

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

**7:00 P.M.
MAY 3, 2010
AGENDA**

I CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

ITEMS FROM THE AUDIENCE

A. SCHEDULED - Washington State Representative Doug Ericksen
- Representatives from the Lynden Fire Department

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 PAYROLL

B. APPOINTMENT TO THE LYNDEN MUNICIPAL AIRPORT ADVISORY BOARD -
MR. MARK EVANS

III UNFINISHED BUSINESS

A. DISCUSSION REGARDING RATE INCREASES FOR SEWER GENERAL FACILITY CHARGES, SEWER RATES, WATER GENERAL FACILITY CHARGES, AND WATER RATES

B. RESOLUTION NO. 817 AMENDING RESOLUTION NO. 800 REGARDING SEWER GENERAL FACILITY CHARGES

C. RESOLUTION NO. 818 AMENDING RESOLUTION NO. 801 REGARDING SEWER RATES

D. RESOLUTION NO. 819 AMENDING RESOLUTION NO. 802 REGARDING WATER GENERAL FACILITY CHARGES

E. RESOLUTION NO. 820 AMENDING RESOLUTION NO. 803 REGARDING WATER RATES

IV NEW BUSINESS

A. RESOLUTION NO. 822 - AUTHORIZING THE ACCEPTANCE OF A WASHINGTON STATE DEPARTMENT OF TRANSPORTATION, AVIATION DIVISION GRANT FOR THE LYNDEN MUNICIPAL AIRPORT

B. ORDINANCE NO. 1376 - AMENDING ORDINANCE NO. 1231 EXTENSION OF LINE OF CREDIT MATURITY PER SKAGIT STATE BANK PROPOSAL

C. WHATCOM COUNTY HOUSING AUTHORITY INTERLOCAL AGREEMENT

D. CITY HALL ART COMMITTEE

V EXECUTIVE SESSION

VI ADJOURNMENT

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: May 3rd, 2010

AGENDA ITEM: Lynden Municipal Airport Advisory Board Appointment – Mark Evans		AGENDA SECTION: Consent Agenda
PREPARED BY: Laura Burford, Administrative Office Manager	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.: II-B
ATTACHMENTS: None	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

In March, 2010, Jason Janson resigned from the Lynden Airport Advisory Board. Now, Mark Evans has agreed to fill the term of that position, which expires December 31st, 2010.

According to Lynden Municipal Code Chapter 2.54.010, the board members shall be appointed by the Mayor with the approval of City Council, each to serve a term of three years. The Advisory Board Members operate in an advisory capacity to the Lynden City Council to make recommendations concerning the adoption of rules, regulations, or policies for the management, operation and use of the airport, and the highways, roads, streets, and territories adjacent to the airport.

The Public Works Committee reviewed the proposed appointment of Evans at their April 21st, 2010 meeting and concurred to recommend approval to City Council.

RECOMMENDED ACTION: That City Council authorizes the Mayor to appoint Mark Evans to the Lynden Airport Advisory Board, thereby replacing Jason Jansen for the term ending December 31, 2010.

COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: May 3rd, 2010

AGENDA ITEM: Discussion Regarding Rate Increases for Sewer General Facility Charges, Sewer Rates, Water General Facility Charges, and Water Rates		AGENDA SECTION: Unfinished Business
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: None	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

On April 19th, 2010 City Council was presented with draft resolutions that reflected proposed increases for Sewer General Facility Charges, Sewer Rates, Water General Facility Charges and Water Rates. At that time City Council set May 3rd as the date to hear comments and discuss the proposed increases.

RECOMMENDED ACTION: For Discussion Only. <i>Note Separate Items Included in Packet for Action.</i>
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: May 3rd, 2010

AGENDA ITEM: Resolution No. 817 – Amending Resolution No. 800 Regarding Sewer General Facilities Charges		AGENDA SECTION: Unfinished Business
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. 817	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

Resolution No. 817 was introduced to Council on April 19, 2010. This Resolution will increase the rates of the Sewer General Facilities Charges by 14.89% over the 2009 charges beginning June 1st, 2010 if approved. The increase in the General Facilities Charges (“surcharge”) for sewer connections in the East Lynden/Line Road Sub Basin are in keeping with rates for bond repayment.

RECOMMENDED ACTION: That City Council approve Resolution No. 817, Amending Resolution No. 800 - Sewer General Facilities Charges, and authorize the Mayor to sign said Resolution.
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: May 3rd, 2010

AGENDA ITEM: Resolution No. 818 – Amending Resolution No. 801 Regarding Sewer Rates		AGENDA SECTION: Unfinished Business
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-C
ATTACHMENTS: Resolution No. 818	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

Resolution No. 818 was introduced to Council on April 19, 2010. This Resolution will increase the sewer rates by 14.89% over the 2009 charges beginning June 1st, 2010 if approved.

RECOMMENDED ACTION: That City Council approve Resolution No. 818, Amending Resolution No. 801 - Sewer Rates, and authorize the Mayor to sign said Resolution.

COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: May 3rd, 2010

AGENDA ITEM: Resolution No. 819 – Amending Resolution No. 802 Regarding Water General Facilities Charges		AGENDA SECTION: Unfinished Business
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-D
ATTACHMENTS: Resolution No. 819	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

Resolution No. 819 was introduced to Council on April 19, 2010. This Resolution will increase the water general facilities charges by 10% over the 2009 charges beginning June 1st, 2010 if approved.

RECOMMENDED ACTION: That City Council approve Resolution No. 819, Amending Resolution No. 802 – Water General Facilities Charges, and authorize the Mayor to sign said Resolution.

COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: May 3rd, 2010

AGENDA ITEM: Resolution No. 820 – Amending Resolution No. 803 Regarding Water Rates		AGENDA SECTION: Unfinished Business
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-E
ATTACHMENTS: Resolution No. 820	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

Resolution No. 820 was introduced to Council on April 19, 2010. This Resolution will increase the water rates by 10% over the 2009 charges beginning June 1st, 2010 if approved.

RECOMMENDED ACTION: That City Council approve Resolution No. 820, Amending Resolution No. 803 – Water Rates, and authorize the Mayor to sign said Resolution.

COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: May 3rd, 2010

AGENDA ITEM: Resolution No. 822 – Authorization to Accept Washington State Department of Transportation, Aviation Division Grant for Lynden Municipal Airport Safety Improvements		AGENDA SECTION: New Business
PREPARED BY: Laura Burford, Administrative Office Manager	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.: IV-A
ATTACHMENTS: Resolution No. 822 and Airport Aid Grant	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

The Washington State Department of Transportation, Aviation Division, (WSDOT) is in receipt of a grant from the City in the amount of \$37,959.72 for safety improvements at the Lynden Municipal Airport. The grant is for 1) runway and taxiway striping and the repair of a sag in the east end of the runway 2) acquisition of flashing lights for Benson Road and 3) the purchase of a Super Unicom Automated Pilot Information System.

As with all grants of this type, a 5% local match is required, and the Lynden Airport Advisory Board Members have confirmed their commitment to fund the cash portion of the local match (for the flashing lights) in the amount of \$545.00. The remainder of the match for re-striping and for the acquisition of the Super Unicom will come through volunteer labor and materials.

In accordance with WSDOT requirements, the City Council must confirm that they are in support of these projects and that local funds are secure for the match. This is being proposed through attached Resolution No. 822.

The Public Works Committee has reviewed these proposed improvements, and has concurred to recommend acceptance of the grant to the full City Council.

RECOMMENDED ACTION: That City Council approve Resolution No. 822, accepting the Washington State Department of Transportation grant, if awarded, for 1) runway and taxiway striping and the repair of a sag in the east end of the runway 2) acquisition of flashing lights for Benson Road and 3) the purchase of a Super Unicom Automated Pilot Information System at the Lynden Municipal Airport, and authorize the Mayor's signature on the resolution.
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: MAY 3, 2010

AGENDA ITEM: Ordinance No. 1376 – Amending Ordinance No. 1231, Extension of Line of Credit Maturity per Skagit State Bank Proposal		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.: IV - B
ATTACHMENTS: Ordinance No. 1376	LEGAL REVIEW COMPLETED: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No BOND COUNSEL <input type="checkbox"/> Not Applicable	APPROVED BY: <i>T. Camfield</i>

Ordinance No. 1231 was approved by council on May 2, 2005. It allowed the city to have a revolving line of credit. The notes have in the past provided interim financing for capital projects such as the Water Reservoir project (for DWSRF reimbursement), Arterial Street capital improvements, Police Station Acquisition/Remodel (prior to issuance of permanent financing), and East Lynden Sewer Sub-Basin improvements (prior to permanent financing) and 14th Street Bridge and 17th Street Reconstruction projects. Presently it is providing interim financing for East Grover Street, 14th Street reconstruction, LPD Stonegarten grant reimbursements and will be used for Main Street Fishtrap Creek Culvert FEMA reimbursement. These projects have been either secured by grant and/or other intergovernmental funding on a reimbursement basis or were funded by the city.

Since 2005, Ordinance No. 1231 has been amended by Ordinance No. 1261, 1295, 1319, and 1355, each authorizing an extension of the maturity date of the notes. On April 28, 2010, the city received an offer from Skagit State Bank to extend the maturity date of the notes from May 13, 2010 to a new maturity date of June 30 (so to align with the their receipt of the city's year end financials and budget for analysis) at a rate of 2.75%, reflecting no change in the existing rate.

Bond counsel, the City Administrator, and Finance Director Camfield have reviewed this proposal prior to its final review by the Finance Committee. The Finance Committee will review the final form of the ordinance at its May 3, 2010 committee meeting prior to council presentation for their review and approval Monday night.

RECOMMENDED ACTION: That the Council approves Ordinance No. 1376 as presented and authorizes the Mayor's signature.
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: May 3, 2010

AGENDA ITEM: Whatcom County Housing Authority Interlocal Agreement		AGENDA SECTION: New Business
PREPARED BY:	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.: IV-C
ATTACHMENTS: Interlocal Agreement	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY: <i>B. Verwolf</i>

Due to recent Washington State litigation, Whatcom County staff and Whatcom County Housing Advisory Committee members reviewed the Interlocal Agreement between Whatcom County and the Cities of Whatcom County for the purpose of compliancy. Attached is a copy of the recommended changes.

Most recommendations are minor and do not add any financial burden upon the City of Lynden; however, Section C was adjusted to reflect language directly from the legislation.

Finance Committee will be reviewing this interlocal at their meeting on Monday, May 3, 2010. They will be presenting their recommendation at the council meeting later the same night for council's review and possible approval.

If there are any questions, please feel free to contact Bill Verwolf for further information regarding this matter.

RECOMMENDED ACTION: That the updated Interlocal Agreement between Whatcom County and the Cities of Whatcom County (re: Whatcom County Housing Advisory Committee) be approved and that the Mayor be authorized to sign said Agreement.
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: May 3, 2010

AGENDA ITEM: City Hall Art Committee		AGENDA SECTION: New Business
PREPARED BY: Amy Harksell, AICP Planning Director	COUNCIL REVIEW: <input type="checkbox"/> Finance <input type="checkbox"/> Public Safety <input type="checkbox"/> Parks <input type="checkbox"/> Public Works <input checked="" type="checkbox"/> Comm. Dev. <input type="checkbox"/> Not Reviewed	AGENDA NO.: III. F
ATTACHMENTS: None	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

With the City Hall Facility being occupied for almost a year, there has been increasing interest shown in the potential for displaying art work and other items within the building. Several requests have been made by members of the public to place art or other interests (i.e. aquariums, sculptures) in the lobby and staff members have also shown an interest in artwork.

The Community Development Committee discussed the concept at a meeting earlier this year and is recommending that a City Hall Art Committee be formed. This committee would include Council Member Jerry Kuiken, Mayor Scott Korthuis, City Administrator Bill Verwolf, up to three additional staff members, a member of the original City Hall Design Committee, and one or two other members of the public.

The Committee will draft a protocol for approval by the City Council for display of public art. This will include issues of insurance coverage, timing and selection and placement of artwork.

RECOMMENDED ACTION: Motion to approve the formation of a City Hall Art Committee to develop and implement a protocol for the display of various types of art work in City Hall.
COUNCIL ACTION: