



BUCKLEY CITY COUNCIL AGENDA

Tuesday, April 9, 2024, at 6:00 P.M.

Multi-Purpose Center, 811 Main Street

Next Ordinance #07-24, Next Resolution #24-03, Next Agenda Bill #24-022

Or Via Zoom:

<https://us02web.zoom.us/j/83366597529?pwd=N2hMTmh5eEZ4TGpJd2dpbFp0cnkvdz09>

Call-in Number: 253-215-8782

Meeting ID: 833 6659 7529 Meeting Passcode: 863441

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll call
3. Agenda Modifications
4. Announcements, Appointments and Presentations

B. PUBLIC COMMENTS - *Time Limit of Three Minutes* (Citizens wishing to speak are Encouraged to sign up at City Hall by Wednesday prior to the Council Meeting)

C. COMMITTEE REPORTS

1. Mayor's Report	Burkett
2. Council Member Comments & Good of the Order	

D. CONSENT AGENDA

- a. Engineering Services Proposal – Water Transmission Main Survey
- b. Approve Minutes of the November 28, 2023, City Council Meeting
- c. Approve Minutes of the December 5, 2023, City Council Study Session
- d. Approve Minutes of the December 12, 2023, City Council Meeting
- e. Approve Minutes of the January 2, 2024, City Council Study Session
- f. Approve Minutes of the January 9, 2024, City Council Meeting

E. REGULAR AGENDA

1. ORDINANCE

- a. ORD No. ____-24: Authorizing the City of Buckley to put an EMS Levy Lid Lift on the August 2024 Ballot

F. PUBLIC COMMENTS - *Time Limit of Three Minutes*

B. PUBLIC COMMENTS

C. COMMITTEE REPORTS

D. CONSENT AGENDA



CITY COUNCIL AGENDA BILL

City of Buckley
PO Box 1960
Buckley, WA 98321

ITEM INFORMATION			
SUBJECT:	Agenda Date: April 9, 2024		AB24-022
Engineering Services Proposal- Water Transmission Main Survey	Department/Committee/Individual	Created	Reviewed
	Mayor		X
	City Administrator		X
	City Attorney		X
	City Engineer	X	
	City Clerk		X
	Finance Dept		
	Building Official		
	Fire Dept		
	Parks & Recreation		
	Building & Planning		
	Police Dept		
	Municipal Court		
	PW/Utilities	X	
Cost Impact: \$30,000			
Fund Source: Fund 406			
Timeline: ASAP			
Staff Contact: Public Works Director, Chris Banks			
Attachments: Engineering Services Proposal			
SUMMARY STATEMENT: The City plans to seek funding for replacement of the most vulnerable segments of its raw water transmission main most vulnerable to landslides or heavy storm events. The lengths of the segments for survey total 3,150 linear feet within a total length of 4,950 linear feet located on the headworks side of South Prairie Creek. This is a 2024 budgeted project.			
COMMITTEE REVIEW AND RECOMMENDATION: Development Services Committee Meeting 3/19/24			
RECOMMENDED ACTION: MOVE to Approve Engineering Services Proposal for Water Transmission Main Survey.			
RECORD OF COUNCIL ACTION			
Meeting Date	Action	Vote	



February 26, 2024

Ms. Courtney Brunell
City Administrator
City of Buckley
P.O. Box 1960
Buckley, Washington 98321

SUBJECT: SCOPE AND FEE PROPOSAL FOR WATER TRANSMISSION MAIN
SURVEY AND PRELIMINARY DESIGN
CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON
G&O #20315.00

Dear Ms. Brunell:

Please find below our scope of work and fee estimate for providing engineering services for Water Transmission Main Survey and Preliminary Design.

The City plans to seek funding for replacement of the most vulnerable segments of its raw water transmission main most vulnerable to damage due to landslides or heavy storm events. The lengths of the segments for survey total 3,150 linear feet within a total length of 4,950 linear feet located on the headworks side of South Prairie Creek.

Please find below a description of our Scope of Work and Fee Estimate for engineering services:

SCOPE OF WORK

The following items of work are proposed to be completed:

1. Perform topographic field survey of a strip of land approximately 20 feet in width and 3,150 feet in length along three raw water transmission main segments.
2. Utilize local horizontal and vertical control, including tie-ins to previously completed water main replacement projects adjacent and between the current segments.
3. Complete survey mapping for development of plan and profile drawings of the project alignment.



Ms. Courtney Brunell
February 26, 2024
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FEE PROPOSAL

Discipline Required	Hours	Estimated	
		Fully Burdened Rate*	Amount
Principal-in-Charge	12	\$229	\$2,748
Project Engineer	32	\$183	\$5,856
AutoCAD Technician	96	\$107	\$10,272
Survey Technician	8	\$161	\$1,288
Professional Land Surveyor	4	\$194	\$776
Survey Crew (2-person)	32	\$273	\$8,736

Total Fully Burdened Labor Cost: \$29,130

Direct Non-Salary Cost:

Mileage & Expenses \$324

TOTAL ESTIMATED COST \$30,000

* Actual labor cost will be based on each employee's actual rate, estimated rates are for determining total estimated cost only. Fully burdened rates include direct salary cost, overhead, and profit.

Thank you for the opportunity to provide this proposal. Please contact the undersigned if you have any questions or concerns. Should you concur with this proposal, please execute the authorization below and return a copy of this transmittal to me.

Sincerely,

GRAY & OSBORNE, INC.

Dominic J. Miller, P.E.

DJM/sp

cc: Mr. Chris Banks, Public Works Director, City of Buckley



Ms. Courtney Brunell
February 26, 2024
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CITY OF BUCKLEY – ENGINEERING SERVICES FOR WATER TRANSMISSION MAIN SURVEY AND PRELIMINARY DESIGN

Gray & Osborne, Inc. is hereby authorized to proceed with the engineering services as noted herein and under the terms and conditions of our current General Engineering Services Contract dated September 14, 2011, for a cost not to exceed \$30,000 as noted herein without further specific written and additional authorization from the City.

Name (Print)

Title

Signature

Date

City Council
November 28, 2023

Mayor Burkett called the regularly scheduled meeting to order at 6:00 PM.

Upon roll call the following members were present: Smith, Rose, Burbank, Green, Arsanto, Tremblay, and Anderson

Also present were: City Administrator Brunell, Director of Parks & Recreation Snodgrass, City Engineer Miller, Public Works Director Banks, Finance Director Hines, Police Chief Alfano, Police Records Clerk Burkett, and City Clerk Percival

Mayor Burkett asked if there were any other additions, deletions, or changes to the agenda.

Council member Arsanto moved to approve the agenda as presented. Council member Anderson seconded the motion. Motion carried.

ANNOUNCEMENTS, APPOINTMENTS, AND PRESENTATIONS

None.

CITIZEN PARTICIPATION

Connie Bender – Ms. Bender shared her concerns regarding the Foothills Trailhead Parking lot project. She shared that the bid award looks reasonable until you see what is missing from the bid such as no sidewalk, landscaping still has to be done. She stated that depending on the dimensions of the parking lot, she thinks that it would go into a second lot and a BLA and new binding site plan would need to be done at an extra cost. She thought when Council failed the motion previously that the project was gone so she doesn't understand why or when Council asked Gray & Osborne to go out to bid again.

COMMITTEE REPORTS

Mayor's Report:

None.

Transportation & Utilities:

Council member Arsanto shared that the Committee met on November 21st and held discussions on the following topics:

- Public Works Director Banks introduced Kristen LaFrance as the new Management Analyst for Public Works;
- Hinkleman Road Project – Change Order #2;
- Mundy Loss Road Project Update;
- TBD Tax; and
- Foothills Trail Parking Lot Project.

Council Member Comments & Good of the Order:

Council member Green shared that PCRC met last Thursday and adopted their Legislative Agenda which mainly focuses on preserving local infrastructure.

CONSENT AGENDA

Council Member Smith moved to approve the Consent Agenda. Council member Rose seconded the motion. Motion carried.

- a. Hinkleman Road Improvement Project – Change Order #2
- b. Interlocal Agreement with Town of Carbonado for Police Services
- c. Approve minutes of July 18, 2023, City Council Study Session

REGULAR AGENDA

2024 Final Budget Public Hearing

Mayor Burkett convened the Public Hearing at 6:08 PM.

Finance Director Hines gave a brief presentation on the 2024 Proposed Final Budget.

Carolyn Harding – Ms. Harding shared that she supports the final budget proposal.

Mayor Burkett closed the Public Hearing and reconvened the Council meeting at 6:17 PM.

ORD No. 15-23: Amending BMC 13.18.030

Council member Arsanto moved to Approve ORD No. 15-23 to Amend Buckley Municipal Code 13.18.030. Council member Green seconded the motion. Upon roll call vote, motion carried 7/0.

ORD No. 16-23: Adopting 2024 Property Tax Levy

Council member Arsanto moved to Approve ORD No. 16-23 Adopting the 2024 Property Tax Levy. Council member Green seconded the motion. Upon roll call vote, motion carried 7/0.

ORD No. 17-23: Adopting the 2024 EMS Levy

Council member Smith moved to Approve ORD No. 17-23 Adopting the 2024 EMS Tax Levy. Council member Anderson seconded the motion. Upon roll call vote, motion carried 7/0.

ORD No. 18-23: Setting the 2024 Levy Amount Required for the 2010 Unlimited General Obligation Bonds Used for the Fire Station Construction

Council member Arsanto moved to Approve ORD No. 18-23 Setting the 2024 Levy Amount Required for the Voter Approved 2010 Unlimited General Obligation Bonds for Fire Station Construction Financing. Council member Rose seconded the motion. Upon roll call vote, motion carried 7/0.

ORD No. 19-23: Adopting 2024 Budget

Council member Tremblay moved to Approve ORD No. 19-23 Adopting the 2024 Budget. Council member Rose seconded the motion. Upon roll call vote, motion carried 7/0.

ORD No. 20-23: Adopting the 2024 City Employee Salary Scale

Council member Green moved to Approve ORD No. 20-23 Adopting the 2024 City Employee Salary Scale. Council member Smith seconded the motion. Upon roll call vote, motion carried 7/0.

Bid Award – Foothills Trail Parking Lot Project

Council member Arsanto moved to Award Base Bid and Additive Item of the Foothills Trail Parking Lot Project to Asphalt Patch Systems, Inc. for the price of \$197,171.00. Council member Smith seconded the motion. Motion carried.

MOU between the City of Buckley and Rails to Trails Coalition to Construct the Doc Tait Pavilion Adjacent to the Foothills Trail Parking Lot

Council member Arsanto moved to Approve the MOU between the City of Buckley and Rails to Trails Coalition to Construct the Doc Tait Pavilion Adjacent to the Foothills Trail Parking Lot. Council member Rose seconded the motion. Motion carried.

STAFF REPORTS

City Administrator Brunell stated that she didn't have anything to share other than to ask Council if they felt the need to hold a meeting on December 26th? Council agreed to wait until the first meeting in December to decide.

CITIZEN PARTICIPATION

None.

Council member Tremblay moved to adjourn. Council member Rose seconded the motion. Motion carried.

With nothing further, the meeting was adjourned at 6:37 PM.

City Administrator

Mayor

Prepared by: Treva Percival, City Clerk

DRAFT

**CITY COUNCIL
STUDY SESSION
December 5, 2023**

ATTENDEES: Council members Rose (via Zoom), Arsanto, Tremblay, Smith, Burbank and Green.

Also in attendance were Mayor Burkett, City Administrator Brunell, Finance Director Hines, City Clerk Percival, Public Works Director Banks, Asst. Fire Chief Olson, Police Records Clerk Burkett, Senior Planner Farnsworth, and Deputy City Clerk Clark.

Mayor Pro Tem Smith called the regularly scheduled meeting to order at 6:01 PM.

Comprehensive Plan Update:

Mr. Arango from Frame Works Consulting gave an overview of land use elements that will help with the comp plan. Frame Works Consulting and City of Buckley met a couple of weeks ago to discuss what Council has decided that is important. Presentation overview was buildable lands analysis for Pierce County, critical areas overview, existing zoning, and future land use designations and preliminary evaluation.

Taxes, Rates and Fees:

City Clerk Percival presented to Council the prior Taxes, Rates and Fees and has updated it for 2024 in a spreadsheet with updated rates and fees. Ms. Percival let the Council know there were not a ton of changes besides business license fees and adding building and planning fees into one document to streamline the fees. This is the first time besides just amending that there has been a complete overhaul to Taxes, Rates and Fees. City Administrator Brunell and City Clerk Percival answered questions that the Council had.

EMS Levy Schedule:

Finance Director Hines wanted to bring this forward since there are deadlines to get on the ballot. As part of the 2024 Budget development discussion for revenue, was a property tax levy lid lift for the EMS levy that funds the emergency services provided by the Buckley Fire Department. The EMS Levy Lid Lift would generate additional resources to hire an additional firefighter. Council was given information detailing how the EMS levy can be set for 6 years, 10 years or permanent. City Administrator Brunell and Finance Director Hines explained what each of these options would entail.

Ambulance Purchase:

Buckley Fire Department has been provided with an opportunity to make the same ambulance purchase as they did 4 years ago and have been extremely happy with the previous purchase. Currently the Buckley Fire Dept. has only one ALS capable ambulance. It is their intent to have apparatus redundancy at the ALS level for the City of Buckley. As the Fire Dept. moves toward full-time ALS coverage, it is necessary to have duplication of frontline apparatus. This new purchase would replace a 19-year-old ambulance that is only BLS capable.

Council member Burbank asked about Thunderbird Park and the deterioration of the totem pole. City Administrator Brunell added that Muckleshoot tribe is in talks with the City and will be part of the PROS Plan.

With nothing further, the Study Session was adjourned at 7:13 PM.

City Administrator

Mayor

Prepared by: Jessica Clark, Deputy City Clerk

DRAFT

City Council
December 12, 2023

Mayor Burkett called the regularly scheduled meeting to order at 6:01 PM.

Upon roll call the following members were present: Smith, Rose, Burbank, Green, Arsanto, Tremblay, and Anderson.

Also present were: City Administrator Brunell, Fire Chief Skogen, Police Chief Alfano, Finance Director Hines, Police Records Clerk Burkett, Court Administrator Cash (via Zoom), City Engineer Miller (via Zoom), and City Clerk Percival.

Mayor Burkett asked if there were any other additions, deletions, or changes to the agenda.

Council member Smith moved to approve the agenda as presented. Council member Rose seconded the motion. Motion carried.

CITIZEN PARTICIPATION

Meagan Rhoades – Ms. Rhoades shared that she is part of the White River Partnership, they meet the 2nd Mondays of the month from 10:00 AM – 12:30 PM. Their main areas of focus are food justice, transportation, epidemic of loneliness. She suggested that everyone read their most recent study.

Carolyn Harding – Ms. Harding shared she was representing the Chamber and they support the legislative agenda that the Council has coming tonight. She also shared that the Chamber is not in support of a property tax and they are excited to work with the new Council going into 2024.

COMMITTEE REPORTS

Council Member Comments & Good of the Order:

None.

CONSENT AGENDA

Council Member Burbank moved to approve the Consent Agenda. Council member Rose seconded the motion. Motion carried.

1. Approve Minutes of May 23, 2023, City Council Meeting

2. Approve Minutes of July 25, 2023, City Council Meeting
3. Approve Minutes of September 5, 2023, City Council Study Session
4. Consultant Supplemental Agreement 2 for Construction Management and Inspection of the Hinkleman Road Rehabilitation Project

REGULAR AGENDA

ORD No. 21-23: End of Year Budget Adjustments

Council member Arsanto moved to Approve ORD No. 21-23 Amending the 2023 City Budget. Council member Green seconded the motion. Upon roll call vote, motion carried 7/0.

RES No. 23-13 Repealing and Replace the city Taxes, Rates and Fees Schedule

Council member Arsanto moved to Approve Resolution No. 23-13 Repealing and Replacing the City Taxes, Rates, and Fees Schedule. Council member Anderson seconded the motion. Motion carried.

RES No. 23-14 Sole Source Purchase (Used Demo Ambulance)

Council member Smith moved to Approve Resolution No. 23-14 Declaring a Sole Source Supplier for an Used Demo Ambulance and Authorizing Purchase of the Same. Council member Anderson seconded the motion. Motion carried.

Collective Bargaining Agreement – IUOE Local 302

Council member Rose moved to Approve the Collective Bargaining Agreement Between the City and IUOE Local 302 for January 1, 2024, through December 31, 2024. Council member Green seconded the motion. Motion carried.

Legislative Priorities

Council member Green moved to approve the City of Buckley 2024 Legislative Priorities. Council member Rose seconded the motion. Motion carried.

MAYOR'S ANNOUNCEMENTS

Mayor Burkett asked for a motion and second to Cancel the December 26, 2023, City Council meeting. Council member Smith moved to cancel the December 26, 2023, City Council meeting. Council member Anderson seconded the motion. Motion carried.

Mayor Burkett administered the Oath of Office to Council member Elects Bender, Bergerson, Burbank, and Green.

Mayor Burkett recognized Council member Tremblay for stepping up to serve in the vacant Council position for the last six months. Council member Tremblay thanked everyone for their support.

Mayor Burkett recognized Council member Rose for her years of service to the City Council and the Museum. Council member Rose shared that heartfelt thank you to everyone, she shared that she has really enjoyed her time on the Council and its been great to work with such wonderful people.

CITIZEN PARTICIPATION

None.

Council member Rose moved to adjourn. Council member Tremblay seconded the motion. Motion carried.

With nothing further, the meeting was adjourned at 6:32 PM.

Mayor

City Administrator

Prepared by: Treva Percival, City Clerk

**CITY COUNCIL
STUDY SESSION
January 2, 2024**

ATTENDEES: Council members Anderson (via Zoom), Bergerson, Arsanto, Bender, Smith, Burbank and Green.

Also in attendance were Mayor Burkett, City Administrator Brunell, Finance Director Hines, City Attorney Olbrechts, Parks and Recreation Director Snodgrass, Police Records Clerk Burkett, and Deputy City Clerk Clark.

Mayor Pro Tem Smith called the regularly scheduled meeting to order at 6:00 PM.

Final Draft PRO's Plan Review:

Early summer of 2023 the City began to update the Parks, Recreation and Open Space Plan. The City was ineligible for some grants because the previous plan had expired in 2015. On the direction of the Council the City was able to bring forth a complete PRO's plan to be put in a competitive position for future grant cycles. The purpose of the PRO's plan is to:

- Identify community priorities for parks, recreation, and open space.
- Guide decision-making on acquiring, developing, or enhancing parks, facilities, and programs.
- Ensuring equitable access to open spaces and recreation opportunities for all residents.
- Make the community eligible for state and federal grants.

For long-term planning for our spaces the City conducted a 6-week public survey which included 407 responses from a wide range of citizens. Through that process they reviewed plans with the Citizen's Advisory Commission, Planning Commission, Senior Citizens Advisory Commission, Foothills Historical Society, the Youth Center leadership team, and City Council. Main concerns that Council mentioned was to focus on the trail corridor and honoring names of the parks.

Comcast Franchise Agreement:

City Attorney Olbrechts gave an overview of how the City and Comcast have gone through several rounds of negotiations over the 2023 Comcast franchise agreement. The final agreement is very similar to the agreement that Wilkeson and Pierce County have with Comcast. The proposed franchise agreement is for ten years, whereas the previous agreement was for five years. The 2023 franchise agreement is substantially reworded from the 2008 agreement, but the requirements have not changed radically.

City Hall Project:

City Administrator Brunell presented an overview for the remodel of City Hall, and this is also a remodel that can handle growth for years to come and staff space. As of today, there is insufficient space to accommodate existing staff, we have outgrown the filing area and there is no conference room or meeting room. The Planning and Building department have also outgrown their space at the multi-purpose center. The Council has previously discussed the value of having all administrative functions located in one place. This would make it easier for citizens to engage with various departments. The Council was also given three options for the roof line.

Finance Director Hines broke down the beginning of the 2024 budget and what it would be for the remodel and other projects. Council would like to move this to next weeks Council meeting.

Review of Council Committees:

City Administrator Brunell and Mayor Burkett introduced the option of restructuring our Council Committees topics and meeting frequency. The recommended committees are:

- Admin/Finance/Public Safety
- Development Services and Transportation
- Parks and Community Services

The Council can volunteer to serve as the liaison to the Planning Commission, Senior Advisory Commission, Citizens Advisory Commission, Economic Development – BDA/Chamber, and regional meetings at PSRC/PCRC.

With nothing further, the Study Session was adjourned at 7:44 PM.

City Administrator

Mayor

Prepared by: Jessica Clark, Deputy City Clerk

DRAFT

**City Council
January 9, 2024**

Mayor Burkett called the regularly scheduled meeting to order at 6:00 PM.

Upon roll call the following members were present: Smith, Bender, Green, Arsanto, Bergerson, and Anderson (via Zoom).

Also present were: City Administrator Brunell, Public Works Director Banks, City Engineer Miller, Police Chief Alfano, Police Records Clerk Burkett, and City Clerk Percival.

Council member Smith moved to excuse Council member Burbank. Council member Green seconded the motion. Motion carried.

Mayor Burkett asked if there were any other additions, deletions, or changes to the agenda.

Council member Arsanto moved to approve the agenda as amended. Council member Bender seconded the motion. Motion carried.

ANNOUNCEMENTS, APPOINTMENTS, AND PRESENTATIONS

City Administrator Brunell and City Engineer Miller presented the options for the City Hall Addition and Modernization Project. They shared the differences in cost if we have the extended entryway and/or modify the roof line. Ms. Brunell stated that staff is looking for direction on if Council would like to see an A&B combo or option C all by itself.

CITIZEN PARTICIPATION

Steve Bergerson – Mr. Bergerson shared his concern and confusion regarding the new parking lot. He stated that it would be nice to have it there but can the City afford the parking lot.

Marvin Sundstrom Jr. – Mr. Sundstrom asked if there were any options to reuse any materials that are currently on City Hall such as windows, etc. with the remodel.

COMMITTEE REPORTS

Mayor's Report:

Mayor Burkett shared information regarding an event that happened on New Year's Eve that our Fire Department responded to. Mayor Burkett shared that this was a rare

event with a great outcome. We need to start recognizing these folks work going forward.

Council member Smith shared that anyone who responded to that call would just say they are doing their job but we really need to recognize all of the work that they do.

CONSENT AGENDA

Council Member Smith moved to approve the Consent Agenda. Council member Arsanto seconded the motion. Motion carried.

- a. Interlocal Agreement with Town of Wilkeson for Police Services
- b. Approve Minutes of August 8, 2023, City Council Meeting
- c. Approve Minutes of August 22, 2023, City Council Meeting
- d. Approve Minutes of September 12, 2023, City Council Meeting
- e. Approve Minutes of September 26, 2023, City Council Meeting
- f. Approve Minutes of October 3, 2023, City Council Study Session
- g. Approve Minutes of October 10, 2023, City Council Meeting
- h. Claims and Payroll

Payroll check numbers 40630 through 40749 in the amount of \$230,564.62 and ACH Payroll in the amount of \$454,715.45 for December 13, 2023, through December 26, 2023, and Claim check numbers 67094 through 67164 in the amount of \$498,398.13 for December 2023 Open period; and Claim Check numbers 67166 through 67188 in the amount of \$111,473.11, for January 1, 2024, through January 9, 2024, are hereby approved and ordered paid this 9th day of January 2024.

REGULAR AGENDA

Architecture and Engineering Services Proposal for Phase 2 Redesign of City Hall Addition and Modernization Project

Council member Smith moved to Approve the Architecture and Engineering Services Proposal for Phase 2 Redesign of City Hall Addition and Modernization Project to include Options A, and B. Council member Arsanto seconded the motion.

Council member Smith moved to amend the motion to include Option C, Council member Green seconded the motion. Motion carried.

Motion carried on the motion as amended.

CITIZEN PARTICIPATION

Steve Bergerson – Mr. Bergerson stated that he has built houses and done spec houses and they always cost more and take longer to build.

County Council Member Dave Morrell – Mr. Morrell shared he just wanted to stop by and welcome the new Council members and say hi to the returning Council members. He also shared that he appreciates the collaboration with the County and to please reach out to him with any concerns. He also shared that the big thing that the County Council will be working on this year is the Comprehensive Plan.

Council member Arsanto moved to adjourn. Council member Green seconded the motion. Motion carried.

With nothing further, the meeting was adjourned at 6: 52 PM.

City Administrator

Mayor

Prepared by: Treva Percival, City Clerk

E. REGULAR AGENDA



CITY COUNCIL AGENDA BILL

City of Buckley
PO Box 1960
Buckley, WA 98321

ITEM INFORMATION			
SUBJECT: ORD No. ____-24: EMS Levy Lid Lift Submission for the August 6, 2024. Primary Election.	Agenda Date: April 9, 2024	AB24- 023	
	Department/Committee/Individual	Created	Reviewed
	Mayor		X
	City Administrator	X	X
	City Attorney		X
	City Engineer		
	City Clerk		X
	Finance Dept		X
	Fire Dept		X
	Parks & Recreation		
	Planning Dept		
	Police Dept		
	Municipal Court		
	PW/Utilities		
Staff Contact: Courtney Brunell			
Attachments: Ordinance and memo from April 2, 2024			
SUMMARY STATEMENT: The proposed Ordinance will authorize the City to submit a proposition to the voters at the August 6, 2024 Primary Election to restore the City's Permanent EMS Levy to the rate of \$.50 per/\$1,000 AV, and authorize an annual increase of up to 6% annually, subject to the maximum levy rate of \$.50. The proposition would also approve the use of the 2030 levy amount as the basis for calculating subsequent levies. Per RCW 84.36, qualifying seniors, disabled veterans, and others would be exempt from the increase.			
This action will also require the City to recruit members of a pro/con committee to make submittals for the voters pamphlet by May 7, 2024.			
COMMITTEE REVIEW AND RECOMMENDATION: None			
RECOMMENDED ACTION: Move to Approve Ordinance No. 07-24 to Authorize the City to Submit a proposition to the Voters for the August Primary Election to restore the City's Permanent EMS Levy rate to \$.50 per \$1,000/AV and authorize up to a 6% increase annually from 2026-2030.			
RECORD OF COUNCIL ACTION			
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>	



Memo

To: Mayor and City Council

From: Courtney Brunell, City Administrator and Sandi Hines, Finance Director

Date: March 26, 2024

Re: **EMS Levy Lid Lift – REVISED MEMO WITH NEW INFORMATION ON LAST PAGE**

Background:

As part of the 2024 Budget development discussions, several revenue tools were presented to the Council that would generate additional resources to maintain existing service levels. One such tool was a property tax levy lid lift for the EMS levy that funds the emergency medical services provided by the Fire Department. Through Council deliberations, direction was given to staff to pursue a levy lid lift for the EMS property tax levy in order to generate additional resources to hire an additional firefighter and support the reallocation of existing staff from the General Fund to the EMS Fund, thus freeing up General Fund resources for other City services.

Information:

The City currently has a permanent EMS levy that was voted as permanent several years ago. The EMS levy for 2024 will generate revenue of \$334,822, at a rate of \$0.29776/\$1,000 of assessed valuation (AV). The statutory maximum rate for an EMS levy is \$0.50/\$1,000 AV. With the City's rate at only \$0.29776, there is capacity of \$225,586 in revenue if the rate were at the legal maximum rate of \$0.50 using the current AV. This additional revenue capacity provides an estimate of how much additional revenue the City would receive if an EMS levy lid lift ballot measure to reset the City's rate to \$0.50/\$1,000 AV would be approved by the voters in 2024. The City would start receiving the additional revenue in 2025.

A levy lid lift can be a single year lift or multi-year lift. A single year lift resets the rate, in this case to \$0.50, for the tax year it is approved for and then can only grow at the legal limit of 1% per year thereafter. A multi-year lift allows the City to reset the rate to \$0.50 for the first year and then establish the amount of increase, or "lift", to be received for up to 5 additional years. Based on previous discussion and direction from the Council, staff are following the requirements for a multi-year lift.

A levy lid lift comes with specific election and ballot measure requirements. A multi-year levy lid lift can only be placed on a primary or general election ballot. In order to make the August 2024 Primary election, May 3, 2024, is the last day to file a resolution. The primary election is scheduled for August 6, 2024. Property tax levy lid lifts only require a simple majority to pass.

An item related to the ballot measure are the pro and con committees. For each ballot measure that will appear in the voters' pamphlet, RCW 29A.32.280 requires the legislative body (City Council) to formally appoint two committees no later than the resolution filing deadline (May 3, 2024 for the August primary election):

A **"pro" committee** of no more than three people to prepare arguments advocating for the measure's approval. This committee must consist of people known to favor the measure.

A **"con" committee** of no more than three people to prepare arguments against the measure. Whenever possible, this committee must consist of people known to oppose the measure.

The statements submitted by the pro and con committees will appear in the local voters' pamphlet. Some counties allow each committee to read the opposing committee's submitted statement and provide a short rebuttal statement that will also appear in the voters' pamphlet. The word limits, deadlines, use of rebuttal statements, and any other requirements are determined by each county's election rules (RCW 29A.32.230).

An important component of the multi-year lift ballot measure is the ballot title as it is limited to specific wording and number of words. The statute states that the multi-year lift ballot measure must:

- State the total levy duration (number of years).
- If permanent, state that it is permanent or that the dollar amount of the levy will be used for the purpose of computing the limitations for subsequent levies.
- State the maximum tax *rate* to be collected in the first year (for example, \$.50 per \$1,000 AV).
- State the *limit factor* to be used for all subsequent years (stated as an annual percent increase or inflation index). The amounts do not need to be the same for each year.
- State the exemption for senior citizens and persons with disabilities under RCW 84.36.381, if the jurisdiction wishes to exempt these individuals.

The ballot measure *cannot* state the maximum levy *rate* for subsequent years after the first year.

With the Council's direction of a permanent multi-year lift decided, the next two decisions involve the number of years to lift the levy and the limit factor for any years beyond year 1 of the levy lid lift:

Number of Years

The first year of the levy lid lift will generate the most significant amount of additional revenue as the levy rate will reset from the current rate of \$0.29776/\$1,000 AV to \$0.50/\$1,000 AV. For any subsequent year to be lifted, an annual percent increase will be used to calculate the additional levy dollars to be received. Once the levy lift ends, the levy amount will once again be subject to the 1% limit factor. As demonstrated in the forecasts presented to Council last year, the 1% limit factor does not provide sufficient revenue to keep up with inflation costs. For this reason, staff are recommending a 6-year levy lid lift. Year 1 will reset the EMS levy rate to \$0.50/\$1,000 AV and the remaining 5 years will increase by a percentage rate or inflation measure index as decided by Council.

Years 2-6 Limit Factor

Year 1 of the levy lid lift is the only year that the Council will set the levy rate and in subsequent years the levy lift will set the percent increase that the levy amount (tax revenue generated) will grow. Years 2-6 will function like a regular levy in that the ballot measure is setting the tax revenue to be received and the levy rate will be a product of the math based on the City's AV. This makes it difficult to predict what percent increase to include in the ballot measure for years 2-6 as there are several factors affecting the levy, including inflation and how

fast/slow the City's AV increases. Many cities tie the limit factor for years 2-6 to an inflation index such as the CPI-U for Seattle, Tacoma, Bellevue (BLS). The following chart shows the CPI-U BLS for the last several years:

Table A. Seattle-Tacoma-Bellevue, WA, CPI-U 2-month and 12-month percent changes, all items index, not seasonally adjusted

Month	2020		2021		2022		2023		2024	
	2-month	12-month								
February	1.0	2.5	1.2	1.7	1.7	8.1	1.4	8.0	1.2	4.3
April	-0.6	1.3	1.1	3.4	2.1	9.1	1.0	6.9		
June	0.2	0.9	2.2	5.5	3.2	10.1	1.0	4.6		
August	1.4	1.6	1.1	5.2	0.0	9.0	0.8	5.4		
October	-0.1	2.1	1.1	6.5	1.0	8.9	0.4	4.8		
December	-0.4	1.4	0.6	7.6	0.1	8.4	-0.3	4.4		

Using this inflation index as the measure to tie future year levy amount lift increases to is one option. This would in theory keep revenue increases tied to the amount of expenditure increases being experienced. Other options would be to set the limit factor to a specific percentage increase each year. This would be difficult to predict and may over collect or under collect to where the economy is at each year. The following tables illustrate some examples of how much revenue would be generated and what the levy rate changes to based on the various options for the limit factor in years 2-6.

Table B - CPI Increase of 5% and AV Increase of 5% Per Year

Assumptions	2025	2026	2027	2028	2029	2030
CPI-U (BLS)	N/A	5.00%	5.00%	5.00%	5.00%	5.00%
AV - 5% increase/yr	1,176,855,997	1,235,698,797	1,297,483,736	1,362,357,923	1,430,475,819	1,501,999,610
Levy Rate	0.50000000	0.50000000	0.50000000	0.50000000	0.50000000	0.50000000
Levy Amount	588,428	617,849	648,742	681,179	715,238	751,000
\$ Increase over prior yr	253,606	29,421	30,892	32,437	34,059	35,762

Table B illustrates that with an increase in the CPI and AV both equal to 5%, the levy rate is maintained at \$0.50/\$1,000 AV.

Table C - CPI Increase of 5% and AV Increase of 10% Per Year

Assumptions	2025	2026	2027	2028	2029	2030
CPI-U (BLS)	N/A	5.00%	5.00%	5.00%	5.00%	5.00%
AV - 5% increase/yr	1,232,896,759	1,356,186,434	1,491,805,078	1,640,985,586	1,805,084,144	1,985,592,559
Levy Rate	0.50000000	0.47727273	0.45557851	0.43487040	0.41510356	0.39623522
Levy Amount	616,448	647,271	679,634	713,616	749,297	786,762
\$ Increase over prior yr	281,627	30,822	32,364	33,982	35,681	37,465

Table C illustrates that as the AV increases more than the limit factor (CPI of 5%), the EMS levy rate decreases over time. The levy amount (tax revenue received) continues to increase based on the CPI limit factor but the levy rate declines. In the future, the City may need to go out for another lid lift to capture the full capacity of the allowable \$0.50/\$1,000 AV to fund the desired level of service.

In looking at the history of the City's AV, an increase of 10% per year (as used in Table C) is a more reasonable assumption. The table on the following page shows the City's AV history for the past 15 years.

Table 3 – City AV History

Tax Year	New Construction Valuation	Property Valuation	Total Assessed Valuation	<i>Total Assessed Val.</i>	
				<i>Change from Prior Year</i>	<i>Change from Prior Year</i>
				\$\$	%
2010	9,281,572	418,305,191	427,586,763	(26,173,819)	-5.8%
2011	9,581,402	372,013,776	381,595,178	(45,991,585)	-10.8%
2012	1,226,500	365,470,656	366,697,156	(14,898,022)	-3.9%
2013	2,873,843	316,041,139	318,914,982	(47,782,174)	-13.0%
2014	5,824,012	322,388,401	328,212,413	9,297,431	2.9%
2015	5,843,815	342,379,280	348,223,095	20,010,682	6.1%
2016	5,960,403	378,434,356	384,394,759	36,171,664	10.4%
2017	11,770,266	436,931,172	448,701,438	64,306,679	16.7%
2018	20,178,861	498,790,442	518,969,303	70,267,865	15.7%
2019	22,800,906	569,047,000	591,847,906	72,878,603	14.0%
2020	34,041,800	662,497,220	696,539,020	104,691,114	17.7%
2021	30,663,215	734,210,785	764,874,000	68,334,980	9.8%
2022	34,595,600	861,199,209	895,794,809	130,920,809	17.1%
2023	54,719,713	1,048,804,396	1,103,524,109	207,729,300	23.2%
2024	42,135,700	1,078,679,535	1,120,815,235	17,291,126	1.6%

Conclusion and Council Direction:

Based on the CPI and City AV trends, staff are recommending a 6-year levy lid lift and use of the CPI-U BLS in the ballot measure as the limit factor for years 2-6.

Options for Council Direction:

- Number of Years – 2-, 3-, 4-, 5-, or 6-year levy lid lift
- Limit Factor Increase:
 - Flat percentage per year (same for all years)
 - Flat percentage per year (varying percentages)
 - Tied to CPI-U BLS (or other CPI measure)

Next Steps:

April 2, 2024 (Study Session) – Draft EMS Levy Lid Lift Resolution for Council discussion

April 9, 2024 (Council Meeting) – Council action on EMS Levy Lid Lift Resolution

May 3, 2024 – Lid Lift Resolution due to Pierce County

No later than May 3, 2024 – Council appoint members of the Pro/Con Committees

****SEE NEW INFORMATION ON THE FOLLOWING PAGE****

NEW INFORMATION BASED ON COUNCIL REQUEST AT THE MARCH 26,2024 COUNCIL MEETING

At the March 26, 2024, Councilmembers requested some additional scenarios based on other limit factor increases to see how they would affect the amount of additional revenue generated and the EMS levy rate.

Table 1 – Flat increase of 6% years 2026-2030 and AV Increase of 10% Per Year

Assumptions	2025	2026	2027	2028	2029	2030
Flat percent increase	N/A	6.00%	6.00%	6.00%	6.00%	6.00%
AV - 10% increase/yr	1,232,896,759	1,356,186,434	1,491,805,078	1,640,985,586	1,805,084,144	1,985,592,559
Levy Rate	0.50000000	0.48181818	0.46429752	0.44741397	0.43114438	0.41546640
Levy Amount	616,448	653,435	692,641	734,200	778,252	824,947
\$ Increase over prior yr	281,627	36,987	39,206	41,558	44,052	46,695

Table 2 – 3% Floor (assumes CPI-U is below 3% each year) for years 2026-2030 & AV Increase of 10% Per Year

Assumptions	2025	2026	2027	2028	2029	2030
CPI-U with floor of 3%	N/A	3.00%	3.00%	3.00%	3.00%	3.00%
AV - 10% increase/yr	1,232,896,759	1,356,186,434	1,491,805,078	1,640,985,586	1,805,084,144	1,985,592,559
Levy Rate	0.50000000	0.46818182	0.43838843	0.41049098	0.38436883	0.35990900
Levy Amount	616,448	634,942	653,990	673,610	693,818	714,633
\$ Increase over prior yr	281,627	18,493	19,048	19,620	20,208	20,815

Table 3 – CPI-U at varying percent increases for years 2026-2030 & AV Increase of 10% Per Year

Assumptions	2025	2026	2027	2028	2029	2030
CPI-U	N/A	4.87%	3.00%	3.50%	4.35%	4.65%
AV - 10% increase/yr	1,232,896,759	1,356,186,434	1,491,805,078	1,640,985,586	1,805,084,144	1,985,592,559
Levy Rate	0.50000000	0.47668182	0.44634752	0.41997244	0.39840113	0.37902435
Levy Amount	616,448	646,469	665,863	689,169	719,148	752,588
\$ Increase over prior yr	281,627	30,021	19,394	23,305	29,979	33,440

CITY OF BUCKLEY, WASHINGTON

ORDINACE NO. ____-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON PROVIDING FOR THE SUBMISSION OF A PROPOSITION TO THE QUALIFYING VOTERS OF THE CITY OF BUCKLEY AT THE AUGUST 6, 2024 PRIMARY ELECTION FOR AUTHORITY TO RESTORE THE CITY'S PERMANENT EMS LEVY TO THE RATE OF \$0.50 PER \$1,000 OF ASSESSED VALUE, WHICH IS IN EXCESS OF THE LIMIT FACTOR ESTABLISHED IN RCW 84.55.010; SETTING FORTH THE BALLOT PROPOSITION; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, the City of Buckley (the "City") is an optional municipal code City, located in Pierce County, Washington, duly organized and existing pursuant to the laws of the State of Washington; and

WHEREAS, pursuant to RCW 84.52.069, in 2016 the voters of the City authorized a permanent emergency medical service (or "EMS") levy of \$0.50 per \$1,000 of assessed value on the property within the City; and

WHEREAS, because RCW 84.55.010 limits increases in annual EMS property tax levy amounts to 1% per year (plus permitted adjustments including to reflect new construction), the City currently can now only levy \$0.29873 per \$1,000 of assessed value on the property within the City; and

WHEREAS, a continued 1% limitation would restrict the City from levying its full authorized levy rate of \$0.50 per \$1,000 of assessed valuation, necessitating a reduction in the level of EMS services, including but not limited to the inability to increase the number of Paramedics to address a rapidly increasing call volume, resulting in longer response times including an increased reliance on mutual aid, and the ability to accommodate the rising costs of medical; and

WHEREAS, pursuant to RCW 84.55.010, the City may ask voters whether the City should increase the amount of the EMS property tax levy above the 1% limit that would otherwise apply, subject to the voter-approved maximum EMS permanent levy rate of \$0.50 per \$1,000 of assessed valuation, commonly referred to as "lifting the lid."

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

Section 1. Pursuant to RCW 84.55.050(2), an election is hereby requested to be called, conducted and held within the City of Buckley on Tuesday, August 6, 2024, for the purpose of submitting to the qualified electors of the City, for their ratification or rejection, a proposition approving a six-year

levy lid lift to increase the City's EMS property tax levy exceeding the limit factor provided in RCW 84.55.010, as more specifically described in Section 2 below.

Section 2. The proposition would authorize the City to levy the EMS property tax at a rate of \$0.50 per \$1,000 of assessed value on property in the City for collection in the year 2025. For the five years following 2025 (i.e., the years 2026 - 2030), the proposition would also authorize an annual increase of up to 6% annually, subject to a maximum levy rate of \$0.50 previously approved by the voters. The proposition also would approve the use of the 2030 levy amount as the basis for calculating subsequent levies, as allowed by chapter 84.55 RCW, as it may be amended from time to time. Revenues from the property tax increases that would be authorized by the ballot proposition shall be used for the purposes of providing emergency medical services. The taxes authorized by this proposition will be in addition to the maximum amount of regular property taxes the City would have been limited to by RCW 84.55.010, as may be amended from time to time, in the absence of voter approval under this Ordinance, including all other authorized lid lifts.

Section 3. The proposition to be submitted to the electorate of the City shall read substantially as follows:

CITY OF BUCKLEY
PROPOSITION NO. 1
MULTI-YEAR EMERGENCY MEDICAL SERVICES LEVY LID LIFT

The City of Buckley City Council adopted Ordinance No. ____-24 concerning an increase in the City's permanent EMS property tax levy. If approved, this measure will continue to fund emergency medical services by restoring the City's EMS levy to \$0.50/\$1,000 of assessed valuation for collection in 2025; authorizing an annual increase of up to 6% annually, not to exceed \$0.50/\$1,000, for 2026-2030; and authorizing the 2030 levy amount as the basis to calculate subsequent levies, per RCW 84.55. Qualifying seniors, disabled veterans, and others would be exempt, per RCW 84.36.

Should this proposition be approved?:

YES: _____

NO: _____

Section 4. For purposes of receiving notice of the exact language of the ballot proposition required by RCW 29A.36.080, the City Council hereby designates: (a) the Mayor and (b) the City Attorney as the individuals to whom such notice should be provided. The City Mayor and City Attorney are each authorized individually to approve changes to the ballot title, if any, deemed necessary or recommended by the Pierce County Auditor, as long as the intent of the proposition remains clear and consistent with the intent of this Ordinance as approved by the City Council.

Section 5. The election will be held on Tuesday, August 6, 2024.

Section 6. If the ballot proposition set forth herein is approved by the voters, as authorized by RCW 84.36.381, senior citizens, disabled veterans, and other people with disabilities (as defined in RCW 84.36.381) shall be exempt from the tax increase resulting from such levy lid lift.

Section 7. In the event the proposition specified in Section 3 above is approved, the City Council shall levy and there shall be collected a regular property tax emergency medical services levy in the City at the rate of \$0.50 per \$1,000 assessed valuation for collection in 2025.

Section 8. The Pierce County Auditor, as the City's ex officio Supervisor of Elections, is hereby requested to call and conduct said election on Tuesday, August 6, 2024, and submit to the qualified electors of the City the proposition set forth herein.

Section 9. The proper City officials are authorized to perform such duties as are necessary or required by law to submit the question of whether the EMS property tax shall be increased, as provided in this Ordinance, to the electors at the August 6, 2024 election.

Section 10. The Pierce County Auditor, as the City's ex officio Supervisor of Elections shall conduct the election, canvas the vote, and certify the results in the manner provided by law.

Section 11. If any provisions in this Ordinance shall be declared by any court of competent jurisdiction to be contrary to law, then such provision shall be null and void and shall be deemed separable from the remaining provisions of this Ordinance and shall in no way affect the validity of the other

provisions of this Ordinance or of the levy or collection of the taxes authorized by this proposition. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and confirmed.

Introduced, passed and approved this 9th day of April 2024.

Beau Burkett, Mayor

ATTEST:

Treva Zumeck, City Clerk

APPROVED AS TO FORM:

Phil Olbrechts, City Attorney

Published Date: _____

Effective Date: _____