



CITY COUNCIL MEETING AGENDA

City Hall – 1104 Maple Street

November 1, 2021 6:00 PM

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:

Please click the link below to join the webinar:

<https://sumnerwa-gov.zoom.us/j/81498749805>

Or One tap mobile : US: +12532158782,,81498749805# or +16699006833,,81498749805#

Or Telephone: 1 253 215 8782

Webinar ID: 814 9874 9805

CALL TO ORDER

Pledge of Allegiance

Invocation - Pam Osborne

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 October 18, 2021 and October 25, 2021, study session
2. Approval of checks and electronic payments in the amount of \$1,726,720.74.

PUBLIC HEARING

1. Resolution No. 1600 - Setting the 2022 Ad Valorem Property Tax

REGULAR BUSINESS

1. **Unfinished Business**
 - a. Ordinance No. 2801 - Vacating Public Right of Way to the Sumner-Bonney Lake School District
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**
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 October 18, 2021 and October 25, 2021, study session

CATEGORY: Consent

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Regular Council Meeting Minutes - October 18, 2021
2. Study Session Minutes - October 25, 2021

STAFF CONTACT:

SUMMARY BACKGROUND:

Minutes from the last two council meetings.

COUNCIL COMMITTEE/STUDY SESSION:

MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION: Committee Do-Pass

STAFF RECOMMENDATIONS/MOTION:

Approval of the minutes as written.

CITY OF SUMNER
Council Meeting
Minutes – October 18, 2021

The Covid-19 pandemic continues to impact the health and safety of our community. In an effort to be diligent, the city is continuing to conduct all public meetings virtually, using the ZOOM platform. Access information can be located on the city's website, and on each meeting agenda. As the pandemic evolves, and when it is safe to do so, we look forward to welcoming everyone back to City Hall for in-person and hybrid meetings in our newly renovated council chambers.

CALL TO ORDER

The Sumner City Council met in regular session at 6:00pm, with Mayor William L. Pugh presiding.

Staff present via electronic device: City Administrator Jason Wilson, City Attorney Andrea Marquez, Community Development Director Ryan Windish, Public Works Director Mike Dahlem, Administrative Services Director Jeff Steffens, Police Chief Brad Moericke, Deputy City Attorney Maili Barber, Human Resources Manager Adrienne McNeilly, Chief Financial Officer Kassandra Raymond, Development Services Director Doug Beagle, Assistant Planner Ann Siegenthaler, Community Development Manager Derek Barry and City Clerk Michelle Converse

Mayor and Councilmembers present via electronic device: Mayor Bill Pugh, Councilmembers Bitetto, Brown, Hamilton, Hayden and Hochstatter.

Councilmembers Neuman and Reed were absent.

MOVED BY , SECONDED BY TO EXCUSE COUNCILMEMBER NEUMAN. PASSED BY VOICE VOTE.

MOVED BY, SECONDED BY TO EXCUSE COUNCILMEMBER REED. PASSED BY VOICE VOTE.

CONSENT AGENDA

MOVED BY HAYDEN, SECONDED BY TO APPROVE THE CONSENT AGENDA CONSISTING OF:

1. Checks and electronic payments in the amount of \$1,429,189.04.
2. Minutes from the regular council meeting of October 4, 2021 and the October 11, 2021 study session.
3. 166th Avenue Widening Improvements – Design Agreement Supplement
4. Pierce County for Specialized Recreation Services Agreement
5. 2021-2023 Collective Bargaining Agreement Police Guild representing Commissioned Employees
6. Rainier View Covered Court – Consultant Design Contract

PUBLIC HEARING

Sumner High School Modernization Project Rights of Way Vacation

Mayor Pugh opened the Public Hearing at 6:06pm and called on City Attorney Andrea Marquez to address the council.

As part of the Sumner High School Modernization Project, the Sumner-Bonney Lake School District entered into a Development Agreement with the City. The Development Agreement required the SBLSD to petition to vacate four separate sections of right of way within the project footprint, and the City agreed to process the petition consistent with code and state law. On July 15, 2021, the SBLSD submitted the complete petition package. There are four sections of right of way proposed to be vacated: (1) the alley adjacent to Washington Street; (2) the Mason Street Alley; (3) The West Main Street Triangle ROW and (4) the East Main Street Triangle ROW. All are shown in blue on the site map attached. The City does not currently utilize or maintain these areas of right of way, however there are public utilities lying on or beneath three of the sections that the City will require easements for prior to the effective date of any future vacation. The City proposes vacating all requested right of way sections free of charge, in consideration of the fact that the City has not incurred costs related to acquisition or maintenance of the right of way areas. On September 20, 2021, Council passed Resolution 1595 setting tonight's public hearing, after which time staff published notice. Tonight's public hearing is in compliance with RCW 35.79.020 and is an opportunity to hear from the public regarding the School District's right of way petition.

In addition to tonight's public hearing, as of October 18, the following citizens contacted the City with comments:

1. Jerry, owner of 1423 Mason Street. He called to ask whether any of this impacted the north side of Mason Street, where he lives. It was explained that the ROW areas are not on the north part of Mason, except the Washington Street alleyway that is currently adjacent to the school property. He also shared that he does not want the school campus to continue to overtake the entire city. He was informed that his comments would be provided to the City Council.
2. Randy Hynek, owner of apartments on Washington Street. Expressed concern about school busses using the Washington Street Alley to exit from Mason Street to Washington Street. He is worried about diesel exhaust and motor noise. The planning and legal departments explained the fencing and landscape buffers are required as part of the project, and also explained that busses will be required to have their motors off while picking up and dropping off students along Mason Street. Mr Hynek was provided with the District's plans related to the bus route area.
3. Dan McClung, the owner of the Subway property immediately east of the high school property, called to question the easterly boundary of the East Main triangle ROW line. The survey drawings and legal description were provided, and the District followed up with the surveyor to work to better identify that easterly line for Mr. McClung. Mr. McLung also questioned why the proposal is to vacate the East Main Triangle solely to the District, and staff explained to Mr. McClung that the entirety of the ROW came originally from the school district's property, thus it is not vacated back 50/50 to abutting property owners.

With no additional comments from the public, the Public Hearing was closed at 6:12pm.

UNFINISHED BUSINESS

There was none tonight.

PUBLIC COMMENT

There was no public comment tonight.

NEW BUSINESS

Planning Commissioner Appointment – Sharon Fochtman

MOVED BY HAYDEN, SECONDED BY HAMILTON CONFIRM THE APPOINTMENT OF SHARON FOCHTMAN TO THE SUMNER PLANNING COMMISSION FOR A TERM BEGINNING IN NOVEMBER 2021 AND EXPIRING IN APRIL 2024.

Community Development Director Ryan Windish addressed the council.

The Sumner Planning Commission serves in an advisory capacity to the City Council. The Commission's main purpose is to assist in the implementation of the vision and policies in the Sumner Comprehensive Plan, including reviewing and making recommendations on various City plans, goals, and policies, and the Sumner Zoning Code and development regulations.

The Planning Commission currently has 5 members who are appointed by the Mayor and confirmed by the City Council. A majority of the members must be residents of the City of Sumner, while two members may be nonresidents who have a demonstrated interest in the City of Sumner. The members of the Planning Commission are to be selected without respect to political affiliations and shall serve without compensation. Members are appointed for 4-year terms.

Ms. Fochtman is a retired educator and business administrator and has lived in Sumner since 1985. She recognizes and appreciates the special character of Sumner's different neighborhoods. Ms. Fochtman has a keen interest in maintaining the quality of life in Sumner for all ages and, in particular, for seniors, as the community grows.

Ms. Fochtman addressed the council. She is very excited to be involved and can't wait to work with them to keep the community unique and special.

Councilmembers Hayden and Hamilton thanked Ms. Fochtman volunteering and certainly appreciate it.

PASSED BY ROLL CALL VOTE.

Forestry & Parks Commission Appointment – Marty Child

MOVED BY HAYDEN, SECONDED BY HAMILTON TO CONFIRM THE APPOINTMENT OF MARTY CHILD TO THE PARKS & FORESTRY COMMISSION FOR A TERM EXPIRING APRIL 30, 2025.

Community Development Manager Derek Barry addressed the council.

The Sumner Forestry & Parks Commission consists of up to twelve (12) members who are appointed by the Mayor and confirmed by the City Council. The members are to be selected without respect to political affiliations and shall serve a four-year (4) term without compensation.

He and his wife recently moved to Sumner to be closer to family. Marty has a background in landscape architecture and has helped design many parks and multiuse trails.

Deputy Mayor Hayden thanked Mr. Child. Councilmember Hochstatter asked about the expansion to the duties of the commission. Mr. Barry explained to Councilmember Hochstatter the commission has a varied background they will be able to take on additional items.

Mr. Child thanked the Council for this opportunity and is looking forward to it.

PASSED BY VOICE VOTE.

Ordinance No. 2796 – Updating the International Building Code and International Fire Code to 2018.

MOVED BY HAYDEN, SECONDED BY HAMILTON TO MOVE TO APPROVE ORDINANCE NO. 2796 AMENDING AND UPDATING THE INTERNATIONAL BUILDING AND INTERNATIONAL FIRE CODES TO THE 2018 EDITION FOR THE CITY OF SUMNER.

Community Development Director Ryan Windish addressed the Council.

Ordinance No. 2796 would adopt the latest version of the International Building and Fire Codes. The current codes are the 2015 editions. The ordinance before the Council tonight, Ordinance 2796, updates each code to the 2018 editions. Each of the codes is adopted by a separate section of Sumner Municipal Code as reflected in the ordinance.

The codes are crafted by the National Building Code Council, amended and adopted by the State Building Code Council and passed on to local jurisdictions for final adoption. The codes as handed down from the State Council are minimum standards. The Washington State Building Code Council adopted changes and updates in February 2021. Local governments may adopt more stringent, but cannot adopt lesser, standards.

The 2018 Updates are minor adjustments to the regulations with no broad reaching impacts to the building industry or business. Staff recommends that the City Council adopt all the amendments as approved by the State with no changes.

Discussion ensued.

PASSED BY VOICE VOTE.

Ordinance No. 2798 – Interchange Commercial Zone Regulations Update

MOVED BY HAYDEN, SECONDED BY HOCHSTATTER TO ADOPT ORDINANCE NO. 2798 - INTERCHANGE COMMERCIAL ZONE REGULATIONS UPDATE.

Associate Planner Ann Siegenthaler addressed the Council.

The proposal is for an update to the Zoning Code to allow: 1) limited automotive collision services in the Interchange Commercial (IC) and Industrial zones; and 2) boat sales as an outright permitted use in the IC zone, including performance standards to address potential impacts. If passed, the ordinance will expand allowable uses and business opportunities in the IC zone. No project is proposed at this time.

In June 2021, the City received a request from a property owner in the IC zone to allow these uses as outright permitted uses in the IC zone. The Planning Commission held a study session and a public hearing on the proposal, and recommended approval.

PASSED BY VOICE VOTE.

Ordinance No. 2797 – 2021/2022 Biennial Budget Amendment

MOVED BY BITETTO, SECONDED BY BROWN TO ADOPT ORDINANCE NO. 2797 AMENDING THE 2021/2022 BIENNIAL BUDGET.

Chief Financial Officer Kassandra Raymond addressed the Council.

Staff is presenting the 3rd quarter amendment to the 2021/2022 Biennial Budget for consideration. This amendment:

- Amends Fund 001 (General Fund) to recognize labor impacts of the bargained contract with the Police Guild;
- Amends Fund 001 (General Fund) to recognize increased reimbursable overtime in the Police Department, offsetting increased law enforcement service revenue;
- Amends Fund 440 (Metro Animal Services) to incorporate 2022 rate increases as well as increase staffing (reclassifying a part-time kennel technician to a full-time shelter assistant) to assist with coverage requirements;
- Amends Funds 550 (Information Technology), 001 (General Fund), and 402 (Sewer Fund) to increase a contract with StoneShare for SharePoint implementation;
- Amends Funds 550 (Information Technology) to recognize a Justice Assistance Grant for acquisition of police-related software, and increases the software expense appropriation;
- Amends Fund 402 (Sewer Fund) to recognize a grant from Puget Sound Energy and the related expenditures.

	Ord No. 2797	
	BA 10/18/2021	
	<i>Revenues</i>	<i>Expenditures</i>
General Fund	\$ 25,000	44,705
Reserve Funds	-	-
Special Revenue Funds	-	-
Debt Service Funds	-	-
Capital Funds	-	-
Utility Funds	9,644	24,975
Other Enterprise Funds	121,184	91,425
Internal Service Funds	48,600	48,600
Fiduciary Funds	-	-
	\$ 204,428	\$ 209,705

PASSED BY VOICE VOTE.

Ordinance No. 2799 – Amendment to the 2021 Compensation Schedule and Adoption of the 2022 Compensation Schedule.

MOVED BY HAYDEN, SECONDED BY HAMILTON TO APPROVE ORDINANCE 2799 AMENDING THE 2021 COMPENSATION SCHEDULE AND ADOPTING THE 2022 COMPENSATION SCHEDULE.

Administrative Services Director Jeff Steffens addressed the council.

The City has recently agreed to a Collective Bargaining Agreement with the Sumner Police Guild representing Commissioned Employees. The approval of this CBA requires two amendments to the 2021 Compensation schedule, one that is effective January 1st and a second amendment effective July 1st.

At the request of the Mayor, the City recently completed a Salary Study of its 53 Non-Represented employees. The City of Sumner is committed to providing fair and competitive compensation that will attract, motivate, reward, and retain highly qualified employees at all levels who will best carry out the City's mission, vision, and values. We believe that it is in the best interest of the City to compensate our workforce fairly for the value of the work provided, within our financial ability to do so. It is our intention to use a competitive system to determine the current market value of a position based on the skills, knowledge, and abilities required to complete the job with above average proficiency. This Salary Study included a comprehensive review of city job descriptions and compared our compensation to nine comparable cities in the local labor market. The key objectives of the study were Competitiveness, Internal Equity, Transparency and Compression. Our Compensation Philosophy was to align city salaries to approximately 95% of the average of top 3 highest salaries in comparable cities. The results of the study found that some positions in Sumner were well behind similar positions in our comparable cities. The recommended changes from this study are included in Exhibit C of this Ordinance with an effective date of November 1, 2021.

Sumner is also required to adopt an annual Compensation Schedule. This Ordinance will set the 2022 Salaries for represented employees in the Police Guild, for both Commissioned and Non/Special Commissioned bargaining groups, the International Union of Operating Engineers Local 302 as well as Sumner's Non-represented employees.

Discussion ensued.

PASSED BY VOICE VOTE 3-2.

YES - HAMILTON, BITETTO AND DEPUTY MAYOR HAYDEN

NO - HOCHSTATTER AND BROWN

Sumner Meadows Purchase and Sale Agreement Extension

MOVED BY HOCHSTATTER, SECONDED BY HAMILTON AUTHORIZE THE MAYOR TO EXECUTE AN EXTENSION TO THE NOVEMBER 13, 2018, PURCHASE AND SALE AGREEMENT BETWEEN THE CITY AND CSHV SUMNER MEADOWS, LLC SUBSTANTIALLY IN THE FORM AS ATTACHED, AND APPROVED BY THE CITY ATTORNEY.

City Attorney Andrea Marquez addressed council.

In September of 2018, the City entered into a Restated Purchase and Sale Agreement (PSA) with CSHV Sumner Meadows, LLC - the contract purchaser of the golf course. At that time, the property being sold was revised, as was the purchase price. The term of that PSA goes through May, 2022. Since entering into the PSA, there have been many delays that have been beyond the control of either the City or the Buyer. The Buyer requested an extension of the PSA, and the City staff agreed to recommend that Council authorize one final extension, for a term of 3 years. The extension contains a requirement that if the buyer is able to access and begin development on at least one full parcel, that it must close on the entire property early, granting back to the City and/or BNSF the right to use the other parcel if required as a condition of any issued Corp permit. The proposed extension also contains a clause requiring the buyer to coordinate

its development with the City's environmental team to ensure that the City's White River project to the south can obtain and comply with the zero rise standards set forth by code. The terms of the extension offer benefits to the City's project (both funding and design) and is appropriate given that the delays on the transaction closing have been beyond the control of the Buyer.

Don Marcy joined the meeting in case of additional questions.

Clarifying questions were asked.

PASSED BY VOICE VOTE.

COUNCIL REPORTS

Councilmember Hochstatter was a participant in the Sumner High School Homecoming parade and how much she enjoyed it. She thanked the Sumner Bonney Lake School District for sponsoring it.

Deputy Mayor Hayden also had a wonderful time at the parade, she ended her comments by reminding people to vote.

Councilmember Hamilton also enjoyed the parade, and it was followed by a great football game

Councilmember Brown remembered Leroy Goff also known as Mr. Sumner, wonderful man and will be missed.

Councilmember Bitetto was reminded the deed was signed for Sumner's YMCA was signed seven years ago. She also mentioned MultiCare will be at the YMCA on Monday administering COVID-19 shots. MultiCare is a great community partner.

CITY ADMINISTRATOR

City Administrator Jason Wilson updated council with the following:

Upcoming Policy Issues:

- Next Week's Study Session
 - 2022 Ad Valorem Property Tax Levy
- Next Regular Council Meeting on November 1st:
 - Public Hearing on the 2022 Ad Valorem Property Tax Levy
 - Ordinance Vacating ROW for Sumner Bonney Lake School District
 - Ordinance confirming the lodging tax expenditures
 - Resolution adopting the Main Street Visioning Plan

Personnel Issues:

- The city is currently recruiting for a Municipal Court Judge, Associate Engineer or Public Works Project Manager and Records Management Specialist.

Significant Development Activity:

- Sidewalk improvements: Visit our project page to see weekly updates on where the contractor will be working. This week work will continue on Kincaid and Cherry between Academy and Thompson Street as well as in the area of Maple Street and Wood Avenue.

Miscellaneous:

- Former Mayor and Councilmember Leroy Goff's memorial service will be held on Wednesday at 3pm at Calvary Community Church.

MAYOR REPORT

Mayor Pugh injured himself last week, he is healing but still in quite a bit of pain. He thanked all for their indulgence tonight.

EXECUTIVE SESSION

There was no Executive Session tonight.

ADJOURNMENT

With no further business before the Council, the Mayor adjourned the meeting at 7:11pm. Councilmembers concurred.

ATTEST:

William L. Pugh, Mayor

Michelle Converse, CMC City Clerk

SUMNER CITY COUNCIL
Minutes – Study Session
October 25, 2021

The Covid-19 pandemic continues to impact the health and safety of our community. In an effort to be diligent, the city is continuing to conduct all public meetings virtually, using the ZOOM platform. Access information can be located on the city's website, and on each meeting agenda. As the pandemic evolves, and when it is safe to do so, we look forward to welcoming everyone back to City Hall for in-person and hybrid meetings in our newly renovated council chambers.

The Sumner City Council met in study session at 6:000pm, with Mayor William Pugh presiding.

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

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

REGULAR BUSINESS

1. Setting the 2022 Ad Valorem Property Tax
2. Pandemic Response Update

CITY ADMINISTRATOR REPORT

AGENDA SETTING

EXECUTIVE SESSION

ADJOURNMENT

When there was no further business before the Council, the meeting adjourned at 7:18pm.

ATTEST:

City Clerk Michelle Converse, CMC

Mayor William L. Pugh

SUBJECT: Approval of checks and electronic payments in the amount of \$1,726,720.74.

CATEGORY: Consent

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Financials

STAFF CONTACT:

SUMMARY BACKGROUND:

Approval of checks and electronic payments.

COUNCIL COMMITTEE/STUDY SESSION:

MEETING/STUDY SESSION DATE: 10/26/2021

COMMITTEE RECOMMENDATION: Committee Do-Pass

STAFF RECOMMENDATIONS/MOTION:

Approve as stated.



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

The following check/electronic payments are approved for payment:

Accounts Payable Check #:	From: 26890	To: 26992	\$777,569.46 *
AP Electronic (EFTs) Payments:	From: 287	To: 290	\$205,181.50
AP Wire(s):	From: 15139	To: 15142	\$3,964.64
Payroll DD Numbers:	From: 49761	To: 49894, 4042	\$313,442.57
Payroll Check(s):	From: 46626	To: 46627	\$8,031.57
Payroll Wire(s):	From: 3458, 3982, 4034-4041,	To: 4043-4047	\$418,531.00
TOTAL			\$1,726,720.74

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

9A9D5E5EBAEC4A5...

Chief Financial Officer

10/26/2021 | 4:55 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 \$1,726,720.74 this 19th day of October 2021.

Chair

Date

Member

DocuSigned by:

Barbara Bitetto

74E2EC62EBD045C...

Member

Date

10/26/2021 | 8:32 PM PDT

Date

* Includes \$53.46 in Use Tax and (\$0.00) in Check Voids.

SUBJECT: Resolution No. 1600 - Setting the 2022 Ad Valorem Property Tax

CATEGORY: Public Hearings

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Public Hearing Property Tax Presentation
2. Resolution No 1600 - 2022 Ad Valorem Property Tax Levy

STAFF CONTACT: Cassandra Raymond, Chief Financial Officer

SUMMARY BACKGROUND:

RCW 84.55.120 mandates a public hearing on revenue sources for the upcoming year's budget, including consideration of any potential increases in property tax revenues. The hearing process provides Sumner residents with the opportunity to voice their opinions prior to the adoption of the property tax levy. The required hearing about the property tax levy is scheduled for November 1, 2021.

This public hearing presents a total levy of \$4,319,808, which includes a 2.5% increase over the prior year's collections as authorized by RCW, plus revenues resulting from new construction and improvements (\$102,724), and administrative refunds (\$513).

The 2021 levy rate of \$1.10 (rounded) per \$1,000 of assessed valuation was based on an overall City assessed valuation of \$3,731,166,761. Based on the 2021 preliminary certification from Pierce County for tax year 2022, the 2021 assessed valuation for 2022 taxes is estimated at \$4,280,857,384, resulting in a preliminary levy rate for tax year 2022 of \$1.01.

1. Of the effective levy rate, \$0.077087 per \$1,000 of assessed valuation shall be committed to leveraging funding opportunities (e.g. grants) for street/transportation projects, in an amount equal to \$330,000.
2. Of the effective levy rate, \$0.081759 per \$1,000 of assessed valuation, in an amount equal to \$350,000, shall be reserved for Council appropriation in a future biennial budget cycle.

The final setting of the 2022 levy will be determined by City Council, with a resolution scheduled for Council action on November 15, 2021.

COUNCIL COMMITTEE/STUDY SESSION: Finance & Personnel Committee 10/06/2021

Study Session 10/25/2021

MEETING/STUDY SESSION DATE: 10/25/2021

COMMITTEE RECOMMENDATION: Forward to public hearing

STAFF RECOMMENDATIONS/MOTION:

Conduct public hearing for the setting of the Tax Year 2022 Ad Valorem Property Tax Levy.



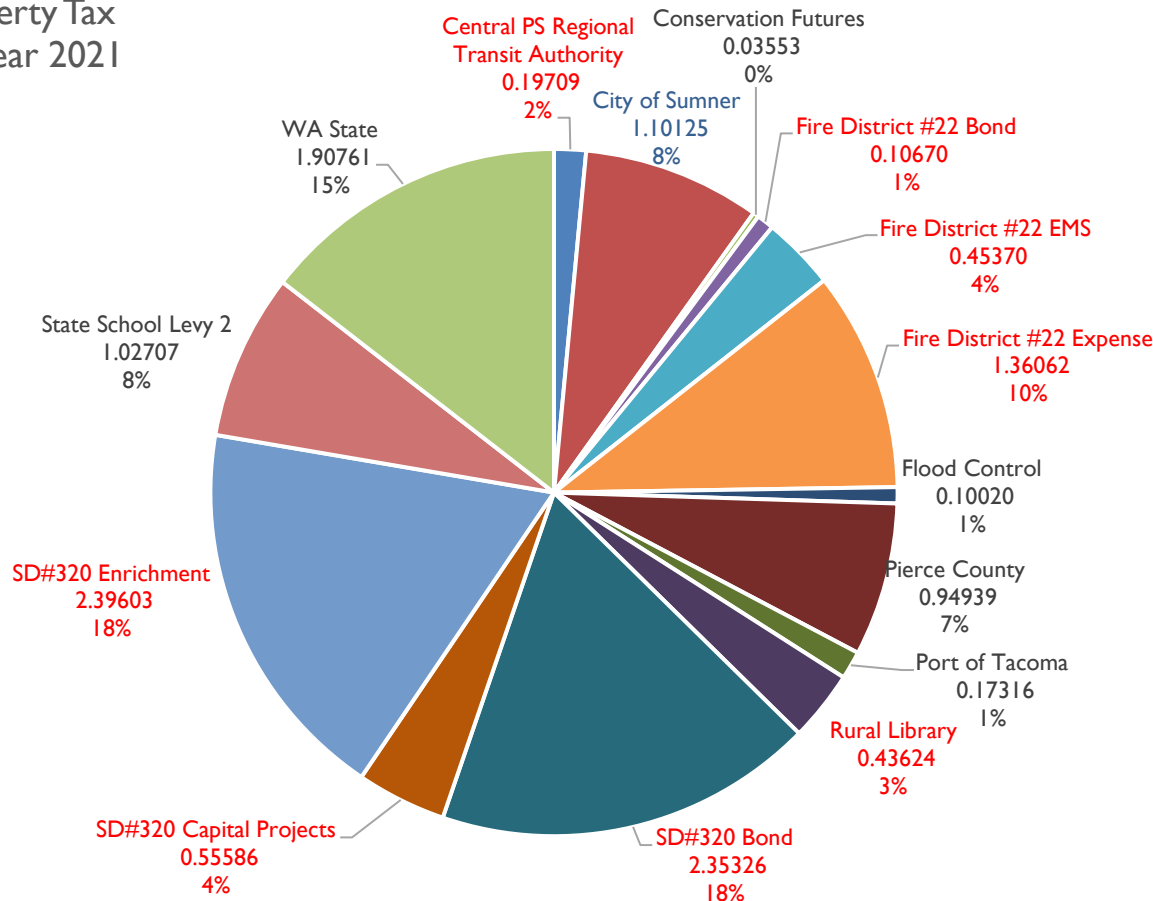
CITY OF
SUMNER
WASHINGTON

2022 Property Tax Levy

City Council
November 1, 2021

About Property Taxes

Property Tax
Tax Year 2021



Property tax is the 2nd largest revenue source in the General Fund;

The City receives 8% of Sumner's overall property tax assessment.

- SBLSD = 48%
- EPFR = 15%

Distributions in red font are voter approved

Property Tax Levy



For 2022, the proposed levy includes a 2.5% increase in property tax collections, plus the value of new construction and improvements

Based on the Pierce County Assessor's preliminary certification, proposed levy rate for tax year 2022 is

\$1.0091

2020 Levy Rate \$1.1013

2021 Levy	\$4,108,955
+ 2.5% increase	\$102,724
+ Additional revenue from NC&I*	\$107,616
+ Additional revenue from administrative refunds	\$513
Total 2021 Levy	\$4,319,808

**Based on Pierce County's preliminary values. Final values will be released in late November and may update this number.*

TY 2022 Property Tax Levy



Levy Amount	Purpose
General Fund	\$3,639,808
City Council Strategic Reserve	\$350,000
Street Operations & Capital	\$330,000
Total	\$4,319,808

Average Homeowner Impact



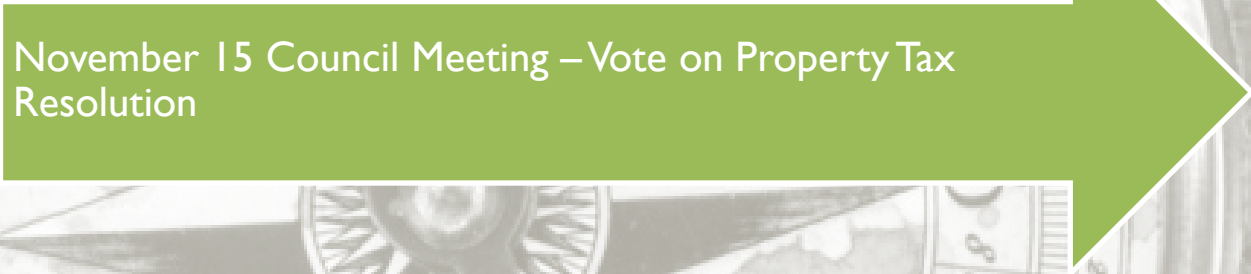
Tax Year	Assessed Valuation	Levy Rate*	Levy Amount
2021	\$376,024	\$1.1012	\$414.10
2022 @ 2.5%	\$439,404	\$1.0091	\$443.40
Change	+\$63,380	-(0.0922)/\$1,000	\$29.30/year \$2.44/month

* Rounded. City portion of property taxes, based on average single family residential assessed values provided by Pierce County, including inflation.

Next Steps



November 1 Council Meeting – Public Hearing on Property Tax



November 15 Council Meeting – Vote on Property Tax Resolution

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, RELATING TO AD VALOREM PROPERTY TAXES; ESTABLISHING THE AMOUNT TO BE COLLECTED IN 2022 BY TAXATION ON THE ASSESSED VALUATION OF THE PROPERTY OF THE CITY; AND SETTING THE LEVY FOR THE YEAR 2022.

WHEREAS, the Sumner City Council attests that the City of Sumner population is 10,500; and

WHEREAS, the Sumner City Council has properly given notice of the public hearing held November 1, 2021, to consider the City of Sumner's ad valorem property tax for the 2022 budget, pursuant to RCW 84.55.120; and

WHEREAS, the City of Sumner's highest lawful levy is \$4,606,892.17 with the actual levy amount from the previous year being \$4,108,955; and

WHEREAS, the City Council, after conducting the required public hearing and after duly considering all relevant evidence and testimony presented, determined that the City of Sumner requires a regular levy of \$4,319,808, which includes an increase in property tax revenue from the previous year, amounts resulting from the addition of new construction and improvements to property, administrative refunds, and an increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made; and

WHEREAS, the City Council is hereby establishing a policy that approximately \$0.077087/\$1,000 of this property tax levy, for a dollar amount equal to amount established in the 2021 property tax levy, shall be used only for street improvements and further directs staff to establish a committed reserve account in the appropriate fund to segregate these funds from any other general fund dollars and that these funds are restricted from any other purpose without city council approval; and

WHEREAS, the City Council hereby establishing a policy that approximately \$0.081759/\$1,000 of this property tax levy, for a dollar amount equal to \$350,000, shall be reserved for Council appropriation in a future biennial budget cycle, and further directs staff to establish a committed reserve account in the appropriate fund to segregate these funds from any other general fund dollars and that these funds are restricted from any other purpose without city council approval; and

WHEREAS, the Sumner City Council finds that to best protect the public health, safety, and welfare, to best protect the City's future property tax levy capacity, to best serve the citizens of Sumner by maintaining an appropriate level of service throughout the City, to appropriately discharge the City's expected expenditures and obligations, and to best serve the citizens of Sumner through a continued commitment throughout the city, substantial needs exists to increase its tax levy authority over last year.

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

Section 1. Property Tax Levy. The City Council adopts the substantial need findings above, and further finds that in light of substantial increases in costs to maintain and operate basic infrastructure, including streets, realized and anticipated loss of state shared revenues, as well as inflationary impacts on the cost

to provide essential public safety services, parks and recreation programs, information technology, planning, building services, and administration services, the City Council finds that there is in fact a substantial need for additional revenue, great enough to justify an increase in property taxes.

The legally maximum authorized levy is \$4,606,892.17. The required regular property tax levy needed by the City of Sumner of \$4,319,808 is hereby authorized for the levy to be collected in the 2022 tax year. The dollar amount of the increase of the actual levy amount from the previous year is \$102,724. This is a 2.5% increase from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, any increase in the value of state assessed property, any annexations that have occurred and refunds made.

Section 2. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

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 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 4. This resolution shall become effective immediately upon adoption.

Passed by the City Council and approved by the Mayor of the City of Sumner, Washington, at a regular meeting thereof this 15th day of November, 2021.

Mayor William L. Pugh

ATTEST:

APPROVED AS TO FORM:

City Clerk Michelle Converse, CMC

City Attorney Andrea Marquez

SUBJECT: Ordinance No. 2801 - Vacating Public Right of Way to the Sumner-Bonney Lake School District

CATEGORY: Ordinance

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Ordinance No. 2801 - Vacating Right-of-Way to Sumner Bonney Lake School District & Exhibits

STAFF CONTACT: Andrea Marquez, City Attorney

SUMMARY BACKGROUND:

As part of the Sumner High School Modernization Project, the Sumner-Bonney Lake School District entered into a Development Agreement with the City. The Development Agreement required the SBLSD to petition to vacate four separate sections of right of way within the project footprint, and the City agreed to process the petition consistent with code and state law. On July 15, 2021, the SBLSD submitted the complete petition package. There are four sections of right of way proposed to be vacated: (1) the alley adjacent to Washington Street; (2) the Mason Street Alley; (3) The West Main Street Triangle ROW and (4) the East Main Street Triangle ROW. All are shown in blue on the site map attached. The City does not currently utilize or maintain these areas of right of way, however there are public utilities lying on or beneath three of the sections that the City will require easements for prior to the effective date of any future vacation. The City proposes vacating all requested right of way sections free of charge, in consideration of the fact that the City has not incurred costs related to acquisition or maintenance of the right of way areas. On September 20, 2021, Council passed Resolution 1595 setting a public hearing for October 18, 2021 in compliance with RCW 35.79.020. Before Council tonight is Ordinance 2801 vacating the four sections of right of way to the Sumner Bonney Lake School District.

COUNCIL COMMITTEE/STUDY SESSION: Discussed at regular council meeting dated September 20, 2021 and public hearing held at regular council meeting dated October 18, 2021.

MEETING/STUDY SESSION DATE: 10/18/2021

COMMITTEE RECOMMENDATION: Committee Do-Pass

STAFF RECOMMENDATIONS/MOTION:

Adopt Ordinance No. 2801 - vacating four sections of right of way adjacent to the Sumner High School property owned by the Sumner-Bonney Lake School District on the terms and conditions outlined in the attached ordinance.

ORDINANCE NO. 2801

CITY OF SUMNER, WASHINGTON

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, VACATING PORTIONS OF THE PUBLIC RIGHT OF WAY ABUTTING THE SUMNER HIGH SCHOOL CAMPUS, IN THE CITY OF SUMNER, WASHINGTON, AS MORE PARTICULARLY SET FORTH HEREIN.

WHEREAS, on July 15, 2021, the Sumner-Bonney Lake School District (“District”), submitted a petition to vacate portions of the public right of way abutting the Sumner High School campus properties, namely: (1) the Alley adjacent to Washington Street; (2) the Mason Street Alley; (3) the West Main Triangle; and (4) the East Main Triangle in the City of Sumner, Washington, as more particularly described and depicted on the attached Exhibit A, hereinafter collectively referred to as the “Right of Way;” and

WHEREAS, the District represents the ownership of more than two-thirds of all the property abutting the Right of Way to be vacated; and

WHEREAS, no portion of the Right of Way abuts a body of fresh or salt water as contemplated under RCW 35.79.035; and

WHEREAS, the Right of Way consists of the following square footages and conditions: (1) Washington Street Alley – 4,807 square feet of unimproved alleyway; (2) Mason Street Alley – 2,152 square feet of paved alleyway; (3) West Main Triangle – 6,492 square feet of unimproved property adjacent to Main Street; and (4) East Main Triangle – 4,863 square feet of unimproved property adjacent to Main Street; and

WHEREAS, by deed dated April 17, 1967, the District dedicated the entirety of the Washington Street Alley to the City of Sumner, but the City has not used or maintained the alleyway, nor was it ever opened for public right of way purposes; and

WHEREAS, in the 1800s, the entirety of the Mason Street Alley was dedicated to the City as part of the Henton’s Addition Plat, and has remained substantially unimproved serving parcels now owned by the District; and

WHEREAS, the West Main Triangle is located along the north side of Main Street between Meade Avenue and Meeker Avenue, has never been opened by the City for public right of way purposes, is currently maintained by the District exclusively, and solely abuts the District property; and

WHEREAS, the East Main Triangle is located along the north side of Main Street between Lewis Avenue and Valley Avenue (west of the current Subway entrance), has never been opened by the City for public right of way purposes, is currently maintained by the District exclusively, and solely abuts the District property; and

WHEREAS, the City has no further need or use of the Right of Way, and the highest and best use of this Right of Way would be a use in support of and in conjunction with the use of the District Property; and

WHEREAS, on September 20, 2021, the Sumner City Council adopted Resolution No. 1595 affixing October 18, 2021, at the hour of 6:00 pm, at Sumner City Hall, 1104 Maple Street, Sumner, Washington, as the time and place for a public hearing on the petition to vacate pursuant to RCW 37.79.030, with access to said public hearing being available by ZOOM, instructions for attendance being published on the City's website; and

WHEREAS, pursuant to RCW 35.79.020, notices of the time and place of the hearing were properly given; and

WHEREAS, at the time and place fixed, the public hearing did occur with no one testifying at the public hearing, and all steps and proceedings required by law and by resolution of the City Council have been duly taken and carried out; and

WHEREAS, vacation of the Right of Way is in the public interest, as it may be utilized by the District in the course of the Sumner High School Master Plan Project.

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

Section 1. Findings. That the Right of Way described in Exhibit A, which is attached and made part hereof, is hereby vacated to the Sumner-Bonney Lake School District.

Section 2. Surrender. The Right of Way so vacated, is hereby surrendered and attached to the immediately abutting property owned in fee by the District, and all right or title of the City and of the public, in and to the Right of Way so vacated, shall and does hereby vest in the District as the abutting property owner as provided by RCW 35.79.040 with respect to the Mason Street Alley, the West Main Triangle, and the East Main Triangle, and as provided by SMC 12.80.070 with respect to the Washington Street Alley. The City has not incurred expense in acquiring or maintaining the Right of Way, and therefore the City Council finds that it is reasonable and appropriate to vacate it to the Sumner-Bonney Lake School District without compensation therefore.

Section 3. Effective Date of Vacation. That the Right of Way vacation shall not be effective until the execution and recording by the District of access and utility easements to the City associated with the Washington Street Alley, the Mason Street Alley, and the East Main Triangle to account for the public utility infrastructure currently existing beneath the Right of Way areas. With respect to the West Main Triangle, there being no existing public utilities therein, the Right of Way vacation shall be effective immediately upon recordation and publication of this Ordinance, in accordance with 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.

Passed by the City Council and approved by the Mayor of the City of Sumner, Washington, at a regular meeting thereof on the 1st day of November, 2021.

Mayor William L. Pugh

Attest:

Michelle Converse, City Clerk

Approved as to form:

Andrea Marquez, City Attorney

EXHIBIT A
RIGHT OF WAY LEGAL DESCRIPTIONS AND DEPICTIONS

Washington St. Alley
RIGHT OF WAY VACATION

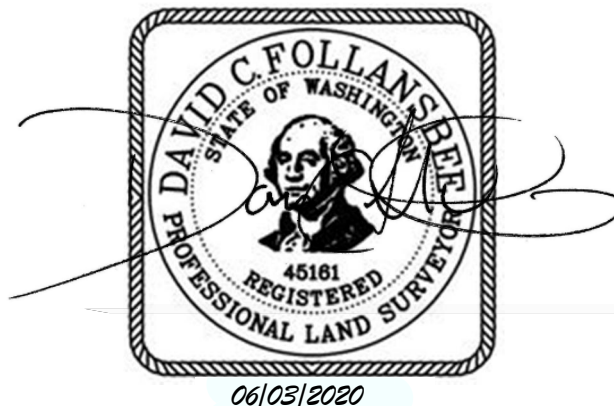
A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, CITY OF SUMNER, STATE OF WASHINGTON DEEDED TO THE CITY OF SUMNER UNDER AUDITOR'S FILE NUMBER 2185617 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 30 FEET SOUTH AND 359 FEET EAST OF THE INTERSECTION OF THE CENTER LINE OF MASON STREET AND THE EAST LINE OF THE WILLIAM KINCAID DONATION LAND CLAIM ; THENCE NORTH 30.00 FEET; THENCE EAST 27.84 FEET; THENCE NORTH 273.20 FEET; THENCE EAST 20.00 FEET; THENCE SOUTH 303.20 FEET; THENCE WEST 47.84 FEET TO THE POINT OF BEGINNING.

EXCEPT ANY PORTION THEREOF LYING WITHIN WASHINGTON STREET.

AND EXCEPT ANY PORTION THEREOF LYING SOUTHERLY OF THE ARC OF A 46.00 FOOT RADIUS CURVE HAVING A RADIUS POINT WHICH IS 11.93 FEET SOUTH AND 385.26 FEET EAST OF THE INTERSECTION OF THE CENTER LINE OF MASON STREET AND THE EAST LINE OF THE WILLIAM KINCAID DONATION LAND CLAIM.

CONTAINING 4,807 SQUARE FEET MORE OR LESS.



WASHINGTON STREET



HATCHED AREA
4,807 SF

AREA DEEDED TO CITY OF
SUMNER VIA QUIT CLAIM
DEED AFN 2185617

PARCEL J
AFN 9511090682
APN 0420244205

APN 0420244195

APN 0420244194



06/03/2020

POINT IS 11.93 FEET SOUTH
AND 385.26 FEET EAST OF THE
INTERSECTION OF THE CENTER
LINE OF MASON STREET AND
THE EAST LINE OF THE WILLIAM
KINCAID DONATION LAND CLAIM

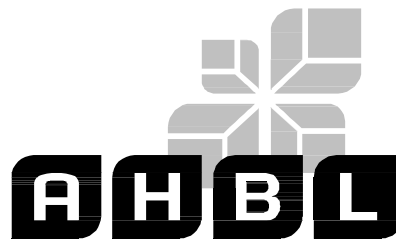
POINT IS 30 FEET SOUTH AND
359 FEET EAST OF THE
INTERSECTION OF THE CENTER
LINE OF MASON STREET AND
THE EAST LINE OF THE WILLIAM
KINCAID DONATION LAND CLAIM

MASON STREET

30'
30'

11.93'
R=46.00'

JOB NO. 2160253.50
May 20, 2020
RIGHT OF WAY VACATION
LEGAL BY: TD EXHIBIT BY: TD
w:\sdsproj\2016\2160253\alley exhibit.dwg



2215 North 30th Street,
Suite 300,
Tacoma, WA 98403
253.383.2422 TEL
253.383.2572 FAX

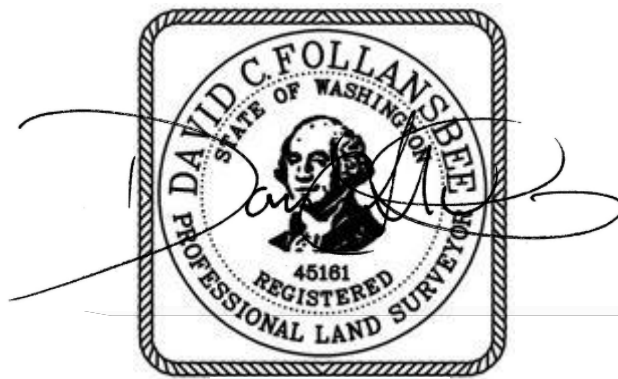
THIS EXHIBIT HAS BEEN PREPARED TO ASSIST IN THE INTERPRETATION
OF THE ACCOMPANYING LEGAL DESCRIPTION. IF THERE IS A CONFLICT
BETWEEN THE WRITTEN LEGAL DESCRIPTION AND THIS SKETCH, THE
LEGAL DESCRIPTION SHALL PREVAIL.

MASON STREET ALLEY

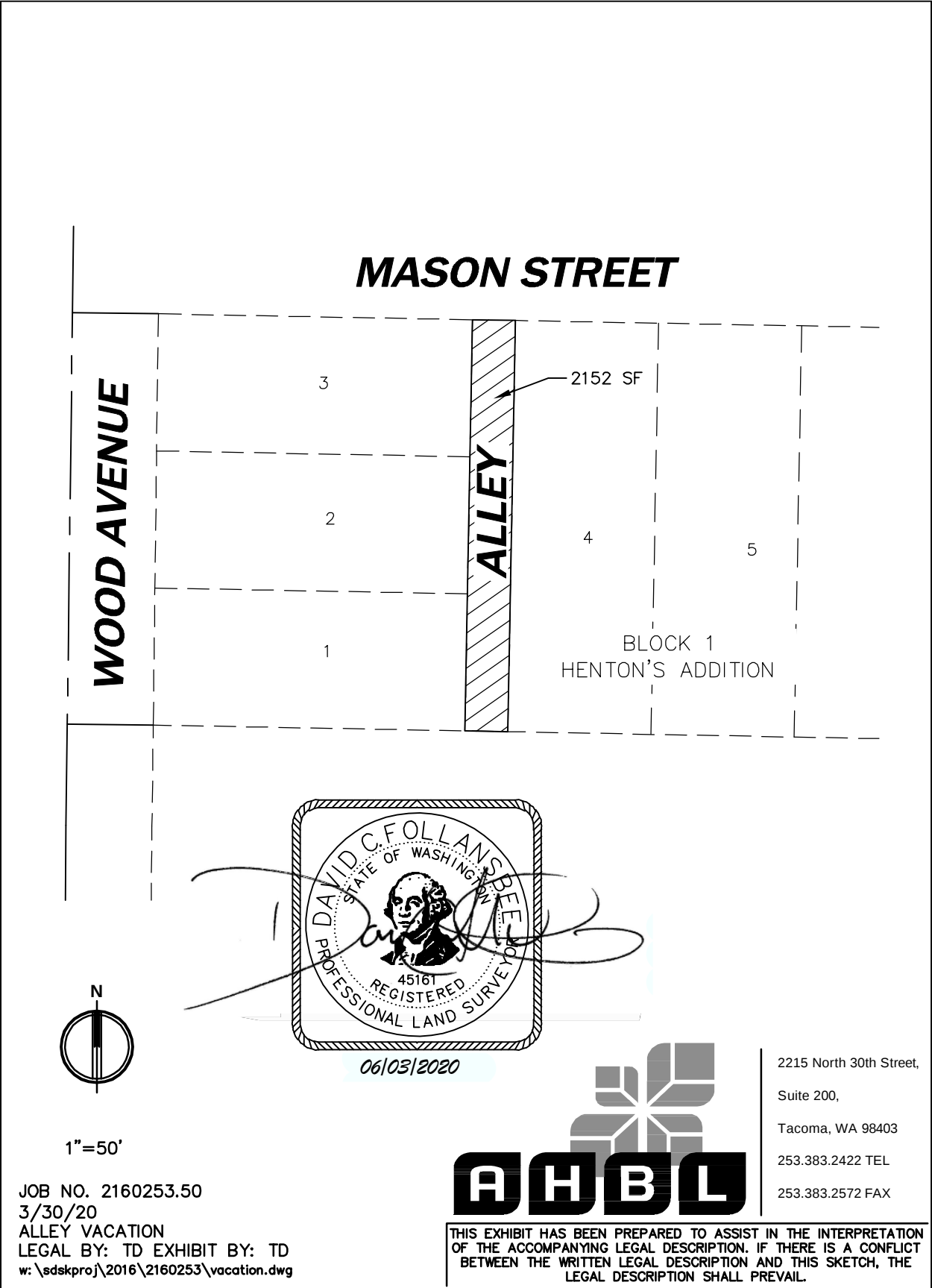
HENTON'S ADDITON ALLEY VACATION

THE 15.00 FOOT ALLEY LYING WESTERLY OF THE WEST LINE OF LOT 4, BLOCK 1, AND EASTERLY OF THE EAST LINES OF LOTS 1 THROUGH 3, BLOCK 1, HENTON'S ADDITION TO THE TOWN OF SUMNER, PIERCE COUNTY, W.T., ACCORDING TO THE PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 79, IN PIERCE COUNTY, WASHINGTON, AND LYING SOUTHERLY OF THE SOUTH MARGIN OF MASON STREET.

SITUATE IN THE COUNTY OF PIERCE, STATE OF WASHINGTON.



06/03/2020



WEST MAIN TRIANGULAR AREA

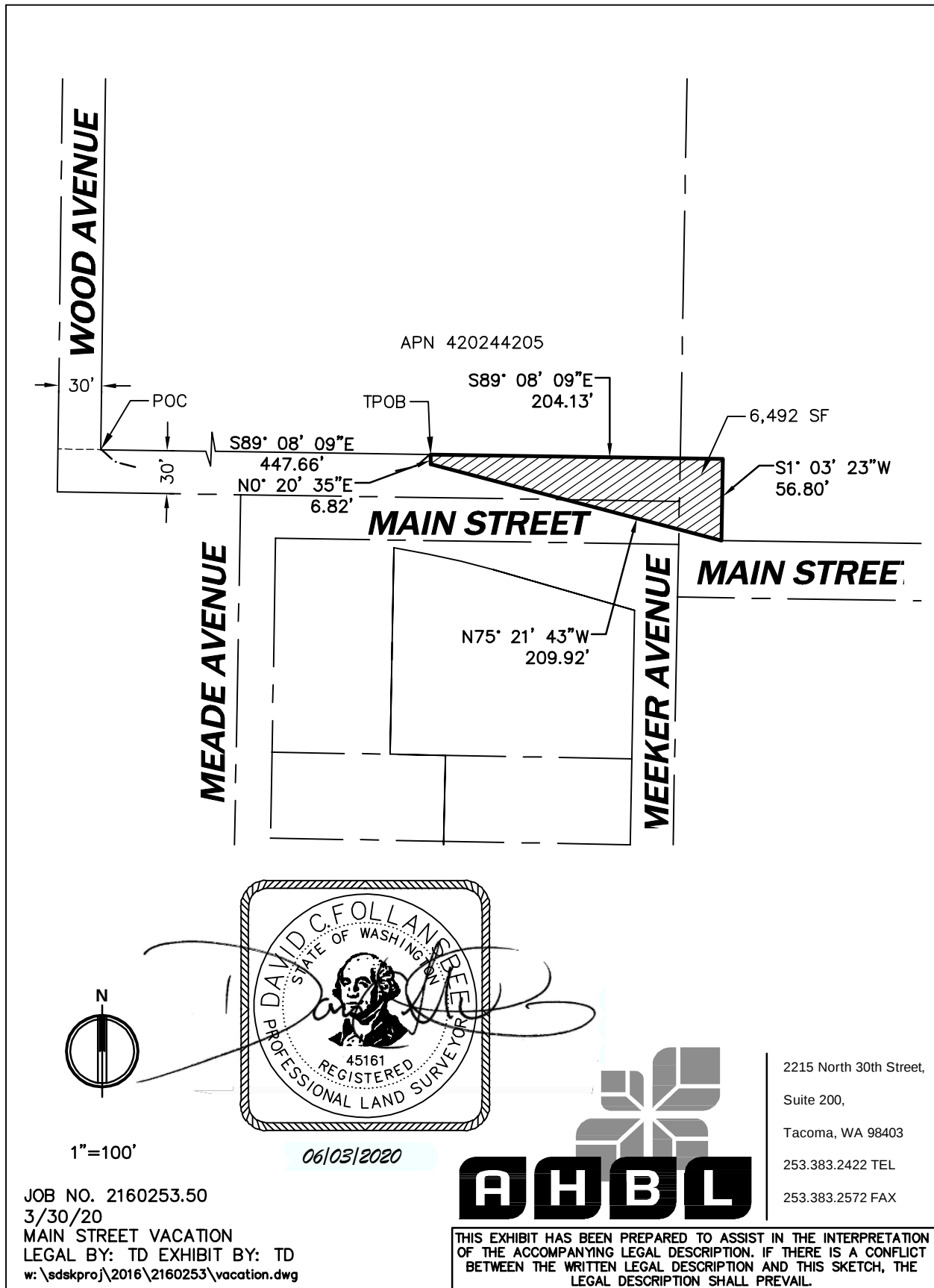
MAIN STREET VACATION

THAT PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 20 NORTH, RANGE 04 EAST OF THE WILLAMETTE MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 30.00 FEET NORTHERLY AND 30.00 FEET EASTERLY OF THE CENTERLINE INTERSECTION OF WOOD AVENUE WITH MAIN STREET; THENCE SOUTH $89^{\circ}08'09''$ EAST ALONG THE NORTHERLY MARGIN OF MAIN STREET A DISTANCE OF 447.66 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH $89^{\circ}08'09''$ EAST ALONG SAID NORTHERLY MARGIN A DISTANCE OF 204.13 FEET TO AN ANGLE POINT IN SAID NORTHERLY MARGIN; THENCE SOUTH $01^{\circ}03'23''$ WEST ALONG SAID NORTHERLY MARGIN A DISTANCE OF 56.80 FEET TO AN ANGLE POINT IN SAID NORTHERLY MARGIN; THENCE LEAVING SAID NORTHERLY MARGIN, NORTH $75^{\circ}21'43''$ WEST A DISTANCE OF 209.92 FEET; THENCE NORTH $00^{\circ}20'35''$ EAST A DISTANCE OF 6.82 FEET TO THE POINT OF BEGINNING AND THE END OF THIS DESCRIPTION.

CONTAINING 6,492 SQUARE FEET MORE OR LESS.



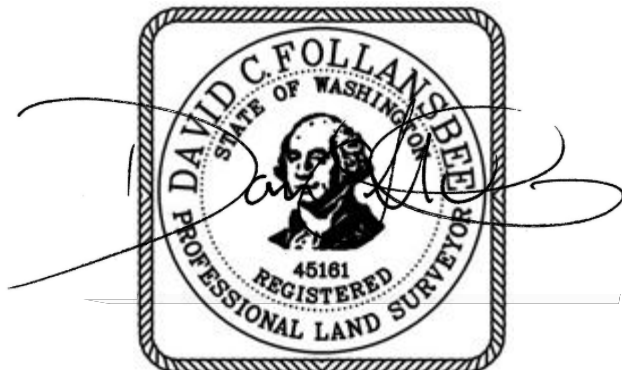


East Main Street Triangular Area
ROW Vacation

THAT PORTION OF MAIN STREET RIGHT-OF-WAY LYING WITHIN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 20 NORTH, RANGE 4 EAST WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON; THAT PORTION BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF REVISED PARCEL "A" OF A BOUNDARY LINE ADJUSTMENT, RECORDED AT RECORDING NUMBER 9511090682, RECORDS OF PIERCE COUNTY, WASHINGTON; THENCE ALONG THE WEST LINE OF SAID PARCEL "A" EXTENDED, SOUTH 00°51'22" WEST, 39.17 FEET; THENCE LEAVING SAID WEST LINE EXTENDED, NORTH 74°23'34" WEST, 8.41 FEET; THENCE NORTH 86°30'12" WEST, 10.42 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, THE RADIUS OF WHICH BEARS SOUTH 18°59'12" WEST, 799.12 FEET; THENCE NORTHWEST ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°12'22", AN ARC LENGTH OF 156.29 FEET (CHORD BEARING NORTH 76°36'59" WEST, 156.05 FEET); THENCE NORTH 80°40'20" WEST, 26.16 FEET; THENCE NORTH 76°37'45" WEST, 39.53 FEET; THENCE NORTH 33°19'37" EAST, 5.05 FEET MORE OR LESS TO THE NORTH RIGHT-OF-WAY MARGIN OF MAIN STREET PURSUANT TO A STATUTORY WARRANTY DEED, RECORDED AT RECORDING NUMBER 9403110330, RECORDS OF SAID COUNTY; THENCE ALONG SAID NORTH MARGIN, SOUTH 89°07'31" EAST, 124.35 FEET; THENCE SOUTH 00°51'22" WEST, 13.94 FEET MORE OR LESS TO THE SOUTH LINE REVISED PARCEL "J" OF SAID BOUNDARY LINE ADJUSTMENT; THENCE ALONG SAID SOUTH LINE, SOUTH 89°08'38" EAST, 108.27 FEET TO THE POINT OF BEGINNING.

CONTAINING 4863 SQUARE FEET, OR 0.11 ACRES MORE OR LESS.



11/17/2020

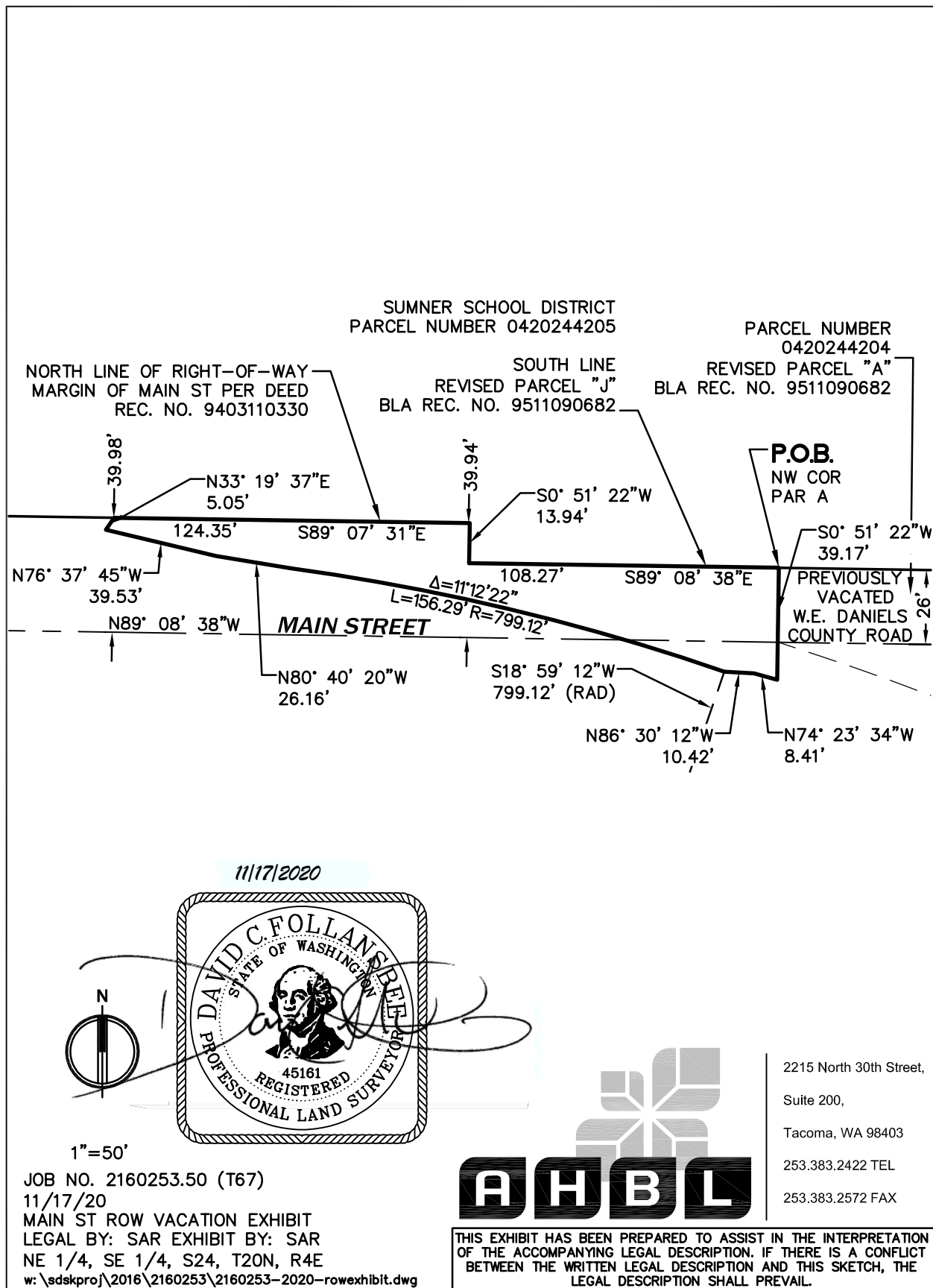
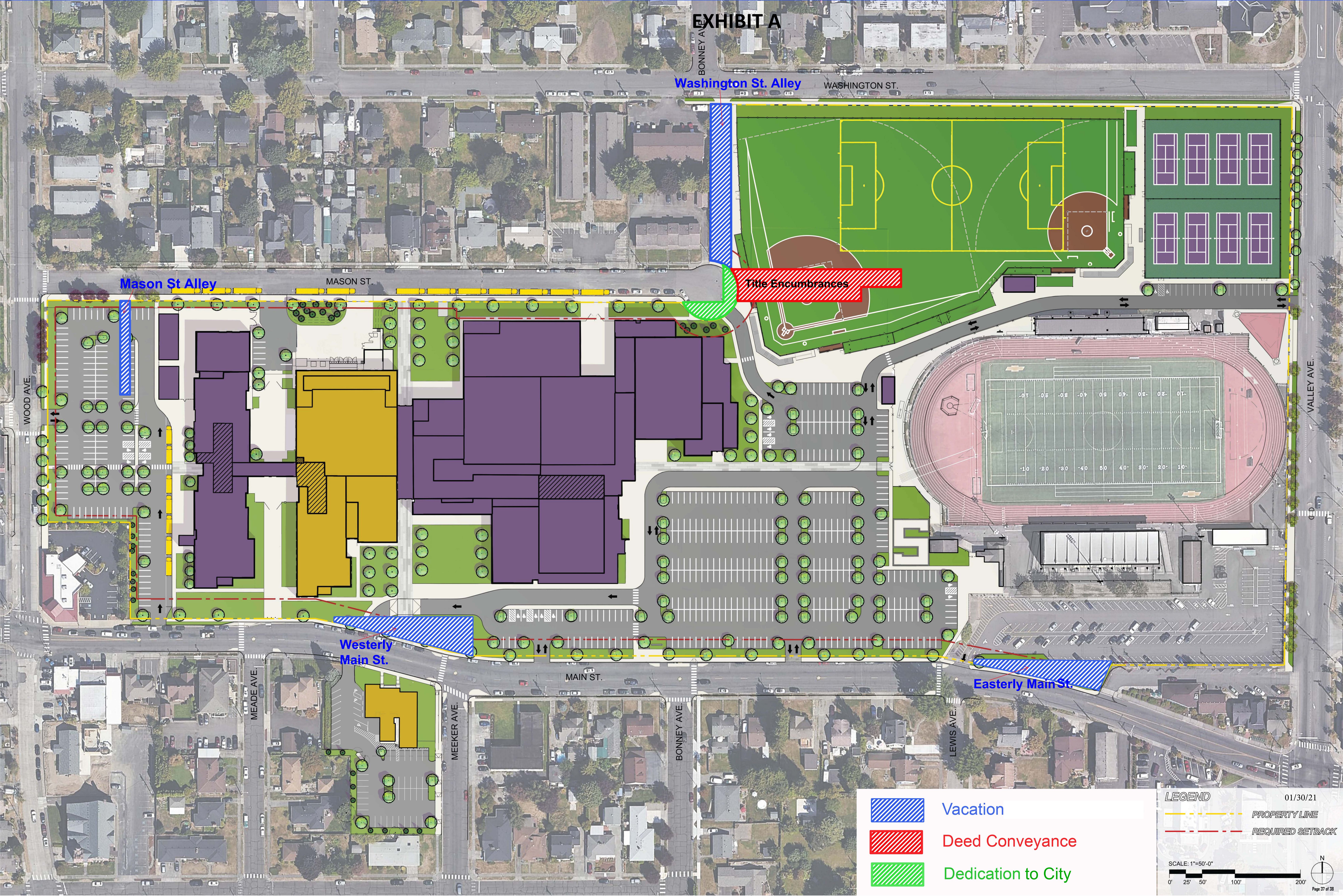
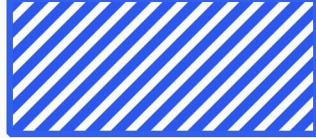


EXHIBIT A



-  Vacation
-  Deed Conveyance
-  Dedication to City

LEGEND

01/30/21

PROPERTY LINE

REQUIRED SETBACK

SCALE: 1"=50'-0"

0' 25' 50' 100' 200'

N

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NOVEMBER 2021

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6
6:00PM Regular Council Meeting (Virtual)	4:00PM Public Works Committee (Virtual) 6:00PM American Rescue Plan Act Committee	5:30PM Finance Committee (Virtual)	6:00PM Planning Commission (Virtual)		
8	9	10	11	12	13
6:00PM Study Session (Virtual)		6:30PM Design Commission (Virtual)	HOLIDAY – CITY HALL CLOSED 4:30PM Forestry/Parks Commission (Virtual)		
15	16	17	18	19	20
6:00PM Regular Council Meeting (Virtual)		5:00PM Public Safety (Virtual)			
22	23	24	25	26	27
6:00PM Study Session (Virtual)		5:00PM CD Committee (Virtual)	5:30PM Arts Commis (Virtual)	HOLIDAY – CITY HALL CLOSED	
29	30				

*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
1104 Maple Street
Sumner, Washington 98390
Ph: (253) 299-5590 Fax: (253) 299-5509
Website: **www.sumnerwa.gov**