

**LYNDEN CITY COUNCIL
LYNDEN CITY HALL ANNEX
(205 4th Street)
REGULAR SESSION**

**7:00 P.M.
APRIL 20, 2009
AGENDA**

- I CALL TO ORDER**
 - PLEDGE OF ALLEGIANCE**
 - ROLL CALL**
 - APPROVAL OF MINUTES**
 - ITEMS FROM THE AUDIENCE**
 - A. SCHEDULED

 - B. UNSCHEDULED (20 Minutes)
During this portion of the meeting, audience members may address the Council on any issue other than those scheduled for a public hearing or those on which the public hearing has been closed. For the record, prior to commenting please state your name, address, and topic. Please keep comments under 4 minutes.

- II CONSENT AGENDA**
 - A. APPROVAL OF CLAIMS

 - B. REQUEST TO USE CAPITAL RESERVE FUNDS FOR NEW LAWN MOWER

- III PUBLIC HEARING**
 - A. STORMWATER UTILITY RATES

 - B. STORMWATER UTILITY FACILITY CAPITAL IMPROVEMENTS

- IV UNFINISHED BUSINESS**
 - A. RESOLUTION NO. 800 AMENDING RESOLUTION NO. 787 REGARDING SEWER GENERAL FACILITY CHARGES

 - B. RESOLUTION NO. 801 AMENDING RESOLUTION NO. 788 REGARDING SEWER RATES

 - C. RESOLUTION NO. 802 AMENDING RESOLUTION NO. 789 REGARDING WATER GENERAL FACILITY CHARGES

 - D. RESOLUTION NO. 803 AMENDING RESOLUTION NO. 790 REGARDING WATER RATES

- V NEW BUSINESS**
 - A. INTRODUCTION OF A 2009 BUDGET AMENDMENT

 - B. INTRODUCTION OF MUSEUM DONATION CONFIRMATION AND SET A PUBLIC COMMENT DATE

- VI EXECUTIVE SESSION**

- VII ADJOURNMENT**

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: April 20, 2009

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| AGENDA ITEM: Request to use capital reserve funds for new lawn mower | | AGENDA SECTION: Consent Agenda |
| PREPARED BY: Vern Meenderinck Parks Director | COUNCIL REVIEW: <input type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input checked="" type="checkbox"/> Parks <input type="checkbox"/> Public Works <input type="checkbox"/> Comm Dev. <input type="checkbox"/> Not Reviewed | AGENDA NO.: II-B |
| ATTACHMENTS: | LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Needed | APPROVED BY: |

The Parks Department is requesting authorization to expend funds from the Parks Capital Reserve fund for the purchase of a new riding mower w/bagging capabilities. This purchase will allow Parks Department staff improve maintenance of properties downtown and it will be utilized for the large area around the new City Hall that we will be responsible for maintaining.

Current equipment for Parks is either not large enough to do the job efficiently, or does not have bagging capabilities. In order to maintain the high quality of maintenance and lawn care that has come to be expected of city facilities, and also to minimize the manhours needed to complete the tasks, a larger mower is needed in the department. An added benefit to purchasing a new mower is the ability to purchase additional attachments such as snow blowers, plows, and brooms which will enhance our snow removal and trail maintenance capabilities.

Cost of a diesel mower tractor, with a 48" or 54" deck, including the bagging attachments can vary from \$7,000 to \$14,000.

The Parks Committee has reviewed this request and recommends the purchase of a new mower with bagger.

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| RECOMMENDED ACTION: That the Parks Department staff be authorized to expend up to \$12,000 from the Parks Capital Reserve Fund for the purchase of a diesel powered tractor with mowing deck and bagger. |
| COUNCIL ACTION: |

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: April 20th, 2009

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|---|--|---|
| AGENDA ITEM: Public Hearing – Resolution No. 798 Storm Water Utility Rates | | AGENDA SECTION: Public Hearing |
| PREPARED BY: Laura Burford, Administrative Office Manager, Public Works Dept. | COUNCIL REVIEW: <input type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Comm Dev. <input type="checkbox"/> Not Reviewed | AGENDA NO.: III-A |
| ATTACHMENTS: Resolution No. 798 | LEGAL REVIEW COMPLETED: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Needed <input type="checkbox"/> Not Needed | APPROVED BY: |

Resolution No. 798, Storm Water Utility Rates, is a follow up to the recent City Council approval of the Storm Water Management System Ordinance No. 1350. The attached resolution describes the various customer categories and associated fees. It should be noted that the last storm water rate revision was in May, 2004.

At their February 18th meeting, the Public Works Committee concurred and recommended that this resolution be forwarded to the full City Council for review and subsequent approval. On March 16th City Council set a public hearing date of April 20th to hear comments on this proposal.

Note: A separate council action may be required to address the individual issues that arise during the Public Hearing process; such as Windward Consulting, LLC - Dick Vandenburg's request to the Public Works Committee on January 7, 2009 for a credit of the difference between the proposed new rate (once approved) that accounts for on-site retention vs. the current rate he has been paying with no consideration for on-site retention for West Lynden Business Park. Vandenburg states that the business park has 100% storm water infiltration into the ground.

Non-Single Family rates without provision of water quality/detention or water quality/retention will increase approximately 20%. Single Family Residential rates are going from \$4.17/month to \$6.00/month.

The effective date of the new rates is dependent on when utility billing software changes can be implemented. Finance Director Camfield should have insight as to a proposed effective date for passing the rate resolution.

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| RECOMMENDED ACTION: That City Council approve Resolution No. 798, setting storm water utility rates, and authorize the Mayor's signature on the resolution. |
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| COUNCIL ACTION: |
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CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: April 20, 2009

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|---|--|---|
| AGENDA ITEM: Public Hearing – Resolution No. 797 Storm Water General Facility Improvement Fees | | AGENDA SECTION: Public Hearing |
| PREPARED BY: Laura Burford, Administrative Office Manager, Public Works Dept. | COUNCIL REVIEW: <input type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Comm Dev. <input type="checkbox"/> Not Reviewed | AGENDA NO.: III-B |
| ATTACHMENTS: Resolution No. 797 | LEGAL REVIEW COMPLETED: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Needed <input type="checkbox"/> Not Needed | APPROVED BY: |

Resolution No. 797, Storm Water General Facility Improvement Fees, is a follow up to the recent City Council approval of the Storm Water Management System Ordinance No. 1350. The resolution describes the various customer categories and the associated fees.

At their February 18th meeting, the Public Works Committee concurred and recommended that this resolution be forwarded to the full City Council for review and subsequent approval. On March 16th, City Council set a public hearing date of April 20th, to hear comments on this proposal.

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| RECOMMENDED ACTION: That City Council approve Resolution No. 797, Storm Water General Facility Improvement Fees, and authorize the Mayor's signature on the resolution. |
| COUNCIL ACTION: |

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: April 20, 2009

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| AGENDA ITEM: Resolution No. 800 – Amending Resolution No. 787 Regarding Sewer General Facilities Charges. | | AGENDA SECTION: Unfinished Business |
| PREPARED BY: Bill Verwolf, City Administrator | COUNCIL REVIEW: <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Comm Dev. <input type="checkbox"/> Not Reviewed | AGENDA NO.: IV-A |
| ATTACHMENTS: Resolution No. 800 | LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed | APPROVED BY: |

Resolution No. 800 was introduced to Council on April 6, 2009. This Resolution will increase the rates of the Sewer General Facilities Charges by 3.6% over the 2008 charges beginning May 1, 2009 if approved. The increase in the General Facilities Charges (“surcharge”) for sewer that are applicable to the East Lynden/Line Road Sub Basin as described in Ordinance No. 1247, will be 5% over the 2008 charges.

The municipal cost index for the last year, October to October, was 8.3% and the Consumer Price Index for the last year was 3.6%.

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| RECOMMENDED ACTION: That Resolution No. 800, Amending Resolution No. 787 Regarding Sewer General Facilities Charges, be approved and that the Mayor be authorized to sign said Resolution. |
| COUNCIL ACTION: |

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: April 20, 2009

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|---|---|---|
| AGENDA ITEM: Resolution No. 801 – Amending Resolution No. 788 Regarding Sewer Rates. | | AGENDA SECTION: Unfinished Business |
| PREPARED BY: Bill Verwolf, City Administrator | COUNCIL REVIEW: <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Comm Dev. <input type="checkbox"/> Not Reviewed | AGENDA NO.: IV-B |
| ATTACHMENTS: Resolution No. 801 | LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed | APPROVED BY: |

Resolution No. 801 was introduced to Council on April 6, 2009. This Resolution will increase the sewer rates by 3.6% over the 2008 rates beginning May 1, 2008 if approved.

The municipal cost index for the last year was 8.3% and the Consumer Price Index for the last year was 3.6%.

RECOMMENDED ACTION:

That Resolution No. 801, Amending Resolution No. 788 Regarding Sewer Rates, be approved and that the Mayor be authorized to sign said Resolution.

COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: April 20, 2009

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| AGENDA ITEM: Resolution No. 802 – Amending Resolution No. 789 Regarding Water General Facilities Charges. | | AGENDA SECTION: Unfinished Business |
| PREPARED BY: Bill Verwolf, City Administrator | COUNCIL REVIEW: <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Comm Dev. <input type="checkbox"/> Not Reviewed | AGENDA NO.: IV-C |
| ATTACHMENTS: Resolution No. 802 | LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed | APPROVED BY: |

Resolution No. 802 was introduced to Council on April 6, 2009. This Resolution will increase the General Facilities Charges for water by 3.6% over the 2008 rates beginning May 1, 2009 if approved.

The municipal cost index for the last year was 8.3% and the Consumer Price Index for the last year was 3.6%.

RECOMMENDED ACTION:

That Resolution No. 802, Amending Resolution No. 789 Regarding Water General Facilities Charges, be approved and that the Mayor be authorized to sign said Resolution.

COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: April 20, 2009

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| AGENDA ITEM: Resolution No. 803 – Amending Resolution No. 790 Regarding Water Rates. | | AGENDA SECTION: Unfinished Business |
| PREPARED BY: Bill Verwolf, City Administrator | COUNCIL REVIEW: <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Comm Dev. <input type="checkbox"/> Not Reviewed | AGENDA NO.: IV-D |
| ATTACHMENTS: Resolution No. 803 | LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed | APPROVED BY: |

Resolution No. 803 was introduced to Council on April 6, 2009. This Resolution will increase the water rates by 3.6% over the 2008 rates beginning May 1, 2009 if approved.

The municipal cost index for the last year was 8.3% and the Consumer Price Index for the last year was 3.6%.

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| RECOMMENDED ACTION: That Resolution No. 803, Amending Resolution No. 790 Regarding Water Rates, be approved and that the Mayor be authorized to sign said Resolution. |
| COUNCIL ACTION: |

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: April 20, 2009

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| AGENDA ITEM: Introduction of a 2009 Budget Amendment | | AGENDA SECTION: New Business |
| PREPARED BY: Teresa L. Camfield, CPA Finance Director | COUNCIL REVIEW: <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input type="checkbox"/> Parks <input type="checkbox"/> Public Works <input type="checkbox"/> Comm Dev. <input type="checkbox"/> Not Reviewed | AGENDA NO.: V - A |
| ATTACHMENTS: None | LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable | APPROVED BY: <i>T. Camfield</i> |

Introduction of a 2009 Budget Amendment:

As required by State regulations, Finance would like to introduce a proposed amendment to the 2009 Budget. The amendment reflects Council authorized transactions.

The following fund needs to be created:

Fund 114 Employee Liability

The following fund needs to be modified:

Fund 360 Water Treatment Plant Improvements

The Finance Committee was notified of possible budget amendments at their meeting on April 6, 2009. The ordinance will be reviewed by the committee at their May 4, 2009 meeting prior to council review and possible approval that same night.

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| RECOMMENDED ACTION: For Information Only |
| COUNCIL ACTION: |

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: April 20, 2009

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| AGENDA ITEM: Introduction of Museum Donation Confirmation and Set a Public Comment Date | | AGENDA SECTION: New Business |
| PREPARED BY: Bill Verwolf City Administrator | COUNCIL REVIEW: <input type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input type="checkbox"/> Parks <input type="checkbox"/> Public Works <input type="checkbox"/> Comm Dev. <input checked="" type="checkbox"/> Not Reviewed | AGENDA NO.: V-B |
| ATTACHMENTS: | LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed | APPROVED BY: |

According to the records we can identify, in 1977 the City of Lynden donated the Berthusen Collection of Native American artifacts to the Lynden Heritage Foundation. In 1982, then Mayor Jim Van Andel signed a deed of gift for the collection.

We have not been able to find an action of the City Council that confirmed this gift.

In order for the Museum, aka Lynden Heritage Foundation, to have the ability to utilize this collection and to dispose of it at their discretion, as the needs of the Museum develop, they need clarity of the legal status of this collection.

Our recommendation is that the City Council allow time for hearing comments from the public during the May 4, 2009 Council, and to consider a motion confirming the donation by deed of gift to the Lynden Heritage Foundation.

The inventory of the Berthusen Collection is available in the Mayor's Office.

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| RECOMMENDED ACTION: A motion to set a public comment time at the May 4, 2009 Council meeting. |
| COUNCIL ACTION: |