

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

**7:00 P.M.
DECEMBER 15, 2008
AGENDA**

I CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

ITEMS FROM THE AUDIENCE

A. SCHEDULED - None

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. ORDINANCE NO. 1341 – A 2008 BUDGET AMENDMENT

C. AWARD BID FOR PUBLICATION OF THE CITY NEWSLETTER – PROJECT NO. 2009-02

D. AWARD BID FOR PUBLICATION OF LEGAL NOTICES – PROJECT NO. 2009-03

E. APPOINTMENT TO THE DESIGN REVIEW BOARD - MR. ALVIN VOS

F. RE-APPOINTMENT TO THE PLANNING COMMISSION - MS. TERESA REED JENNINGS AND MS. DIANE VELTKAMP

G. SET PUBLIC HEARING DATE REGARDING ORDINANCE NO. 1340 - AMENDING SECTION 8.24 OF THE LYNDEN MUNICIPAL CODE - VEGETATION

H. JANITORIAL AGREEMENT RENEWAL - MANAGEMENT SERVICES NORTHWEST

I. AWARD BID FOR CHEMICALS - PROJECT NO. 2009-01

III UNFINISHED BUSINESS

A. ORDINANCE NO. 1342 - ADOPTION OF THE 2009 BUDGET

IV NEW BUSINESS

A. UPDATE ON GROWTH MANAGEMENT COORDINATING COUNCIL

B. AWARD BID FOR DOWNTOWN RESTROOM - PROJECT NO. 2007-11

V EXECUTIVE SESSION

VI ADJOURNMENT

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: October 20, 2008

AGENDA ITEM: Ordinance No. 1337, An Ordinance Amending the Budget for the Year 2008		AGENDA SECTION: Consent Agenda
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.: II - B
ATTACHMENTS: Ordinance No. 1337	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	APPROVED BY: <i>T. Camfield</i>

On October 6, 2008 a 2008 budget amendment was introduced to the City Council.

This amendment reflects Council's authorized transactions to re-open the following fund:

Public Restrooms Construction (#380):

To create budgeted revenue and expenditure amounts for Public Restrooms Construction Fund due to Council's decision to re-authorize the project for year 2008.

This amendment also reflects Council's authorized transactions to modify the following funds:

Stormwater (#410):

To modify budgeted revenue and expenditure amounts for Stormwater Fund due to impact of ULID related stormwater capacity rights.

Airport (#420):

To modify budgeted revenue and expenditure amounts for Airport Fund due to impact of the WSDOT Aviation Grant as well as rising fuel costs.

The Finance Committee recommends that the City Council adopt Ordinance No. 1337 Amending the Budget for the Year 2008.

RECOMMENDED ACTION: That the Council approves Ordinance No. 1337 as presented and authorizes the Mayor's signature.
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: December 15, 2008

AGENDA ITEM: Award Newsletter Bid - Project No. 2009-02		AGENDA SECTION: Consent Agenda
PREPARED BY: Bill Verwolf	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.: II-C
ATTACHMENTS: Bid letter from the Lynden Tribune	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

The City of Lynden advertised for bids for the City Newsletter, which will be published quarterly in 2009. Ads were placed in the Bellingham Herald, November 16, 2008 and November 23, 2008, and the Lynden Tribune, November 12, 2008 and November 19, 2008. While we received several requests for the bid specifications, we received only one bid and that came from the Lynden Tribune. Below is a comparison of the current 2008 bid and the proposed 2009 bid from the Tribune.

ITEM	2008	2009
Quantities	6,337	6412
Price	\$968.00	\$975.00

Further, the cost for printing and inserting an additional single sheet, if requested, is \$450.00. The cost for an additional (3rd) spot color in the newsletter, if requested, is \$250.00 per side.

The bid summary information was provided to the Finance Committee for their December 1, 2008 meeting. The committee recommends acceptance of this bid from the Lynden Tribune.

RECOMMENDED ACTION: A motion that the bid from the Lynden Tribune for the publication of the City of Lynden's Newsletter for the year 2009 be accepted.
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: December 15, 2008

AGENDA ITEM: Award Legal Publications Bid - Project No. 2009-03		AGENDA SECTION: Consent Agenda
PREPARED BY: Bill Verwolf	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.: II-D
ATTACHMENTS: Bid letter from the Lynden Tribune	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

The City of Lynden advertised for bids for the legal publications of the City. Ads were placed in the Bellingham Herald, November 16, 2008 and November 23, 2008, and the Lynden Tribune, November 12, 2008 and November 19, 2008. The City received only one bid, from the Lynden Tribune. Below is a comparison of the current 2007 bid and the proposed 2008 bid.

ITEM	2008	2009
Number of Paid Subscriptions within City Limits	3,198 weekly	2,702 weekly
Width of column	1.833 in	1.833 in
Lines per column	9	9
Average number of characters per line	43	43
First publication per item (per column inch)	\$11.40	\$11.80
Subsequent publications of same item	\$11.00	\$11.40
Five percent (5%) discount if documents are e-mailed or supplied on disk	Built into pricing above	Built into pricing above

The bid summary information was provided to the Finance Committee for their December 1, 2008 meeting. The Committee recommends acceptance of this bid from the Lynden Tribune.

RECOMMENDED ACTION: A motion that the bid from the Lynden Tribune for legal publications for the City of Lynden for the year 2009 be accepted.
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: December 15, 2008

AGENDA ITEM: Approval of Appointment of Alvin Vos to the Design Review Board		AGENDA SECTION: Consent Agenda
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 type="checkbox"/> Com. Dev. <input type="checkbox"/> Quasi Judicial	AGENDA NO.: II. E
ATTACHMENTS: None	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

The Lynden Design Review Board is composed of five members, each with areas of special expertise. For the past five years, Samuel Hackwell has served the DRB as the landscaping specialist. For the upcoming four year term, Alvin Vos has volunteered his services on the board.

Mr. Vos is owner of Vander Giessen Landscaping and has served on the Design Review Board previously.

Appointments to the Design Review Board are made by the Mayor with approval by the City Council.

RECOMMENDED ACTION: Motion to approve the appointment of Mr. Alvin Vos to a four year term on the City of Lynden Design Review Board, effective January 1, 2009 and ending December 31, 2012.
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: December 15, 2008

AGENDA ITEM: Confirm appointment of Ms. Diane Veltkamp and Ms. Teresa Reed-Jennings to the Lynden Planning Commission		AGENDA SECTION: Consent Agenda
PREPARED BY: Amy Harksell, Planning Director	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 type="checkbox"/> Legislative	AGENDA NO.: II. F
ATTACHMENTS: None	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

Lynden Planning Commission members serve four year terms and are appointed by the Mayor and confirmed by the City Council. The terms for both Diane Veltkamp and Teresa Reed-Jennings expire on December 31 and staff recommended to the Mayor that both ladies be re-appointed. Mrs. Veltkamp and Mrs. Reed-Jennings both agreed to the re-appointment for a four year term expiring in 2012.

The Mayor is requesting the City Council confirm his reappointment of Mrs. Diane Veltkamp and Mrs. Teresa Reed-Jennings to the Lynden Planning Commission.

RECOMMENDED ACTION: Motion to confirm the re-appointment of Diane Veltkamp and Teresa Reed-Jennings to the Lynden Planning Commission, effective January 1, 2009 and expiring December 31, 2012.
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: December 15, 2008

AGENDA ITEM: Request for Public Hearing – Ordinance No. 1340 Amending Chapter 8.24 of the Lynden Municipal Code - Vegetation		AGENDA SECTION: Consent
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.: II-G
ATTACHMENTS: None	LEGAL REVIEW COMPLETED: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Needed <input type="checkbox"/> Not Needed	APPROVED BY:

In March, 2007, the Federal Aviation Administration produced a report on runway safety at the Lynden Municipal Airport. One issue noted in the report was the height of a stand of trees on the property east of the airport in the Depot Road/Woodfield Drive area that encroach on the approach path of Runway 25. The City obtained a grant from the Washington State Department of Transportation, Aviation Division to have the trees topped, removed or replaced; however the Woodfield Homeowner's Association (WHA) was not interested in having anything done to the trees.

The Public Works Committee directed staff to prepare an ordinance authorizing removal of the obstructing vegetation for review by the full City Council. Now that the Airport Layout Plan (ALP) has been finalized with the inclusion of language that identifies the Woodfield trees as a hazard to aviation, revisions to the code are now being prepared under Ordinance No. 1340 and will be presented at the public hearing. This ordinance will revise Chapter 8.24 of the Vegetation Ordinance so that the trees can be topped, removed or replaced.

On November 5th, 2008 the Public Works Committee reviewed the proposed code revisions and concurred to request that City Council set a public hearing date for January 5th, 2009 to hear comments on this issue.

It should be noted that the approach/departure slope outlined in the ALP differs from the slope identified in the development process of Woodfield Village, and this will be part of the consideration.

RECOMMENDED ACTION: That City Council set a Public Hearing date of January 5th, 2009 at 7:00 P.M. to hear comments on the proposed revision to Section 8.24 of the Lynden Municipal Code – Vegetation.
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL COMMITTEE MEETING DATE: December 15, 2008

AGENDA ITEM: Contract Extension for Janitorial Services – Management Services NW		AGENDA SECTION: Consent Agenda
PREPARED BY: Heather Sytsma, Public Works Senior Admin. Asst.	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-H
ATTACHMENTS: Janitorial Services Contract	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

The current janitorial contract expires on December 31, 2008. Public Works staff has notified Management Services Northwest that the City would like to extend the current contract for one additional three-year period, through December 31, 2011.

Janitorial service includes five City facilities, including City Hall, the Planning Department, the Annex, the Fire Department, and the Police Department. The total cost for cleaning these five facilities is \$2,559.00 per month, plus Washington State sales tax.

Upon occupation of the new City Hall building and abandonment of the Planning Department rental space, the monthly fee will be \$3,830.00 per month.

RECOMMENDED ACTION: That City Council award the contract extension for janitorial services to Management Services Northwest in the amount of \$2,559.00 per month (\$3,830.00 per month upon occupation of the new City Hall building and abandonment of the Planning Department rental space), plus Washington State sales tax, for a three-year period, from January 1, 2009 through December 31, 2011, and that the Mayor be authorized to sign the service contract.

COUNCIL ACTION:

CITY OF LYNDEN
EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: December 15, 2008

AGENDA ITEM: Bid Award for Chemicals (Lime, Chlorine, Alum, Fluoride, and Salt) - Project 2009-01		AGENDA SECTION: Consent Agenda
PREPARED BY: Heather Sytsma, Public Works Senior Admin. Asst.	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. II-I
ATTACHMENTS: None	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

Public Works staff advertised for bids on November 26, 2008, for chemicals (Lime, Chlorine, Alum, Fluoride and Salt) regularly used at the Water Treatment Plant. All bids were submitted by current vendors, and were opened on December 5, 2008. Due to time constraints and the need to maintain contracts for these supplies, these bids are being sent directly to the full City Council for approval.

The following bid tabulation details the 2009 rates and reflects the 2008 rates for comparison:

	<u>Chemical</u>	<u>Bidder</u>	<u>Bid Amount</u>
(1)	Chemical Hydrated Lime 2008 Rate	Whatcom Farmers Co-Op	\$8.99/bag (\$0.18/lb) \$7.99/bag (\$0.16/lb)
	Chemical Hydrated Lime	Univar USA	\$18.90/bag (\$0.378/lb) plus \$55 fuel charge
(2)	Gaseous Chlorine 2008 Rate	Jones Chemicals, Inc.	\$200.00/150 lb. cylinder (\$100 refundable deposit) \$90.00/150 lb. cylinder (\$100 refundable deposit)
(3)	Liquid Aluminum Sulfate 2008 Rate	General Chemical Corp.	\$484.75/ton \$354.75/ton
(4)	Sodium Fluorosilicate 2008 Rate	Univar USA	\$1,560.00/ton plus \$55 fuel charge \$1,180.00/ton plus fuel charge (currently \$75)
(5)	Solar Salt 2008 Rate	Whatcom Farmers Co-Op	\$6.39/bag \$5.99/bag, not under contract
	Solar Salt	Univar USA	\$12.90/bag plus \$55 fuel charge

RECOMMENDED ACTION: That City Council approves awarding the following contracts: Chemical Hydrated Lime and Solar Salt to Whatcom Farmer's Co-Op, Gaseous Chlorine to Jones Chemicals, Inc., Liquid Aluminum Sulfate to General Chemical Corp, and Sodium Fluorosilicate to Univar USA, for a one-year term ending December 31, 2009, and with a mutually agreed option to extend or re-negotiate the contract three additional one-year terms.
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: December 15, 2008

AGENDA ITEM: Ordinance No. 1342 – Adoption of the 2009 Budget		AGENDA SECTION: Unfinished 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.: III - A
ATTACHMENTS: Ordinance No. 1342	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable	APPROVED BY: <i>T. Camfield</i>

Per the approved year 2009 budget calendar, the preliminary budget hearing for year 2009 was held on November 3, 2008. Budget workshops were held on November 10 and 24, 2008. The final budget hearing was held on December 1, 2008.

Ordinance No. 1342 represents the results of the year 2009 budget process. Passage of this ordinance will finalize the budget process and is in compliance with RCW deadlines.

The Finance Committee has been presented with this information for their review throughout the budget process as has council. This ordinance represents council’s budget discussions to date.

RECOMMENDED ACTION: That the Council approves Ordinance No. 1342 as presented and authorizes the Mayor’s signature.
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: **December 15, 2008**

AGENDA ITEM: Update on Growth Management Coordinating Council		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 type="checkbox"/> Comm. Dev. <input type="checkbox"/> Quasi Judicial.	AGENDA NO.: IV. A
ATTACHMENTS: Flow chart of work	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

As reported in November, a methodology has been devised for two components of the work to review and revise the urban growth areas county-wide. The Growth Management Coordinating Council recommended that the County Council approve the methodology for both the population allocation and the analysis of how much land is currently available in the urban growth areas. The County Council held a hearing on recommendations December 9.

In preparation for the land capacity analysis and the review of “achieved density” the Planning Department has nearly completed an analysis of the development done over the past ten years. Preliminary results show that in 2003, the City was achieving approximately 4.3 dwelling units per net acre on development applications: in 2008 we are averaging closer to 4.8 dwelling units per net acre. Lynden’s Comprehensive Plan sets a goal of 5 dwelling units per net acre.

In January, it is anticipated that the Phase I population allocation (the “technical” allocation) will be completed and the Technical Advisory Committee and the Growth Management Coordinating Council will move into the second phase of the population allocation, based on the policies and constraints within the individual communities. Discussion will be taking place at the Planning Commission, the Community Development Committee and the full Council in January and February about these numbers and their impact on the City of Lynden in order to establish an expected population for Lynden in 2031.

RECOMMENDED ACTION: No action required.
COUNCIL ACTION:

CITY OF LYNDEN

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: December 15, 2008

AGENDA ITEM: Award Bid for Downtown Restrooms Project No. 2007-11		AGENDA SECTION: New Business
PREPARED BY: Heather Sytsma, Public Works Senior Admin. Asst.	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-B
ATTACHMENTS: Bid Tabulation	LEGAL REVIEW COMPLETED: <input type="checkbox"/> Yes <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed	APPROVED BY:

The Downtown Restroom Project No. 2007-11 consists of a new 670 square foot one-story wood-framed public restroom facility to be located in the southwest corner of the parking lot at 4th and Front Streets, behind the windmill. Contractor work includes the building, plumbing and mechanical systems. The City is coordinating the electrical, site and utility work.

Bids were opened at 3:00 p.m. on Tuesday, December 2, 2008. Public Works staff received eight (8) bids with the base bid ranging from \$190,250.00 to \$250,823.00.

Stewart + King Architects prepared the bid tabulation and recommended awarding the contract to Strengholt Construction, the lowest responsible bidder, with the inclusion of the following alternates:

- Alternate 3 (Add anti-graffiti coating to all interior and exterior exposed masonry surfaces);
- Alternate 4b (Add center gable roof at standing seam metal roof version);
- Alternate 5 (Add standing seam metal roof in lieu of asphalt shingles);
- Alternate 6 (Add (4) total units type "A" windows at west and east elevations; and
- Alternate 7 (Add stepped parapets at south and north elevations).

The total contract amount, including these alternates, is \$216,170.00. Washington State sales tax is \$18,158.28, which brings the total contract amount to \$234,328.28. The base bid estimate was \$247,444.00, including sales tax.

The 2009 revised budget for the restroom structure is \$239,750.00, leaving a contingency of \$5,421.72.

<p>RECOMMENDED ACTION: That City Council award the contract for the Downtown Restrooms Project to Strengholt Construction in the amount of \$234,328.28, including Alternates 3, 4b, 5, 6 and 7, and including Washington State sales tax, and authorize the Mayor's signature on the contract.</p>
<p>COUNCIL ACTION:</p>