Minutes – June 21, 2021**

CALL TO ORDER

The Sumner City Council met in regular session at 6:01pm, with Mayor William L. Pugh presiding. City Hall remains closed during Governor Inslee’s “Healthy Washington – Roadmap to Recovery” order, a consequence of the Covid-19 pandemic. The Mayor, Council and staff members attended through ZOOM either telephonically or through their computer. The public was allowed to attend via ZOOM, PCTV livestream and by telephone.

Staff present via electronic device: City Administrator Jason Wilson, City Attorney Andrea Marquez, Communications Director Carmen Palmer, Community Development Director Ryan Windish, Public Works Director Mike Dahlem, Development Services Director Doug Beagle, Administrative Services Director Jeff Steffens, Chief Financial Officer Kassandra Raymond, and City Clerk Michelle Converse.

Mayor and Councilmembers present via electronic device: Mayor Bill Pugh, Councilmembers Bitetto, Brown, Hamilton, Hayden, Neuman and Reed. Councilmember Hochstatter was absent.

MOVED BY HAYDEN, SECONDED BY BITETTO TO EXCUSE COUNCILMEMBER HOCHSTATTER FROM THE JUNE 21, 2021, MEETING.

PASSED BY VOICE VOTE.

CONSENT AGENDA

1. Electronic payments and checks in the amount of \$3,116,482.63
2. Resolution No. 1586 – DUI and Traffic Safety Task Force Interlocal Agreement
3. Approval of the minutes from the regular council meeting of June 7, 2021 and June 14, 2021 study session.

MOVED BY HAYDEN SECONDED BY HAMILTON TO APPROVE THE CONSENT AGENDA AS PRESENTED.

PASSED BY VOICE VOTE.

PUBLIC HEARING

One was not scheduled tonight.

UNFINISHED BUSINESS

Ordinance No. 2782 – Development Agreement with Sumner-Bonney Lake School District

MOVED BY HAYDEN, SECONDED BY REED TO ADOPT ORDINANCE NO. 2782 APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SUMNER AND THE SUMNER-BONNEY LAKE SCHOOL DISTRICT AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME IN A FORM AS APPROVED BY THE CITY ATTORNEY.

City Attorney Andrea Marquez addressed the Council.

The Sumner-Bonney Lake School District is undertaking an extensive, and phased, project to modernize and replace the current Sumner High School facility. The project required the District to re-apply for a conditional use permit (CUP) due to the major modifications to the project since the District received its 2018 CUP permit. To ensure some level of certainty related to the rules, regulations and fees that will govern the phased modernization project, the District requested a development agreement (DA) to enable it to vest to certain zoning and development regulations, including impact fees, currently in place. The term of the agreement is 10 years. Pursuant to the process outlined in SMC 18.20.040(B)(1), the City's hearing examiner heard from both the City and the District regarding the development agreement during the same hearing he was presented with the CUP application. The Hearing Examiner reviewed and considered the terms of the Development Agreement, and on May 13, 2021, he issued a recommendation that the City Council approve the DA with the District. Upon approval of the Development Agreement, the Hearing Examiner can issue his decision on the Conditional Use Permit.

Development Agreements are specifically authorized by RCW 36.70B.170-210 and SMC 18.20 as a proper exercise of a City's police power.

The City Council discussed this item at the May 24, 2021, study session and held a public hearing on June 7, 2021.

PASSED BY ROLL CALL VOTE.

PUBLIC COMMENT

Dr. Dent from the Sumner Bonney Lake School District. New Deputy Superintendent Dr. Thu Ament was introduced to the Council. The Council welcomed him to Sumner and are looking forward to working with him.

NEW BUSINESS

166th Widening Federal Grant Acceptance (FHWA)

MOVED BY NEUMAN, SECONDED BY REED TO APPROVE THE ACCEPTANCE OF \$1,219,650 IN GRANT FUNDS FROM THE FEDERAL HIGHWAY ADMINISTRATION FOR USE IN THE 166TH WIDENING AND INTERSECTION IMPROVEMENT PROJECT (CIP 13-11), AND AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACCEPT THE FUNDS, SUBSTANTIALLY IN A FORM AS APPROVED BY THE CITY ATTORNEY.

City Engineer Michael Kosa addressed the Council.

166th Avenue East (Sumner-Tapps Highway) and the SR 410 westbound off-ramp experience severe traffic congestion at the SR 410 interchange and the intersection to the north at 64th Street East.

Additionally, an undersized and failing corrugated metal pipe culvert that carries Salmon creek runs diagonally underneath the intersection, creating an unsuitable environment for ESA-listed salmon species to thrive and spawn.

This project submitted for federal funding through the Federal Highway Administration Surface Transportation Program. Funds became available earlier this year. The project was awarded \$1,219,650, which is available to begin spending in 2021. These funds will enable the City to complete the project design while significantly reducing the need to spend local funds committed in the current city budget.

The City needs to provide a \$13.5% local match for the federal funds, which is within the current budget. The project and associated federal funding has been programmed into the State Transportation Improvement Program

Discussion ensued.

PASSED BY VOICE VOTE.

Ordinance No. 2784 – Amending Sumner Municipal Code 2.100.500 – Retirement Benefits

MOVED BY REED, SECONDED BY NEUMAN TO ADOPT ORDINANCE NO. 2784 – AMENDING SECTION 2.100.500 OF THE SUMNER MUNICIPAL CODE REGARDING RETIREMENT BENEFITS.

Administrative Services Director Jeff Steffens addressed the Council.

Ordinance 2784 will amend Sumner Municipal Code regarding employer retirement contributions. In some circumstances, an employee may not be eligible for Washington State's Public Employee Retirement System (PERS). This code change will allow the City to make a retirement contribution of no more than 8% of base salary to another pre-tax benefit account.

PASSED BY VOICE VOTE.

Ordinance No. 2783 – Amending 2021 Compensation Schedule

MOVED BY HAYDEN, SECONDED BY REED TO ADOPT ORDINANCE NO. 2783 – AMENDING THE 2021 COMPENSATION SCHEDULE FOR POLICE GUILD SPECIAL COMMISSIONED AND NON-COMMISSIONED EMPLOYEES.

Administrative Services Director Jeff Steffens addressed the Council.

At the June 7, 2021, Sumner Council Meeting the Council approved the 2021-2022 Collective Bargaining Agreement (CBA) with the Police Guild representing Special Commissioned and Non-Commissioned employees. This ordinance amends the 2021 Compensation Schedule to include changes authorized in that approved CBA.

PASSED BY VOICE VOTE.

COUNCIL REPORTS

Councilmember Reed reminded everyone that with the warmer week, it is important to be mindful of pets paws when walking them. Sidewalks and other surfaces heat up very quickly.

Councilmember Neuman wished a happy belated Father's Day to all. She thanked the Public Works Department for turning back on the water fountains.

Deputy Mayor Hayden attended her grandson's graduation. Sumner High School did a great job.

Councilmember Hamilton shared his brother and family are currently staying with them while they are waiting for their house to be complete. It shows what a great place Sumner is to raise a family.

Councilmember Bitetto reminded everyone with the hot weather here, the lake is cold, and your body cannot handle it. The YMCA does offer water safety and swimming classes.

CITY ADMINISTRATOR

City Administrator Jason Wilson reported on the following:

Upcoming Policy Issues:

- Next Week's Study Session
 - Legislative Update regarding Police Reform
 - Police Body Worn Camera Implementation Update
- Next Regular Council Meeting on July 7th is canceled
- Next meeting is the July 12th Study Session
 - Library Update
 - City Hall Reopening Update
 - Community Food Bank Presentation

Commission Updates:

•Cultural Arts Commission:

- Three artists were selected to create new murals across the city over the summer.



West side of Sugar Babies facing railroad tracks.



West side of Church/Dixies facing Food Bank



Scout Hall facing Loyalty Park

- The Chalk Art Festival will occur on July 30th. This year will be a hybrid event featuring a virtual and live component. See our website for additional details.

●**Planning Commission:**

- Currently reviewing the Housing Action Plan and will be providing a recommended priority list to council in July. Their next meeting is July 8th.

Personnel Issues:

- With the hiring of a lab analyst the WWTF is now fully staffed.
- Interviews for Deputy Police Chief were held, and the top candidate is currently going through the background process, with the goal of making a formal job offer by mid-July.

Miscellaneous:

- City Hall will reopen to the public on July 6th. Initially in person service will be limited to Monday through Thursday from 10-3. Remote service will continue to be offered from 7:30-5:30 Monday through Thursday and Fridays from 7:30-12:00.
- There are still several unknowns and challenges with resuming in person council meetings, however we do hope to return to at least a hybrid format later this Summer. More information will be known and discussed at the July 12th study session.

MAYOR REPORT

Mayor Pugh attended East Pierce Fire and Rescue Retirement Party for Chief Backer. He read into the record the Proclamation written to mark the Chief's special day. He wished him well, and all of the others who are retiring during this year.

EXECUTIVE SESSION

There was none scheduled.

ADJOURNMENT

With no further business before the Council, the Mayor adjourned the meeting at 6:40pm. Councilmembers concurred.

ATTEST:

William L. Pugh, Mayor

Michelle Converse, CMC City Clerk

SUMNER CITY COUNCIL
Minutes – Study Session
June 28, 2021

As a result of the Governor’s “Healthy Washington-Roadmap to Recovery” order, the Sumner City Council held its study session virtually via ZOOM meetings with Mayor William L. Pugh presiding.

Mayor Pugh called the meeting to order at 6:00pm.

Councilmembers present: Bitetto, Brown, Hamilton, Hayden, Hochstatter, Neuman and Reed.

Staff present: City Administrator Jason Wilson, Police Chief Brad Moericke, Community Development Director Ryan Windish, Communications Director Carmen Palmer, Development Services Director Doug Beagle, Administrative Services Director Jeff Steffens, Chief Financial Officer Kassandra Raymond, Public Works Director Mike Dahlem, City Attorney Andrea Marquez and

REGULAR BUSINESS

1. Impacts from the 2021 Legislative Session on Policing Policies and Practices
2. Police Body Worn Cameras Update

CITY ADMINISTRATOR REPORT

AGENDA SETTING

EXECUTIVE SESSION

ADJOURNMENT

When there was no further business before the Council, the meeting adjourned at 8:00pm.

ATTEST:

City Clerk Michelle Converse, CMC

Mayor William L. Pugh

SUMNER CITY COUNCIL
Minutes – Study Session
July 12, 2021

As a result of the Governor’s “Washington Ready” order, the Sumner City Council held its study session virtually via ZOOM meetings with Mayor William L. Pugh presiding.

Mayor Pugh called the meeting to order at 6:01pm.

Councilmembers present: Bitetto, Brown, Hamilton, Hayden, Hochstatter, Neuman and Reed.

Staff present: City Administrator Jason Wilson, Community Development Director Ryan Windish, Administrative Services Director Jeff Steffens, Chief Financial Officer Kassandra Raymond, City Attorney Andrea Marquez and City Engineer Michael Kosa

REGULAR BUSINESS

1. Community Food Bank Presentation
2. Pierce County Library Update
3. Main Street Library Property
4. Pandemic Response Update

CITY ADMINISTRATOR REPORT

AGENDA SETTING

EXECUTIVE SESSION

ADJOURNMENT

When there was no further business before the Council, the meeting adjourned at 7:41pm.

ATTEST:

City Clerk Michelle Converse, CMC

Mayor William L. Pugh



SUBJECT: Approval of checks / electronic payments in the amount of \$2,126,556.74

CATEGORY: Consent

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Voucher -Signature Page

STAFF CONTACT: Jeff Steffens, Administrative Services Director

SUMMARY BACKGROUND:

COUNCIL COMMITTEE/STUDY SESSION:

MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION: Committee Do-Pass

STAFF RECOMMENDATIONS/MOTION:



**CLAIMS VOUCHER
APPROVAL**
City of Sumner Finance
Department

The following check/electronic payments are approved for payment:

Accounts Payable Check #:	From: 25865	To: 25979	\$673,767.84 *
AP Electronic (EFTs) Payments:	From: 241	To: 246	\$921,701.67
AP Wire(s):	From: 15105	To: 15109	\$3,367.74
Payroll DD Numbers:	From: 48589,	To: 48713, 3938	\$298,346.84
Payroll Check(s):	From: -	To: -	\$0.00
Payroll Wire(s):	From: 3935 - 3937,	To: 3939 - 3943	\$229,372.65
		TOTAL	\$2,126,556.74

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the service rendered, or the labor performed as described herein, and that the claim is a just, due, and unpaid obligation against the City of Sumner and I am authorized to authenticate and certify to said claim.

DocuSigned by:

Kassandra Raymond

3A5D5E5EBAEC4A5...

Chief Financial Officer

6/7/2021 | 12:12 PM PDT

Date

We, the undersigned Finance & Personnel Committee of the Sumner City Council, Sumner, Washington, do hereby certify that the check numbers and electronic payments listed above are approved for payment in the amount of ~~\$2,136,556.74~~ **\$2,126,556.74** this 7th day of June 2021.

[Signature]

708BA263DE964E7

Chair

6/17/2021 | 5:32 PM PDT

Date

Member

DocuSigned by:

Charla Neuman

33EBD031500F4F4...

Member

Date

6/10/2021 | 1:18 PM PDT

Date

* Includes \$919.83 in Use Tax and (\$-0-) in Check Voids

SUBJECT: Resolution No. 1587 - Interlocal Agreement with WA State Auditor

CATEGORY: Resolution

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Resolution No. 1587 - Interlocal Agreement with SAO for Data Sharing
2. State Auditor Office ILA - Data Sharing

STAFF CONTACT: Cassandra 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 shares with the State Auditor's Office for the annual financial audit.

The law takes effect July 1, 2021. This data sharing agreement confirms existing practices, and no operational changes are anticipated. There is no anticipated fiscal impact.

COUNCIL COMMITTEE/STUDY SESSION: Finance & Personnel Committee
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MEETING/STUDY SESSION DATE: 7/7/2021
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COMMITTEE RECOMMENDATION: Committee Do-Pass

STAFF RECOMMENDATIONS/MOTION:

Pass Resolution No. 1587 authorizing an interlocal agreement with the Washington State Auditor's office for data sharing activities.

RESOLUTION NO. 1587

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: 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: Ordinance No. 2785 - Amending SMC 3.44 "Funds"

CATEGORY: Ordinance

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Ordinance No. 2785 - Amending SMC 3.44 Funds
-

STAFF CONTACT: Cassandra Raymond, Chief Financial Officer

SUMMARY BACKGROUND:

Sumner Municipal Code Ch. 3.44 authorizes the creation of certain funds with inherent restrictions and/or special use. This Ordinance updates Ch. 3.44 by establishing a special revenue fund for the accounting and reporting of American Rescue Plan Act of 2021 (ARPA) funds, as well as general cleanup of obsolete funds.

COUNCIL COMMITTEE/STUDY SESSION: Finance & Personnel Committee
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MEETING/STUDY SESSION DATE: 7/7/2021
--

COMMITTEE RECOMMENDATION: Committee Do-Pass

STAFF RECOMMENDATIONS/MOTION:

Approve Ordinance 2785 amending Sumner Municipal Code Chapter 3.44 Funds.

**ORDINANCE NO. 2785
CITY OF SUMNER, WASHINGTON**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMNER,
WASHINGTON, AMENDING SUMNER MUNICIPAL CODE CHAPTER 3.44 FUNDS.**

WHEREAS, the City of Sumner accounting and reporting system is based on a fund accounting system in accordance with the WA State Auditor Budgeting, Accounting and Reporting System (BARS); and

WHEREAS, on March 11, 2021, the American Rescue Plan Act of 2021 (ARPA) was enacted; and

WHEREAS, the ARPA provides \$350 billion in emergency funding to state and local governments and the City of Sumner will be a recipient of that funding; and

WHEREAS, the Sumner City Council deems it necessary and proper to take actions to facilitate effective and efficient accounting of federal funding in conjunction with ARPA funds; and

WHEREAS, city staff recommends the formal retirement of several funds no longer in use;

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

Section 1. Chapter 3.44 of the Sumner Municipal Code is hereby revised and amended as follows.

...

~~3.44.213 LID development fund—Established. Repealed.~~

~~There is created and established a new fund in the accounting system of the city to be known as the LID development fund. (Ord. 1443 § 1, 1989)~~

~~3.44.216 LID development fund—Purpose. Repealed.~~

~~The purpose of this fund, when it has been determined that the creation of an LID would be of benefit to the city, is to facilitate the creation of local improvement districts by the payment of the costs of the preliminary engineering and the preparation of the preliminary assessment roll. (Ord. 1443 § 2, 1989)~~

~~3.44.220 Multi-service center fund. Repealed.~~

~~There is created a new fund in the city accounting system to be known as the multi-service center fund. (Ord. 1053 § 1, 1978. Prior code § 1.22.250)~~

...

~~3.44.310 Miscellaneous grant fund. Repealed.~~

~~Created within the city's accounting structure is a new fund entitled "miscellaneous grant fund." The purpose of the fund will be to account for unique or one-time grants. (Ord. 2232 § 1, 2007)~~

~~3.44.320 136th Avenue LID/Valentine LID construction fund. Repealed.~~

~~Created within the city's accounting structure is a new **fund** entitled "136th Avenue LID/Valentine LID construction **fund**." The purpose of this **fund** is to account and report for the costs associated with the 136th Avenue LID and the Valentine Avenue LID. (Ord. 2416 § 1, 2012)~~

3.44.330 ARPA fund

~~Created within the City's accounting structure is a new special revenue fund entitled "ARPA Fund". The purpose of this fund is to account and report for the funds distributed to the City of Sumner under the American Rescue Plan Act of 2021.~~

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. 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 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:

APPROVED AS TO FORM:

City Clerk Michelle Converse, CMC

City Attorney Andrea Marquez

JULY 2021

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3
			MOVED TO 7/8 6:00PM Planning Commission (Virtual)		
5	6	7	8	9	10
CITY HALL CLOSED HOLIDAY OBSERVED	4:00 PM CANCELLED Public Works Committee (Virtual) 6:00PM CANCELLED Regular Council Meeting (Virtual)	5:30PM Finance Committee (Virtual)	4:30PM Forestry/Parks Commission (Virtual) 6:00PM Planning Commission (Virtual)		
12	13	14	15	16	17
6:00PM Study Session (Virtual)		6:30PM Design Commission (Virtual)			
19	20	21	22	23	24
6:00PM Regular Council Meeting (Virtual)		5:00PM Public Safety (Virtual) 6:30PM **Special Meeting** Design Commission (Virtual)	5:30PM Cultural Arts Commission (Virtual)		
26	27	28	29	30	31
6:00PM Study Session (Virtual)		5:00PM CD Committee (Virtual)			

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

Name: Michelle Converse, CMC

Title: City Clerk

City of Sumner
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Sumner, Washington 98390
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Website: **www.sumnerwa.gov**