

CITY OF LYNDEN

CITY COUNCIL



City Council - Regular Meeting
Annex - 205 Fourth Street
April 15, 2024

Call to Order

Pledge of Allegiance

Roll Call

Oath of Office

Summary Reports and Presentations

Approval of Minutes

1. Council Meeting Draft Minutes

Citizen Comment

Consent Agenda

2. Approval of Payroll and Claims
3. 2025 Budget Calendar
4. Award Bid for Clarifier Recoat
5. Award Bid for Cedar Drive Reconstruction
6. Set the Public Hearing to Amend LMC 5 and 9 re Special Event Regulations

Public Hearing

Unfinished Business

New Business

7. RES-24-1094 Authorizing the Release of Checks and Electronic Payments Prior to Council Approval
8. Whatcom Community Foundation Donation Approval

Reports

9. Nooksack Valley Disposal Spring Cleanup

Executive Session

Adjournment

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	April 15, 2024	
Name of Agenda Item:	Council Meeting Draft Minutes	
Section of Agenda:	Approval of Minutes	
Department:	Administration	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input checked="" type="checkbox"/> Other: None
		Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
Attachments:	Draft council minutes.	
Summary Statement:	N/A	
Recommended Action:	Review and approval of draft council minutes.	

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



April 1, 2024

1. CALL TO ORDER

Mayor Korthuis called to order the April 1, 2024 regular session of the Lynden City Council at 7:00 p.m. in the city's council chambers.

PLEDGE OF ALLEGIENCE

OATH OF OFFICE – None.

ROLL CALL

Members present: Councilors Gary Bode, Lee Beld, Gary Vis, Brent Lenssen, Nick Laninga, and Mark Wohrab.

Members absent: Councilor Strengholt absent.

Staff present: Community Development Director Heidi Gudde, Finance Director Anthony Burrows, Fire Chief Mark Billmire, Parks Director Brent DeRuyter, Police Chief Steve Taylor, Public Works Director Jon Hutchings, City Clerk Pam Brown, City Administrator John Williams, and City Attorney Bob Carmichael.

SUMMARY REPORTS AND PRESENTATIONS – None.

APPROVAL OF MINUTES

Councilor Bode moved, and Councilor Lenssen seconded, to approve the March 18, 2024 regular council minutes. Motion approved on 6-0 vote.

CITIZEN COMMENT

Cynthia Ripke-Kutsagoitz, Guide Meridian, Lynden

- Miscellaneous thoughts and opinions on Easter, Lynden Tribune cartoon, and the Lynden Senior/Community Center.

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CITY COUNCIL
MINUTES OF REGULAR MEETING



2. CONSENT AGENDA

Payroll Liability to March 10 through March 23, 2024

EFT & Other Liabilities

Non-L&I Liabilities

Monthly EFT	\$439,365.97
Check Liability	\$0.00
Total Non-L&I Liabilities	\$439,365.97
Quarterly Liabilities	\$13,896.25
Total EFT & Other Liabilities	\$453,262.22

Payroll Liability to March 24 through April 6, 2024

EFT & Other Liabilities

Non-L&I Liabilities

Monthly EFT	\$609,147.76
Check Liability	\$0.00
Total Non-L&I Liabilities	\$609,147.76
Quarterly Liabilities	\$13,442.69
Total EFT & Other Liabilities	\$622,590.45

Approval of Claims – March 5, 2024

Manual Warrants No.	29531	through	29531		\$54.75
EFT Payment Pre-Pays					\$0.00
				Sub Total Pre-Pays	\$54.75
Voucher Warrants No.	29749	through	29821		\$220,137.14
EFT Payments					\$55,309.48
				Sub Total	\$275,446.62
	Total Accts. Payable				\$275,501.37

BCH Consultants: 2025 Periodic Update-Professional Services and Scope of Work

The Planning Division has selected BHC Consultants, LLC to work with staff on the 2025 update to the City’s Comprehensive Plan. The update will be substantial, requiring coordination with Whatcom County, and the Department of Commerce and will be

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CITY COUNCIL MINUTES OF REGULAR MEETING



completed by the end of 2025. The Scope of Work, explaining the work that they will be conducting, Exhibit A is included in the council packet. Funding for this update and for these consultant services is coming from the Department of Commerce. That grant contract (No. 24-63335-056) was reviewed and approved by the City Council at the February 20 meeting.

Peak Sustainability for Climate Planning Element within the 2025 Comprehensive Plan-Contract Approval- This item pulled from the consent agenda.

Motion made by Councilor Vis, seconded by Councilor Bode to approve the Consent Agenda with the omission of the Peak Sustainability for Climate Planning Element within the 2025 Comprehensive Plan-Contract Approval Motion approved 6-0.

Peak Sustainability for Climate Planning Element within the 2025 Comprehensive Plan-Contract Approval-

The Planning Division has selected Peak Sustainability Group to work with staff on mandated (HB1181) Climate Planning initiatives for the City's 2025 update to the Comprehensive Plan. The Climate Planning Element will include public outreach, greenhouse gas reduction ideas, resiliency planning, and will be included as a new element to the City's Comprehensive Plan – scheduled to be completed by the end of 2025.

The Scope of Work explaining the work that they will be conducting, Exhibit A, is included with the council packet. Funding for this update and for these consultant services is coming from Department of Commerce Climate Planning Grant Funds. That grant contract (No. 24-63610-137) was reviewed and approved by City Council at the February 20 meeting.

After council discussion the following motion was made:

Motion made by Councilor Lenssen seconded by Councilor Vis to approve the attached Scope of Work and authorize the Mayor's signature on the Professional Services Agreement with Peak Sustainability Group. Motion approved 5-1, with Councilor Laninga opposed.

3. PUBLIC HEARING

The City Council is being asked to hear and consider a proposed amendment to the development regulations related to accessory dwelling units (ADUs) as found in LMC 19.20.

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The staff report includes analysis of the city's existing code and the proposed amendment. Although the amendment would personally benefit the applicant, it is important to note that the State has required that these changes occur by the start of 2026. This proposal would simply implement most of these changes prior to the State's deadline.

The Planning Commission and Technical Review Committee have provided a recommendation on the proposal that supports the amendment but includes staggered implementation dates for the removal of the owner-occupied covenant and a collection of impact fees for ADUs. Currently the city does not collect impact fees for ADUs while the

State outlines that the cities may collect up to 50% of the impact fees collected for a single-family home. Subsequent feedback from the Community Development Committee indicates support of the revision including the delayed implementation date regarding the removal of the owner-occupancy requirement. However, the Committee indicated that the Council may wish to begin collecting impact fees for ADUs at an earlier date to assist in mitigation of impacts. The Department of Commerce has concluded their comment period and commends the City for considering this action ahead of the State's deadline.

Mayor Korthuis opened the public hearing at 7:26 p.m.

There was no public comment.

Mayor Korthuis closed the public hearing at 7:26 p.m.

Motion made by Councilor Lenssen seconded by Councilor Bode to approve Zoning Text Amendment 24-01 in the format recommended by the Planning Commission except that a start date for impact fee collection should be altered to July 1, 2024, and to authorize the Mayor's signature on ORD-24-1684. Motion approved 6-0.

4. UNFINISHED BUSINESS – None.

5. NEW BUSINESS

Approve Expenditure of Funds for the Recreation Center Roof Repair Design

Forge Fitness procured a structural analysis of the roof over the swimming pool at the City-owned Recreation Center located at 100 Drayton Street. Findings show widespread moisture damage to the roof and excess loading of the structural joists. Engineer's recommendations for snow load limit wintertime use of the building. The facility requires

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major repair that must be completed this summer to enable viable business use of the facility through next winter.

Current cost projections include \$19,000 to proceed with further characterization and design of repairs. The Public Works Committee, Parks and Recreation Committee, and Finance Committee will review the findings in the Kingworks Structural Calculations Report and discuss the matter in preparation for a proposed budget allocation of \$19,000 in Fund 356 Parks Capital Reserve for the continued work. If needed, a budget amendment will be presented later in the year.

Motion made by Councilor Bode, seconded by Councilor Vis to approve the appropriation of \$19,000 in Fund 356 Parks capital Reserve to proceed with further characterization and design of roof repairs for the Recreation Center. Motion approved 6-0.

Council discussed concerns over the cost impacts associated with the newly revised Washington Building Code. The revisions show a considerable increase in the costs associated with residential construction of new homes.

6. REPORTS

Councilor Bode reviewed the Public Works Committee minutes.

Councilor Lenssen reviewed the Community Development Committee minutes.

7. EXECUTIVE SESSION

The Council did not hold an executive session.

8. ADJOURNMENT

April 1, 2024 regular session of the Lynden city council adjourned at 8:28 p.m.

Pamela D. Brown, City Clerk

Scott Korthuis, Mayor

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	April 15, 2024	
Name of Agenda Item:	Approval of Payroll and Claims	
Section of Agenda:	Consent	
Department:	Finance	
Council Committee Review:	<input type="checkbox"/> Community Development <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
		Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
Attachments:	None	
Summary Statement:	Approval of Payroll and Claims	
Recommended Action:	Approval of Payroll and Claims	

CITY OF LYNDEN

EXECUTIVE SUMMARY - FINANCE



Meeting Date:	April 15, 2024	
Name of Agenda Item:	2025 Budget Calendar	
Section of Agenda:	Consent	
Department:	Finance	
Council Committee Review:	<input type="checkbox"/> Community Development <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required	
Attachments:		
Proposed 2025 Budget Calendar		
Summary Statement:		
<p>As required by RCW, there are several budget preparation deadlines as the City moves forward in preparing its year 2025 Budget. Attached is the proposed 2025 budget calendar for Council approval.</p> <p>These dates are for final review and approval of the full Council. Upon approval this calendar will be distributed as presentation dates to the satellite agencies, as well as to City departments.</p> <p>This calendar was reviewed earlier by the Finance Committee at their April 12th meeting and approved for review by the full Council.</p>		
Recommended Action:		
The City Council approve the 2025 Budget Calendar as presented.		

2024 Date Requirements

Steps in Budget Preparation

Tuesday, July 9	Meeting with Department Leaders to launch 2025 budget process. Satellite Agencies requested to prepare estimates of revenues/expenditures. Six-year capital plans distributed to Dept. Heads.
Friday, August 9	Estimates of revenues/expenditures, initiatives and six-year capital plans due to Finance Dept.
August 21 - 28	Mayor reviews and approves initiatives.
Friday, August 30	Mayors approved initiatives communicated to Departments and Satellites.
Thursday, September 19**	Final budget to be filed with Finance Director.
Friday, September 27**	Final budget presented to Mayor/City Administrator.
Monday, October 7**	Mayor provides the City Council with current information and estimates of revenues from all sources, as adopted in the budget for 2024.
Monday, October 21**	Mayor presents 2025 budget message to Council, and provides the Council with the proposed preliminary budget for 2025.
Wednesdays, October 23 and October 30**	Finance completes public notice of filing of preliminary budget and notice of public hearing on preliminary budget.
Monday, Nov 4 – 7:00 PM**	Preliminary budget hearing for public; Set Public Hearing for 2025 property tax levy.
Wednesday Nov 6 & Nov 13**	Public notice of hearing setting property tax levy.
Monday, November 18***	Setting property tax levy.
Wednesday, Nov 20 & Nov 27**	Public notice of final hearing for proposed 2025 budget.
Monday, December 2 – 7:00 PM**	Final public hearing on proposed 2025 budget.
Monday, Dec 2– Monday, Dec 16**	Adoption of 2025 budget by City Council.

** Required by RCW, ***Property Tax Levy must be completed prior to November 30, 2024.

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EXECUTIVE SUMMARY

Meeting Date:	April 15, 2024	
Name of Agenda Item:	Award Bid for Clarifier Recoat	
Section of Agenda:	Consent	
Department:	Public Works	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
		Legal Review:
		<input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
Attachments:		
Contract		
Summary Statement:		
<p>The City solicited bids in late 2023 to recoat the second of two clarifiers at the Wastewater Treatment Plant. This is budgeted maintenance to extend the life of these Wastewater Treatment Plant components. The first of the two clarifiers was recoated by WCCL Systems in 2023. The following two bids were received:</p> <p>BrandSafway \$422,688.00 WCCL Systems \$266,560.00</p> <p>The Public Works Committee reviewed bids at their meeting on April 3, 2024, and recommended awarding the contract to WCCL Systems, the lowest responsive and responsible bidder.</p>		
Recommended Action:		
That City Council award the bid for Clarifier Recoating to WCCL Systems in the amount of \$266,560.00 and authorize the Mayor’s signature on the contract.		

CONTRACT
FOR
CLARIFIER 2 – RECOAT COMPONENTS
SMALL WORKS PROJECT NO. SWR2023-07

This Contract, made and entered into this ____ day of _____, 2023 by and between the City of Lynden, hereinafter called the “Owner” and WCCL Systems LLC, hereinafter called the “Contractor”.

WITNESSETH:

That in consideration of the terms and conditions contained herein and attached and made a part of this Contract, the parties hereto covenant and agree as follows:

1. The Contractor shall do all work and furnish all labor, materials, tools, and equipment for the construction of the project and shall perform any changes in the work, all in full compliance with the contract documents entitled “**CLARIFIER 2 - RECOAT COMPONENTS, Lynden, Washington**” and the standard specifications of the Washington State Department of Transportation which are by this reference incorporated herein and made part hereof.

The “Bid Proposal Package”, “Specifications and Conditions”, “Contract Forms”, and the “Plans” sections contained in said contract documents are hereby referred to and by reference made part hereof.

2. The Owner hereby promises and agrees with the Contractor to employ, and does employ the Contractor to furnish the labor, materials, tools and equipment, and to do and cause to be done the above described work, and to complete and finish the same in accordance with the said contract documents and terms and conditions herein contained, and hereby contracts to pay for the same, according to the said contract documents, including the schedule of estimated quantities, and unit and lump sum prices in the Bid Proposal, the approximate sum of \$245,000.00 (excluding Washington State sales tax), the total amount of bid, subject to the actual quantity of work performed, at the time and in the manner and upon the conditions provided for in this contract.
3. The Contractor for himself, and for his agents, successors, assigns, subcontractors and/or employees, does hereby agree to full performance of all covenants herein contained upon the part of the Contractor.
4. This Contract contains terms and conditions agreed upon by the parties. The parties agree that there are no other understandings, oral or otherwise, regarding the subject matter of this Contract.

5. The Contractor agrees to comply with all applicable Federal, State, City or municipal standards for the licensing, certification, operation of facilities and programs, and accreditation and licensing of individuals.
6. The Contractor shall not assign or subcontract any portion of the work provided for under the terms of this Contract without obtaining prior written approval of the Engineer. All terms and conditions of this Contract shall apply to any approved subcontract or assignment related to this Contract.
7. The Contractor's obligation to pay industrial insurance premiums survives contract closeout, and any unpaid premiums will be charged against the contract/performance bond if the obligation is not satisfied.
8. This Contract has been and shall be construed as having been made and delivered within the State of Washington, and it is mutually understood and agreed by each party hereto that this Contract shall be governed by the laws of the State of Washington, both as to interpretation and performance. Any action in law, suit and equity or judicial proceedings for the enforcement of this contract, or any provisions thereof, shall be instituted and maintained in the courts of competent jurisdiction located in the City of Lynden, Washington.
9. The failure of the Owner to insist upon strict performance of any of the covenants and agreements of this Contract or to exercise any option herein conferred in any one or more instances shall not be construed to be a waiver or relinquishment of any such, or any other covenants or agreements, but the same shall be and remain in full force and effect.
10. It is understood and agreed by the parties hereto that if any part of this agreement is determined to be illegal, the validity of the remaining portions shall be construed as if the agreement did not contain the particular illegal part.
11. No change or addition to this Contract shall be valid or binding upon either party unless such change or addition shall be in writing, executed by both parties.

IN WITNESS WHEREOF, the Contractor has executed this instrument, on the day and year first below written and the Owner has caused this instrument to be executed by and in the name of the said County, the day and year first above written.

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EXECUTIVE SUMMARY



Meeting Date:	April 15, 2024	
Name of Agenda Item:	Award Bid for Cedar Drive Reconstruction	
Section of Agenda:	Consent	
Department:	Public Works	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
		Legal Review: <input type="checkbox"/> Yes – Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
Attachments:		
1) Certified Bid Tabulation 2) Reichhardt & Ebe Engineering Recommendation to Award		
Summary Statement:		
<p>Staff recently solicited bids for Cedar Drive Reconstruction. This project includes the reconstruction of the existing roadway, the construction of pedestrian ramps at Depot Rd and driveways, replacement of the existing sewer main and sewer services, and a new stormwater system. Six (6) bids were received on April 4, 2024, as shown on the attached Bid Tabulation prepared by Reichhardt & Ebe.</p> <p>At the Public Works Committee meeting on April 3, 2024, the Committee concurred that the bid results could be forwarded directly to City Council after being informed of the results. The recommendation is to award the contract to DeKoster Excavating, the lowest responsive and responsible bidder, in the amount of \$1,369,247.58, which includes Washington State Sales Tax.</p> <p>The Engineer's Estimate was \$1,592,578.15.</p>		
Recommended Action:		
<p>That City Council award the contract for Cedar Drive Reconstruction to DeKoster Excavating in the amount of \$1,369,247.58, including Washington State Sales Tax, and authorize the Mayor to sign the contract.</p>		



April 8, 2024

City of Lynden
300 4th Street
Lynden, WA 98264

Attn: Mark Sandal
Programs Manager

Re: City of Lynden
Cedar Drive Reconstruction

Recommendation to Award

Dear Mark Sandal

We have reviewed all construction bid proposals for the above referenced project. DeKoster Excavating provided the lowest responsive bid for Schedules A, B, C, and D at \$1,369,247.58. The bid was read as a total of \$1,369,247.58.

We recommend that you award the contract to DeKoster Excavating subject to the following:

1. Required project funds are available.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tyler Buys', written over a horizontal line.

Tyler Buys, P.E.
Reichhardt & Ebe Engineering, Inc.

Item No.	Item Description	Quantity	Unit	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount		
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Schedule B - Sewer

Item No.	Item Description	Quantity	Unit	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount			
57	Mobilization	1	LS	\$ 30,000.00	\$ 30,000.00	\$ 11,114.00	\$ 11,114.00	\$ 21,620.00	\$ 21,620.00	\$ 20,014.00	\$ 20,014.00	\$ 2,500.00	\$ 2,500.00	\$ 40,000.00	\$ 40,000.00	\$ 20,000.00	\$ 20,000.00	\$ 19,208.00	\$ 11,431.48	
58	Shoring or Extra Excavation Class B	11,585	SF	\$ 1.00	\$ 11,585.00	\$ 0.01	\$ 115.85	\$ 1.00	\$ 11,585.00	\$ 0.29	\$ 3,359.65	\$ 0.01	\$ 115.85	\$ 0.20	\$ 2,317.00	\$ 5.00	\$ 57,925.00	\$ 1.09	\$ 1.78	
59	Manhole 48 In. Diam. Type 3	4	EA	\$ 5,000.00	\$ 20,000.00	\$ 4,102.10	\$ 16,408.40	\$ 5,597.16	\$ 22,388.64	\$ 4,320.00	\$ 17,280.00	\$ 4,000.00	\$ 16,000.00	\$ 6,500.00	\$ 26,000.00	\$ 11,500.00	\$ 46,000.00	\$ 6,003.21	\$ 2,616.83	
60	CDF Utility Crossing	6	EA	\$ 550.00	\$ 3,300.00	\$ 1,435.40	\$ 8,612.40	\$ 3,000.00	\$ 18,000.00	\$ 673.00	\$ 4,038.00	\$ 650.00	\$ 3,900.00	\$ 1,000.00	\$ 6,000.00	\$ 1,400.00	\$ 8,400.00	\$ 1,359.73	\$ 796.09	
61	Temporary Sewer Bypass	1	LS	\$ 30,000.00	\$ 30,000.00	\$ 5,497.00	\$ 5,497.00	\$ 14,000.00	\$ 14,000.00	\$ 46,526.00	\$ 46,526.00	\$ 25,000.00	\$ 25,000.00	\$ 15,000.00	\$ 15,000.00	\$ 53,000.00	\$ 53,000.00	\$ 26,503.83	\$ 17,488.89	
62	PVC Sanitary Sewer Pipe 6 In. Diam.	575	LF	\$ 110.00	\$ 63,250.00	\$ 73.95	\$ 42,521.25	\$ 79.64	\$ 45,793.00	\$ 57.00	\$ 32,775.00	\$ 46.00	\$ 26,450.00	\$ 73.00	\$ 41,975.00	\$ 257.00	\$ 147,775.00	\$ 97.77	\$ 72.12	
63	PVC Sanitary Sewer Pipe 8 In. Diam.	1,250	LF	\$ 110.00	\$ 137,500.00	\$ 50.91	\$ 63,637.50	\$ 108.77	\$ 135,962.50	\$ 62.00	\$ 77,500.00	\$ 50.00	\$ 62,500.00	\$ 115.00	\$ 143,750.00	\$ 166.00	\$ 207,500.00	\$ 92.11	\$ 42.11	
64	Sewer Cleanout	23	EA	\$ 1,300.00	\$ 29,900.00	\$ 632.73	\$ 14,552.79	\$ 1,187.76	\$ 27,318.48	\$ 478.00	\$ 10,994.00	\$ 500.00	\$ 11,500.00	\$ 950.00	\$ 21,850.00	\$ 805.00	\$ 18,515.00	\$ 758.92	\$ 253.12	
65	CIPP 8 In. Diam.	225	LF	\$ 100.00	\$ 22,500.00	\$ 115.59	\$ 26,007.75	\$ 102.46	\$ 23,053.50	\$ 176.00	\$ 39,600.00	\$ 360.00	\$ 81,000.00	\$ 330.00	\$ 74,250.00	\$ 347.00	\$ 78,075.00	\$ 238.51	\$ 109.87	
66	Reinstate Side Sewer	2	EA	\$ 750.00	\$ 1,500.00	\$ 1,283.37	\$ 2,566.74	\$ 920.00	\$ 1,840.00	\$ 1,319.00	\$ 2,638.00	\$ 3,300.00	\$ 6,600.00	\$ 1,500.00	\$ 3,000.00	\$ 275.00	\$ 550.00	\$ 1,432.90	\$ 924.63	
67	Pothole Existing Underground Utility	6	EA	\$ 500.00	\$ 3,000.00	\$ 131.88	\$ 791.28	\$ 500.00	\$ 3,000.00	\$ 816.00	\$ 4,896.00	\$ 500.00	\$ 3,000.00	\$ 550.00	\$ 3,300.00	\$ 1,100.00	\$ 6,600.00	\$ 599.65	\$ 299.53	
68	Repair Existing Public and Private Facilities	1	EST	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ -	
Sub-Total Schedule B					\$ 362,535.00		\$ 201,824.96		\$ 334,561.12		\$ 269,620.65		\$ 248,565.85		\$ 387,442.00		\$ 654,340.00			
Sales Tax Schedule B				9.00%	\$ 32,628.15		\$ 18,164.25		\$ 30,110.50		\$ 24,265.86		\$ 22,370.93		\$ 34,869.78		\$ 58,890.60			
Total Schedule B					\$ 395,163.15		\$ 219,989.21		\$ 364,671.62		\$ 293,886.51		\$ 270,936.78		\$ 422,311.78		\$ 713,230.60			

Schedule C - Storm

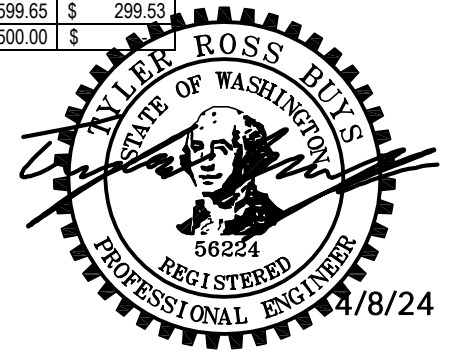
Item No.	Item Description	Quantity	Unit	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount		
69	Mobilization	1	LS	\$ 25,000.00	\$ 25,000.00	\$ 4,201.50	\$ 4,201.50	\$ 12,880.00	\$ 12,880.00	\$ 15,197.00	\$ 15,197.00	\$ 2,500.00	\$ 2,500.00	\$ 38,000.00	\$ 38,000.00	\$ 10,000.00	\$ 10,000.00	\$ 13,796.42	\$ 11,709.68
70	Shoring or Extra Excavation Class B	6,595	SF	\$ 1.00	\$ 6,595.00	\$ 0.01	\$ 65.95	\$ 1.00	\$ 6,595.00	\$ 0.26	\$ 1,714.70	\$ 0.01	\$ 65.95	\$ 0.20	\$ 1,319.00	\$ 2.00	\$ 13,190.00	\$ 0.58	\$ 0.72
71	Infiltration Trench	105	LF	\$ 70.00	\$ 7,350.00	\$ 99.57	\$ 10,454.85	\$ 70.00	\$ 7,350.00	\$ 187.00	\$ 19,635.00	\$ 120.00	\$ 12,600.00	\$ 115.00	\$ 12,075.00	\$ 176.00	\$ 18,480.00	\$ 127.93	\$ 41.21
72	Abandon Existing 24 In. Storm Sewer	35	CY	\$ 350.00	\$ 12,250.00	\$ 355.98	\$ 12,459.30	\$ 340.00	\$ 11,900.00	\$ 325.00	\$ 11,375.00	\$ 320.00	\$ 11,200.00	\$ 280.00	\$ 9,800.00	\$ 330.00	\$ 11,550.00	\$ 325.16	\$ 23.31
73	Abandon Existing 12 In. Storm Sewer	1	LS	\$ 500.00	\$ 500.00	\$ 1,177.25	\$ 1,177.25	\$ 1,800.00	\$ 1,800.00	\$ 1,398.00	\$ 1,398.00	\$ 50,000.00	\$ 50,000.00	\$ 4,000.00	\$ 4,000.00	\$ 3,800.00	\$ 3,800.00	\$ 10,362.54	\$ 17,761.04
74	Storm Sewer Check Valve 8 In. Diam.	1	EA	\$ 2,250.00	\$ 2,250.00	\$ 2,219.65	\$ 2,219.65	\$ 2,300.00	\$ 2,300.00	\$ 2,736.00	\$ 2,736.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,250.00	\$ 3,250.00	\$ 2,750.94	\$ 378.37
75	Storm Sewer Check Valve 12 In. Diam.	1	EA	\$ 3,500.00	\$ 3,500.00	\$ 3,256.42	\$ 3,256.42	\$ 3,400.00	\$ 3,400.00	\$ 3,848.00	\$ 3,848.00	\$ 5,000.00	\$ 5,000.00	\$ 3,800.00	\$ 3,800.00	\$ 4,490.00	\$ 4,490.00	\$ 3,965.74	\$ 606.78
76	Storm Sewer Check Valve 24 In. Diam.	1	EA	\$ 10,000.00	\$ 10,000.00	\$ 8,917.15	\$ 8,917.15	\$ 9,000.00	\$ 9,000.00	\$ 10,307.00	\$ 10,307.00	\$ 15,000.00	\$ 15,000.00	\$ 10,600.00	\$ 10,600.00	\$ 11,300.00	\$ 11,300.00	\$ 10,854.03	\$ 2,038.82
77	Connect Storm Sewer to Existing Culvert	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 9,602.88	\$ 9,602.88	\$ 6,500.00	\$ 6,500.00	\$ 3,059.00	\$ 3,059.00	\$ 25,000.00	\$ 25,000.00	\$ 4,200.00	\$ 4,200.00	\$ 8,500.00	\$ 8,500.00	\$ 9,476.98	\$ 7,301.07
78	Storm Sewer End Treatment at Existing Ditch	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 4,435.75	\$ 4,435.75	\$ 1,500.00	\$ 1,500.00	\$ 2,111.00	\$ 2,111.00	\$ 4,000.00	\$ 4,000.00	\$ 6,500.00	\$ 6,500.00	\$ 3,950.00	\$ 3,950.00	\$ 3,749.46	\$ 1,627.07
79	Schedule 40 Storm Sewer Pipe 2 In. Diam.	55	LF	\$ 15.00	\$ 825.00	\$ 27.73	\$ 1,525.15	\$ 33.00	\$ 1,815.00	\$ 50.00	\$ 2,750.00	\$ 75.00	\$ 4,125.00	\$ 84.00	\$ 4,620.00	\$ 32.00	\$ 1,760.00	\$ 50.29	\$ 21.94
80	Solid Wall PVC Storm Sewer Pipe 4 In. Diam.	15	LF	\$ 35.00	\$ 525.00	\$ 98.12	\$ 1,471.80	\$ 36.00	\$ 540.00	\$ 53.00	\$ 795.00	\$ 45.00	\$ 675.00	\$ 150.00	\$ 2,250.00	\$ 66.00	\$ 990.00	\$ 74.69	\$ 39.04
81	Ductile Iron Storm Sewer Pipe 8 In. Diam.	100	LF	\$ 95.00	\$ 9,500.00	\$ 93.70	\$ 9,370.00	\$ 98.00	\$ 9,800.00	\$ 94.00	\$ 9,400.00	\$ 80.00	\$ 8,000.00	\$ 94.00	\$ 9,400.00	\$ 213.00	\$ 21,300.00	\$ 112.12	\$ 45.47
82	Solid Wall PVC Storm Sewer Pipe 8 In. Diam.	135	LF	\$ 80.00	\$ 10,800.00	\$ 66.83	\$ 9,022.05	\$ 84.00	\$ 11,340.00	\$ 55.00	\$ 7,425.00	\$ 56.00	\$ 7,560.00	\$ 90.00	\$ 12,150.00	\$ 89.00	\$ 12,015.00	\$ 73.47	\$ 14.81
83	Corrugated Polyethylene Storm Sewer Pipe 12 In. Diam.	280	LF	\$ 90.00	\$ 25,200.00	\$ 74.72	\$ 20,921.60	\$ 88.00	\$ 24,640.00	\$ 67.00	\$ 18,760.00	\$ 48.00	\$ 13,440.00	\$ 110.00	\$ 30,800.00	\$ 77.00	\$ 21,560.00	\$ 77.45	\$ 18.95
84	Solid Wall PVC Storm Sewer Pipe 12 In. Diam.	20	LF	\$ 95.00	\$ 1,900.00	\$ 71.96	\$ 1,439.20	\$ 155.00	\$ 3,100.00	\$ 92.00	\$ 1,840.00	\$ 150.00	\$ 3,000.00	\$ 190.00	\$ 3,800.00	\$ 197.00	\$ 3,940.00	\$ 142.66	\$ 46.48
85	Corrugated Polyethylene Storm Sewer Pipe 24 In. Diam.	540	LF	\$ 125.00	\$ 67,500.00	\$ 104.51	\$ 56,435.40	\$ 120.00	\$ 64,800.00	\$ 110.00	\$ 59,400.00	\$ 150.00	\$ 81,000.00	\$ 120.00	\$ 64,800.00	\$ 142.00	\$ 76,680.00	\$ 124.42	\$ 16.36
86	Solid Wall PVC Storm Sewer Pipe 24 In. Diam.	5	LF	\$ 130.00	\$ 650.00	\$ 582.04	\$ 2,910.20	\$ 575.00	\$ 2,875.00	\$ 122.00	\$ 610.00	\$ 600.00	\$ 3,000.00	\$ 500.00	\$ 2,500.00	\$ 960.00	\$ 4,800.00	\$ 556.51	\$ 244.16
87	Dispersion Trench 'A'	20	LF	\$ 90.00	\$ 1,800.00	\$ 357.15	\$ 7,143.00	\$ 249.42	\$ 4,988.40	\$ 267.00	\$ 5,340.00	\$ 350.00	\$ 7,000.00	\$ 650.00	\$ 13,000.00	\$ 515.00	\$ 10,300.00	\$ 398.10	\$ 141.66
88	Dispersion Trench 'B'	16	LF	\$ 70.00	\$ 1,120.00	\$ 381.31	\$ 6,100.96	\$ 218.31	\$ 3,492.96	\$ 270.00	\$ 4,320.00	\$ 350.00	\$ 5,600.00	\$ 600.00	\$ 9,600.00	\$ 520.00	\$ 8,320.00	\$ 389.94	\$ 133.26
89	Stormwater Filtration System	1	EA	\$ 25,000.00	\$ 25,000.00	\$ 22,125.25	\$ 22,125.25	\$ 21,000.00	\$ 21,000.00	\$ 23,986.00	\$ 23,986.00	\$ 35,000.00	\$ 35,000.00	\$ 30,000.00	\$ 30,000.00	\$ 26,000.00	\$ 26,000.00	\$ 26,351.88	\$ 4,836.10
90	Catch Basin Type 1	11	EA	\$ 2,250.00	\$ 24,750.00	\$ 1,842.09	\$ 20,262.99	\$ 2,332.98	\$ 25,662.78	\$ 1,918.00	\$ 21,098.00	\$ 2,500.00	\$ 27,500.00	\$ 3,500.00	\$ 38,500.00	\$ 1,850.00	\$ 20,350.00	\$ 2,323.85	\$ 582.49
91	Catch Basin Type 2 48 In. Diam.	12	EA	\$ 4,250.00	\$ 51,000.00	\$ 4,264.24	\$ 51,170.88	\$ 5,205.95	\$ 62,471.40	\$ 4,183.00	\$ 50,196.00	\$ 6,500.00	\$ 78,000.00	\$ 4,000.00	\$ 48,000.00	\$ 9,450.00	\$ 113,400.00	\$ 5,600.53	\$ 1,920.93
92	Pothole Existing Underground Utility	6	EA	\$ 500.00	\$ 3,000.00	\$ 131.88	\$ 791.28	\$ 500.00	\$ 3,000.00	\$ 834.00	\$ 5,004.00	\$ 500.00	\$ 3,000.00	\$ 550.00	\$ 3,300.00	\$ 1,100.00	\$ 6,600.00	\$ 602.65	\$ 301.76
93	Repair Existing Public and Private Facilities	1	EST	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ -
Total Schedule C					\$ 308,515.00		\$ 274,980.46		\$ 310,250.54		\$ 289,804.70		\$ 412,765.95		\$ 373,514.00		\$ 424,025.00		



Item No.	Item Description	Quantity	Unit	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount		
Schedule D - Water																			
94	Mobilization	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 1,000.00	\$ 1,000.00	\$ 12,250.00	\$ 12,250.00	\$ 5,003.00	\$ 5,003.00	\$ 2,500.00	\$ 2,500.00	\$ 6,000.00	\$ 6,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,292.17	\$ 3,542.61
95	Removal and Disposal of Existing Water Main	1	LS	\$ 6,500.00	\$ 6,500.00	\$ 38,995.53	\$ 38,995.53	\$ 37,999.81	\$ 37,999.81	\$ 22,567.00	\$ 22,567.00	\$ 40,000.00	\$ 40,000.00	\$ 16,000.00	\$ 16,000.00	\$ 30,800.00	\$ 30,800.00	\$ 31,060.39	\$ 9,037.51
96	Stovepipe Water Main	1	EA	\$ 5,000.00	\$ 5,000.00	\$ 6,595.05	\$ 6,595.05	\$ 6,509.88	\$ 6,509.88	\$ 10,689.00	\$ 10,689.00	\$ 1,800.00	\$ 1,800.00	\$ 15,000.00	\$ 15,000.00	\$ 3,000.00	\$ 3,000.00	\$ 7,265.66	\$ 4,483.85
97	Comb. Air Release/Air Vacuum Valve Assembly 1 In.	1	EA	\$ 3,500.00	\$ 3,500.00	\$ 5,376.42	\$ 5,376.42	\$ 6,000.00	\$ 6,000.00	\$ 6,147.00	\$ 6,147.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,200.00	\$ 6,200.00	\$ 5,953.90	\$ 270.10
98	Hydrant Assembly	2	EA	\$ 8,000.00	\$ 16,000.00	\$ 7,206.57	\$ 14,413.14	\$ 7,500.00	\$ 15,000.00	\$ 7,158.00	\$ 14,316.00	\$ 6,000.00	\$ 12,000.00	\$ 9,000.00	\$ 18,000.00	\$ 9,000.00	\$ 18,000.00	\$ 7,644.10	\$ 1,066.81
99	Service Connection 1 In. Diam.	2	EA	\$ 2,000.00	\$ 4,000.00	\$ 1,606.04	\$ 3,212.08	\$ 3,000.00	\$ 6,000.00	\$ 3,159.00	\$ 6,318.00	\$ 2,000.00	\$ 4,000.00	\$ 2,000.00	\$ 4,000.00	\$ 1,750.00	\$ 3,500.00	\$ 2,252.51	\$ 602.55
100	Pothole Existing Underground Utility	4	EA	\$ 500.00	\$ 2,000.00	\$ 131.88	\$ 527.52	\$ 500.00	\$ 2,000.00	\$ 816.00	\$ 3,264.00	\$ 500.00	\$ 2,000.00	\$ 550.00	\$ 2,200.00	\$ 1,100.00	\$ 4,400.00	\$ 599.65	\$ 299.53
101	Repair Existing Public and Private Facilities	1	EST	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00
Sub-Total Schedule D					\$ 45,500.00		\$ 73,619.74		\$ 89,259.69		\$ 71,804.00		\$ 71,800.00		\$ 70,700.00		\$ 74,400.00		
Sales Tax Schedule D				9.00%	\$ 4,095.00		\$ 6,625.78		\$ 8,033.37		\$ 6,462.36		\$ 6,462.00		\$ 6,363.00		\$ 6,696.00		
Total Schedule D					\$ 49,595.00		\$ 80,245.52		\$ 97,293.06		\$ 78,266.36		\$ 78,262.00		\$ 77,063.00		\$ 81,096.00		

Total Schedules A, B, C,D Incl Sales Tax					\$ 1,592,578.15		\$ 1,369,247.58		\$ 1,713,130.37		\$ 1,756,684.57		\$ 1,824,575.98		\$ 1,939,481.78		\$ 2,190,198.60		
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Math Error / Omission
Denotes Irregular Proposal



CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	April 15, 2024	
Name of Agenda Item:	Set the Public Hearing to update LMC 5 Special Events	
Section of Agenda:	Consent	
Department:	Community Development Dept	
Council Committee Review:	Legal Review:	
<input checked="" type="checkbox"/> Community Development	<input type="checkbox"/> Public Safety	<input type="checkbox"/> Yes - Reviewed
<input type="checkbox"/> Finance	<input type="checkbox"/> Public Works	<input type="checkbox"/> No - Not Reviewed
<input type="checkbox"/> Parks	<input type="checkbox"/> Other: _____	<input type="checkbox"/> Review Not Required
Attachments:		
<ul style="list-style-type: none"> Proposed Special Events Code Update (LMC 5.30) 		
Summary Statement:		
<p>The City Council will be asked to hear and consider a proposed amendment to the Lynden Municipal Code. The amendment would shift language regarding Parades and Special Events from the Criminal Code in Title 9 to Title 5 – Business Licenses and Regulation. The amended language clarifies regulations, permit process, and approval authority for events that may have an impact on a neighborhood and/or on public services. The revised code now includes three tiers of events depending on the impact created by each event.</p> <p>The code will continue to regulate the activities associated with private “Dance Permits” but would categorize them as Tier 1 or Tier 2 Special Events depending on their characteristics. The revised code does <u>not</u> modify LMC 5.04 which prohibits dancing and the sale of intoxicating beverages at commercial establishments.</p> <p>In association with the code revision staff have also been updating the application to ensure that proposals include all the necessary information such as insurance and site maps or routes. The application will also include detailed instructions and resources for securing insurance for private events.</p> <p>The proposed amendment is legislative in nature and public comment will be accepted. The proposed public hearing date is May 20, 2024.</p>		
Recommended Action:		
Motion to set a public hearing date of May 20, 2024, to consider proposed updates to the City’s regulations of Special Events by amending LMC Title 5 and 9.		

Chapter 5.30 PARADES AND SPECIAL EVENTS

Sections:

5.30.010 Definitions.

In this chapter, unless a different meaning plainly is required, the following definitions shall apply:

- A. "Chief of police" means the chief of police of the city of Lynden.
- B. "City" means the city of Lynden.
- C. "Parade" means a large group of persons with or without animals or vehicles moving in a public procession or march in or upon any street, sidewalk, park, or other public place. A large group of persons means a group of more than fifteen persons.
- D. "Special events permit" means a permit as required by this chapter.
- E. "Special event" means an event organized by any person or which will generate or invite considerable public participation and/or spectators, for a particular and limited purpose and time, including, but not limited to concerts, fun runs, fundraising walks, bike-a-thons, carnivals, shows, exhibitions, festivals, block parties, and certain community events. Special events are not limited to those events conducted on the public streets but may occur on private property.
- F. "Person" means any person, firm, partnership, association, corporation, company, or organization of any kind.
- G. "Street" or "Streets" means any public highway, sidewalk, alley, or portions thereof in the city of Lynden dedicated to public use.
- H. "Substantial impact" means creating an increase in the amount, scope, or level of need for city-provided emergency or protective services such as police, fire or medical aid and/or necessitating special traffic control measures such as barricades, traffic direction by police, or similar measures above those that would normally be required without the event and that results in actual, documented costs to the city due to the event.

(Ord. 1141 § A (part), 2002).

5.30.020 Permit—Required—Exceptions.

- A. Permit Required: No person shall engage in, participate in, aid, form or start a special event or parade unless a permit has been obtained. Applications for permits must be obtained from the city administration office, completed by the applicant, and returned to the city administration office. In addition, for Tier 2 and Tier 3 permits, the applicant must file an "Indemnification Agreement" in order for the permit to be issued. The "Indemnification Agreement" must be signed by the applicant and countersigned by the Administrator or their designee.
- B. Special Event Permit Tiers:
 - 1. Tier 1: Permit required, application fee waived, no insurance documentation or indemnification agreement required, administrative approval.

- a. A private event held entirely on private property, more than 75 participants, with no substantial impact on public property, public streets, public services, neighbors, or other community members.
 - b. Political or religious activity primarily intended for the communication or expression of ideas presumed to be protected by the First and Fourteenth Amendments of the United States Constitution.
2. Tier 2: Permit required, application fee required, public services fee may be determined, administrative approval.
- a. A private or public event, of any size, that is requesting non-arterial street closures (including 4th St between Front St and Grover St) and, therefore, will have with a determined substantial impact on public property, public streets, public services, neighbors, or other community members.
 - b. A private or public event that includes more than 75 participants, does not involved street closures, but does have a determined substantial impact on local traffic, noise, the neighborhood, or public services (Police, Public Works, etc).
 - c. An event at a facility designed for such purposes (theaters, fairgrounds, event centers, auditoriums, places of worship, etc.) that will have more than 500 participants and involve the serving or consumption of alcohol are required to obtain a Special Events Permit (Tier 2).
3. Tier 3: Permit required, application fee required, public services fee may be determined, City Council approval.
- a. A private or public event that uses private and/or public property, regardless of the number of participants, that includes arterial street closures and streets in the HBD besides 4th St between Front St and Grover St. Arterial street closure require City Council approval.

C. Permit Exemptions: The permit requirement does not apply to the following:

- 1. Funeral and wedding processions.
- 2. A private event on private property, involving less than 75 participants, and which has no substantial impact on the neighborhood or on public services.
- 3. Groups of students involved in a school sponsored, school supervised event.
- 4. Events conducted in a facility designed for that purpose such as theaters, fairgrounds, event centers, auditoriums, places of worship, etc. are exempt unless the event will have more than 500 participants and involve the serving or consumption of alcohol are required to obtain a Special Events Permit (Tier 2).
- 5. The annual Northwest Washington Fair.
- 6. Events separately approved by the Lynden Parks Department for use at a park property.

D. Indemnification Agreement: The applicant must file an "Indemnification Agreement" in order to obtain a permit. An "Indemnification Agreement" section is included on the Special Event Permit Application. This section must be completed, with the appropriate signatures, prior to issuance of the permit.

E. Insurance Requirements:

- 1. The following insurance shall be required for special event permit approval:
 \$2,000,000 commercial general liability insurance per occurrence combined single limits.
 \$5,000,000 aggregate unless waived by City Administrator.

F. A Certificate of Insurance, listing the City as an endorsement, shall be submitted with the Special Event Application. Permit requirements for recurring annual events.

- 1. Annual events are required to submit an application every year the event occurs. The application shall be submitted no less than 60 days prior to the event. Any changes to the event, and ongoing requests for public services shall be indicated in the application.
 (Ord. 1141 § A (part), 2002).

G. Fees for Public Services Required:

- 1. Upon approval of an application for a permit for a special event, the administrator should provide the applicant with a statement of the estimated cost of providing public services (personnel and equipment) to support the event. The applicant/sponsor of the event should be required to prepay these estimated costs for city services and equipment ten (10) days prior to the special events. City services and equipment may include the use of police officers and public employees for traffic and crowd control, pickup and delivery of traffic control devices, picnic tables, extraordinary street sweeping, and any other needed, requested or required city service and the cost of operating the equipment to provide such services.
- 2. If the actual cost for city services and equipment on the date(s) of the event is less than the estimated cost, the applicant/sponsor will be refunded the difference by the city in a timely manner. If the actual cost for city services and equipment on the date(s) of the event is greater than the estimated cost, the applicant/sponsor will be billed for the difference.
- 3. Permit fees and fees for the use of public services and equipment may be waived in part or in full by the City if in review of the application it is found that the event is of sufficient public benefit to warrant the expenditure of city funds without reimbursement by the applicant/sponsor and would not result in the private financial gain of any individual or "for profit" entity.

5.30.030 Permit—Application and contents.

- A. A person seeking issuance of a special event permit shall file a complete Special Events Permit Application with the city administration office, or their designee, on forms provided by the city.
- B. Filing period. An application for a special event permit shall be filed not less than sixty days before the date on which it is proposed to conduct the parade or special event.
- C. Contents. The application for a parade or special event permit shall set forth the following information:
 - 1. The name, address and telephone number of the contact person seeking to conduct such special event;

2. If the special event is proposed to be conducted for, on behalf of or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorized and responsible heads of such organization;
3. The date when the event is to be conducted, the hours when the event will begin and finish, and a detailed description of the event to be held;
4. The location event will be held or (for parades) the route to be traveled, the starting point and the termination point;
5. The number of persons who it is anticipated will participate in said event and the numbers and types of animals and vehicles that will be used in said event;
 - a. For any requested street closures, a description of which streets, how much of the street will be used, a plan for any necessary traffic control, street barricades requested, any officer presence needed, and a plan for cleanup and reopening after the event. A description of any temporary street assembly areas shall be included in this request.
6. A detailed request for Public Services needed to support the event:
 - a. Equipment such as street barricades, utility needs, street sweeper, etc
 - b. Staffing such as Public Works staff, Police and/or Fire personnel and equipment,
7. Detailed description and the proposed location of any private support services, such as waste management, portable toilets, food vendors, etc. that may be placed to support the special event.
8. Indemnification Agreement
9. Insurance requirements as indicated in LMC 5.30.020 (5)
10. Agent authorization. If the special event is designed to be held by and on behalf of or for any person other than the applicant, the applicant for such permit shall file with the city administration office a communication in writing from the person proposing to hold the event, authorizing the applicant to apply for the permit on his or her behalf.

(Ord. 1141 § A (part), 2002).

5.30.040 Permit—Issuance standards.

The city administrator or their designee shall issue a permit as provided for under this chapter, when, from a consideration of the application and from such other information as may otherwise be obtained, they find that the following conditions exist:

- A. The conduct of the special event will not substantially interrupt the safe and orderly movement of other traffic contiguous to its location;
- B. The conduct of the special event will not require the diversion of so great a number of police officers of the city to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the city;
- C. The conduct of such parade will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the city other than that to be occupied by the proposed line of march and areas contiguous thereto;

- D. The concentration of persons, animals and vehicles at assembly points of the event will not unduly interfere with proper fire and police protection of or ambulance service to areas contiguous to such assembly areas;
- E. The conduct of such special event will not interfere with the movement of fire fighting equipment en route to a fire;
- F. The special event or parade is scheduled to move from its point of origin to a point of termination expeditiously and without unreasonable delays en route;
- G. The special event is not to be held for the sole purpose of advertising any product, goods or other event, and is not designed to be held purely for private profit;
- H. That the indemnification agreement required to have been submitted with the application for a permit is in proper order and has been countersigned by the administrator or their designee as required in LMC 5.32.020(A).

(Ord. 1141 § A (part), 2002).

5.30.050 Permit—Rejection—Notice.

The city administrator, or their designee, shall act upon the application for a special event permit as promptly as is administratively feasible and shall notify the applicant of their decision no later than twenty-five days prior to the date upon which the event is proposed to be held. If the city administrator disapproves the application, they shall notify the applicant of their reasons for the denial of the permit.

(Ord. 1141 § A (part), 2002).

5.30.060 Permit—Rejection—Appeal.

Any person aggrieved shall have the right to appeal the denial of the permit to the city council. The appeal shall be taken within three days after notice. The city council shall act upon the appeal at its next regular or special meeting after receiving notice of appeal.

(Ord. 1141 § A (part), 2002).

5.30.070 Permit—Alternate.

The city administrator, in denying an application for a special event permit, shall be empowered to authorize the conduct of the event on a date, at a time, at a location or over a route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within three days after notice of the action of the city administrator, file a written notice of acceptance with the city administrator. An alternate permit shall conform to the requirements of and shall have the effect of a special event permit under this chapter.

(Ord. 1141 § A (part), 2002).

5.30.080 Permit—Notice to officials—Contents.

- A. Immediately upon receiving a completed application for a special event permit, the city administrator, or their designee, shall forward the application to the following personnel for their review prior to issuing the permit:

1. The chief of police;
2. The fire chief;
3. The public works director;
4. If the application proposes to use city park facilities, the parks director.

B. Any requirements determined by the reviewing personnel shall be indicated on the permit approval documents. If the applicant is not able to meet the requirements, the application shall be denied.

(Ord. 1141 § A (part), 2002).

(Ord. No. 1586, § 1, 6-17-19)

5.30.085 Animal prohibition.

- A. General Authority. At the request of the chief of police, the parks director if the special event will use city park facilities, or on their own initiative, the city administrator may condition the approval of a special event permit on the limitation or prohibition of animals from the event area during the hours of the special event. Such a condition on a special event permit approval shall require a written finding by the city administrator that the presence of animals would present an undue risk to the health and safety of persons or animals attending the event.
- B. Specific Special Event Prohibitions. Animals are prohibited from all event areas of the following event in the city: annual Raspberry Festival.
- C. Signage. Permittees for any special event for which animals are restricted or prohibited pursuant to subsections (A) or (B) herein shall post conspicuous signage in and around the event area. Said signage must clearly describe the event area from which animals are restricted or prohibited. Sign locations and content shall be approved in advance by the city administrator or their designee.
- D. Exemptions. This section does not apply to:
 1. Service animals as defined in the Americans with Disabilities Act, 42 USC § 12101 et seq. or the Washington Law Against Discrimination, Chapter 49.60 RCW; or
 2. Animals being used by a public officer in the performance of official duties.

(Ord. No. 1586, § 2, 6-17-19)

5.30.090 Permit—Compliance with directions—Display.

- A. A permittee under this chapter shall comply with all permit directions and conditions and with all applicable laws and ordinances.
- B. The chair of the event, or other person heading or leading such activity shall carry the special event permit upon their person throughout the entire duration of the event.
- C. The chair of the event, or other person heading or leading such activity shall be responsible for dissemination to every person responsible for each component of a special event and/or any entry in a parade, of the pertinent law and safety regulations for participation in such activity as set forth in the special event permit.

- D. Any violations of the requirements set forth in the special event permit will be grounds for immediate revocation of the permit and termination of the event.

(Ord. 1141 § A (part), 2002).

5.30.100 Public conduct.

- A. No person shall unreasonably hamper, obstruct, impede or interfere with any parade or event assembly or with any person, vehicle or animal participating or used in an event.
- B. No driver of a vehicle shall drive between the vehicle or persons comprising a special event or parade when such vehicles or persons are in motion.
- C. The chief of police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a highway or part thereof constituting a part of the route of a special event or parade. The city shall post signs to such effect, and it is unlawful for any person to park or leave unattended any vehicle in violation thereof and the same may be impounded for safekeeping by the city police. No person shall be liable for parking on an unposted street.
- D. Whenever animals have been limited or prohibited from an event area pursuant to Section 5.30.085(A) or (B), no person having custody of an animal may knowingly cause or allow the animal to be in the area designated for the event during event hours, except as specified in Section 5.30.085(D).

(Ord. 1141 § A (part), 2002).

(Ord. No. 1586, § 3, 6-17-19)

5.30.110 Violation—Penalty.

Any person found guilty of a violation of the provisions of 5.30.100 shall be deemed guilty of a misdemeanor.

(Ord. 1141 § A (part), 2002).

Chapter 5.30 PARADES AND SPECIAL EVENTS

Sections:

5.30.010 Definitions.

In this chapter, unless a different meaning plainly is required, the following definitions shall apply:

- A. "Chief of police" means the chief of police of the city of Lynden.
- B. "City" means the city of Lynden.
- C. "Parade" means a large group of persons with or without animals or vehicles moving in a public procession or march in or upon any street, sidewalk, park, or other public place. A large group of persons means a group of more than fifteen persons.
- D. "Special events permit" means a permit as required by this chapter.
- E. "Special event" means an event organized by any person or which will generate or invite considerable public participation and/or spectators, for a particular and limited purpose and time, including, but not limited to concerts, fun runs, fundraising walks, bike-a-thons, carnivals, shows, exhibitions, festivals, block parties, and certain community events. Special events are not limited to those events conducted on the public streets but may occur on private property.
- F. "Person" means any person, firm, partnership, association, corporation, company, or organization of any kind.
- G. "Street" or "Streets" means any public highway, sidewalk, alley, or portions thereof in the city of Lynden dedicated to public use.
- H. "Substantial impact" means creating an increase in the amount, scope, or level of need for city-provided emergency or protective services such as police, fire or medical aid and/or necessitating special traffic control measures such as barricades, traffic direction by police, or similar measures above those that would normally be required without the event and that results in actual, documented costs to the city due to the event.

(Ord. 1141 § A (part), 2002).

5.30.020 Permit—Required—Exceptions.

- A. Permit Required: No person shall engage in, participate in, aid, form or start a special event or parade unless a permit has been obtained. Applications for permits must be obtained from the city administration office, completed by the applicant, and returned to the city administration office. In addition, for Tier 2 and Tier 3 permits, the applicant must file an "Indemnification Agreement" in order for the permit to be issued. The "Indemnification Agreement" must be signed by the applicant and countersigned by the Administrator or their designee.
- B. Special Event Permit Tiers:
 - 1. Tier 1: Permit required, application fee waived, no insurance documentation or indemnification agreement required, administrative approval.

Commented [DT1]: Added this here as 5.30.040(H) below regarding "Indemnification" references this section.

- a. A private event held entirely on private property, more than 75 participants, with no a substantial impact on public property, public property, public streets, public services, neighbors, or other community members.
- b. Political or religious activity primarily intended for the communication or expression of ideas presumed to be protected by the First and Fourteenth Amendments of the United States Constitution.

~~2. Tier 2: Permit required, application fee required, administrative approval.~~

- ~~a. A private or public event, on private property, more than 75 participants, with substantial impact on local traffic, noise, and the neighborhood, but does not require public services.~~

~~3.2. Tier 23: Permit required, application fee required, public services fee may be determined, administrative approval.~~

- ~~a. A private or public event, of any size, that is requesting non-arterial street closures (including 4th St between Front St and Grover St) and, therefore, will have with a determined substantial impact on public property, public streets, public services, neighbors, or other community members. that uses private and/or public property (this may include non-arterial street closures and 4th St between Front and Grover), more than 75 participants, and may result in substantial impact to public services (Police, Public Works, etc).~~
- ~~b. A private or public event that includes more than 75 participants, does not involved street closures, but does have a determined substantial impact on local traffic, noise, the neighborhood, or public services (Police, Public Works, etc).~~
- ~~c. An event at a facility designed for such purposes (theaters, fairgrounds, event centers, auditoriums, places of worship, etc.) that will have more than 500 participants and involve the serving or consumption of alcohol are required to obtain a Special Events Permit (Tier 2).~~

Commented [DT2]: The difference between i) and ii) in Tier 2 is that i) is considering the impact regardless of the number of participants. ii) is considering the number of participants greater than 75 and recognizing the potential for substantial impact.

Commented [DT3]: Re-Added "The annual NW Washington Fair" as it is greater than 500 and alcohol but no need for the permit

~~4.3. Tier 34: Permit required, application fee required, public services fee may be determined, City Council approval.~~

- ~~a. A private or public event that uses private and/or public property, regardless of the number of participants, that includes (specifically which includes arterial street closures and streets in the HBD besides 4th St between Front St and Grover St. in the HBD), more than 75 participants, and a substantial impact to public services (Police, Public Works, etc). Arterial street closure require City Council approval.~~

C. Permit Exemptions: The permit requirement does not apply to the following:

1. Funeral and wedding processions.
2. A private event on private property, involving less than 75 participants, and which has no substantial impact on the neighborhood or on public services.
3. Groups of students involved in a school sponsored, school supervised event.
4. Events conducted in a facility designed for that purpose such as theaters, fairgrounds, event centers, auditoriums, places of worship, etc. are exempt unless the event will

Commented [DT4]: Removed "services" that was earlier added to this exemption. The reason for removal is that the wedding and funeral services exemption should be dependent on the venue. If it is held at a church (or facility designed for events) that is the exemption. If it is being held in someone's backyard they should probably get a permit. The "procession" is exempt no matter where the event was held.

~~Events at these facilities that will have more than 500 participants and involve the serving or consumption of alcohol are required to obtain a Special Events Permit (Tier 2).~~

~~4.5. The annual Northwest Washington Fair.~~

~~6. Events separately approved by the Lynden Parks Department for use at a park property.~~

~~The annual Northwest Washington Fair. Other events held throughout the year at the Fairground's property and event center property are not exempt.~~

D. Indemnification Agreement: The applicant must file an "Indemnification Agreement" in order to obtain a permit. An "Indemnification Agreement" section is included on the Special Event Permit Application. This section must be completed ~~(with the appropriate signatures,)~~ ~~with the application~~ prior to issuance of the permit.

E. Insurance Requirements:

- 1. The following insurance shall be required for special event permit approval:
 - \$2,000,000 commercial general liability insurance per occurrence combined single limits.
 - \$5,000,000 aggregate unless waived by City Administrator.

~~2.~~ A Certificate of Insurance, listing the City as an endorsement, shall be submitted with the Special Event Application.

F. Permit ~~requirements~~ ~~renewal~~ for recurring annual events.

- 1. Annual events are required to submit an application every year the event occurs. The application shall be submitted no less than 60 days prior to the event. Any changes to the event, and ongoing requests for public services shall be indicated in the application. (Ord. 1141 § A (part), 2002).

G. ~~7.)~~ Fees for Public Services Required:

- 1. ~~a.)~~ Upon approval of an application for a permit for a special event, the administrator should provide the applicant with a statement of the estimated cost of providing public services (personnel and equipment) to support the event. The applicant/sponsor of the event should be required to prepay these estimated costs for city services and equipment ten (10) days prior to the special events. City services and equipment may include the use of police officers and public employees for traffic and crowd control, pickup and delivery of traffic control devices, picnic tables, extraordinary street sweeping, and any other needed, requested or required city service and the cost of operating the equipment to provide such services.
- 2. b. If the actual cost for city services and equipment on the date(s) of the event is less than the estimated cost, the applicant/sponsor will be refunded the difference by the city in a timely manner. If the actual cost for city services and equipment on

the date(s) of the event is greater than the estimated cost, the applicant/sponsor will be billed for the difference.

- 3. c. Permit fees and fees for the use of public services and equipment may be waived in part or in full by the City if in review of the application it is found that the event is of sufficient public benefit to warrant the expenditure of city funds without reimbursement by the applicant/sponsor and would not result in the private financial gain of any individual or "for profit" entity.

5.30.030 Permit—Application and contents.

- A. A person seeking issuance of a special event permit shall file a complete Special Events Permit application with the city administration office, or their designee, on forms provided by the city.
- B. Filing period. An application for a special event permit shall be filed ~~with the city administration office~~ not less than sixty days before the date on which it is proposed to conduct the parade or special event.
- C. Contents. The application for a parade or special event permit shall set forth the following information:
 - 1. The name, address and telephone number of the contact person seeking to conduct such special event;
 - 2. If the special event is proposed to be conducted for, on behalf of or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorized and responsible heads of such organization;
 - 3. The date when the event is to be conducted, the hours when the event will begin and finish, and a detailed description of the event to be held;
 - 4. The location event will be held or (for parades) the route to be traveled, the starting point and the termination point;
 - 5. The number of persons who it is anticipated will participate in said event and the numbers and types of animals and vehicles that will be used in said event;
 - a. For any requested street closures, a description of which streets, how much of the street will be used, a plan for any necessary traffic control, street barricades requested, any officer presence needed, and a plan for cleanup and reopening after the event. A description of any temporary street assembly areas shall be included in this request.
 - 6. A detailed request for Public Services needed to support the event:
 - a. Equipment such as street barricades, utility needs, street sweeper, etc
 - b. Staffing such as Public Works staff, Police and/or Fire personnel and equipment,
 - 7. Detailed description and the proposed location of any private support services, such as waste management, portable toilets, food vendors, etc. that may be placed to support the special event.
 - 8. Indemnification Agreement
 - 9. Insurance requirements as indicated in LMC 5.30.020 (5)

10. Agent authorization. If the special event is designed to be held by and on behalf of or for any person other than the applicant, the applicant for such permit shall file with the city administration office a communication in writing from the person proposing to hold the event, authorizing the applicant to apply for the permit on his or her behalf.

(Ord. 1141 § A (part), 2002).

5.30.040 Permit—Issuance standards.

The city administrator or ~~their his or her~~ designee shall issue a permit as provided for under this chapter, when, from a consideration of the application and from such other information as may otherwise be obtained, ~~they he or she~~ finds that the following conditions exist:

- A. The conduct of the special event will not substantially interrupt the safe and orderly movement of other traffic contiguous to its location;
- B. The conduct of the special event will not require the diversion of so great a number of police officers of the city to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the city;
- C. The conduct of such parade will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the city other than that to be occupied by the proposed line of march and areas contiguous thereto;
- D. The concentration of persons, animals and vehicles at assembly points of the event will not unduly interfere with proper fire and police protection of or ambulance service to areas contiguous to such assembly areas;
- E. The conduct of such special event will not interfere with the movement of fire fighting equipment en route to a fire;
- F. The special event or parade is scheduled to move from its point of origin to a point of termination expeditiously and without unreasonable delays en route;
- G. The special event is not to be held for the sole purpose of advertising any product, goods or other event, and is not designed to be held purely for private profit;
- H. That the indemnification agreement required to have been submitted with the application for a permit is in proper order and has been countersigned by the ~~administrator or their Mayor or his or her~~ designee as required in LMC ~~59~~.32.020(A).

(Ord. 1141 § A (part), 2002).

5.30.050 Permit—Rejection—Notice.

The city administrator, or ~~their his or her~~ designee, shall act upon the application for a special event permit as promptly as is administratively feasible and shall notify the applicant of their decision no later than twenty-five days prior to the date upon which the event is proposed to be held. If the city administrator disapproves the application, they shall notify the applicant of their reasons for the denial of the permit.

(Ord. 1141 § A (part), 2002).

5.30.060 Permit—Rejection—Appeal.

Any person aggrieved shall have the right to appeal the denial of the permit to the city council. The appeal shall be taken within three days after notice. The city council shall act upon the appeal at its next regular or special meeting after receiving notice of appeal.

(Ord. 1141 § A (part), 2002).

5.30.070 Permit—Alternate.

The city administrator, in denying an application for a special event permit, shall be empowered to authorize the conduct of the event on a date, at a time, at a location or over a route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within three days after notice of the action of the city administrator, file a written notice of acceptance with the city administrator. An alternate permit shall conform to the requirements of and shall have the effect of a special event permit under this chapter.

(Ord. 1141 § A (part), 2002).

5.30.080 Permit—Notice to officials—Contents.

- A. Immediately upon receiving a completed application for a special event permit, the city administrator, or their designee, shall forward the application to the following personnel for their review prior to issuing the permit:
 - 1. The chief of police;
 - 2. The fire chief;
 - 3. The public works director;
 - 4. If the application proposes to use city park facilities, the parks director.
- B. Any requirements determined by the reviewing personnel shall be indicated on the permit approval documents. If the applicant is not able to meet the requirements, the application shall be denied.

(Ord. 1141 § A (part), 2002).

(Ord. No. 1586, § 1, 6-17-19)

5.30.085 Animal prohibition.

- A. General Authority. At the request of the chief of police, the parks director if the special event will use city park facilities, or on ~~their his or her~~ own initiative, the city administrator may condition the approval of a special event permit on the limitation or prohibition of animals from the event area during the hours of the special event. Such a condition on a special event permit approval shall require a written finding by the city administrator that the presence of animals would present an undue risk to the health and safety of persons or animals attending the event.
- B. Specific Special Event Prohibitions. Animals are prohibited from all event areas of the following event in the city: annual Raspberry Festival.

C. Signage. Permittees for any special event for which animals are restricted or prohibited pursuant to subsections (A) or (B) herein shall post conspicuous signage in and around the event area. Said signage must clearly describe the event area from which animals are restricted or prohibited. Sign locations and content shall be approved in advance by the city administrator or ~~their~~his or her designee.

D. Exemptions. This section does not apply to:

- 1. Service animals as defined in the Americans with Disabilities Act, 42 USC § 12101 et seq. or the Washington Law Against Discrimination, Chapter 49.60 RCW; or
- 2. Animals being used by a public officer in the performance of official duties.

(Ord. No. 1586, § 2, 6-17-19)

5.30.090 Permit—Compliance with directions—Display.

- A. A permittee under this chapter shall comply with all permit directions and conditions and with all applicable laws and ordinances.
- B. The chair of the event, or other person heading or leading such activity shall carry the special event permit upon their person throughout the entire duration of the event.
- C. The chair of the event, or other person heading or leading such activity shall be responsible for dissemination to every person responsible for each component of a special event and/or any entry in a parade, of the pertinent law and safety regulations for participation in such activity as set forth in the special event permit.
- D. Any violations of the requirements set forth in the special event permit will be grounds for immediate revocation of the permit and termination of the event.

(Ord. 1141 § A (part), 2002).

5.30.100 Public conduct.

- A. No person shall unreasonably hamper, obstruct, impede or interfere with any parade or event assembly or with any person, vehicle or animal participating or used in an event.
- B. No driver of a vehicle shall drive between the vehicle or persons comprising a special event or parade when such vehicles or persons are in motion.
- C. The chief of police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a highway or part thereof constituting a part of the route of a special event or parade. The city shall post signs to such effect, and it is unlawful for any person to park or leave unattended any vehicle in violation thereof and the same may be impounded for safekeeping by the city police. No person shall be liable for parking on an unposted street.
- D. Whenever animals have been limited or prohibited from an event area pursuant to Section ~~5.309-32~~.085(A) or (B), no person having custody of an animal may knowingly cause or allow the animal to be in the area designated for the event during event hours, except as specified in Section ~~5.309-32~~.085(D).

(Ord. 1141 § A (part), 2002).

(Ord. No. 1586, § 3, 6-17-19)

5.30.110 Violation—Penalty.

Any person found guilty of a violation of the provisions of 5.30.100 shall be deemed guilty of a misdemeanor.

(Ord. 1141 § A (part), 2002).

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	April 15, 2024	
Name of Agenda Item:	RES-24-1094 Authorizing the Release of Checks and Electronic Payments Prior to Council Approval	
Section of Agenda:	New Business	
Department:	Finance	
Council Committee Review:	<input type="checkbox"/> Community Development <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required	
Attachments:	RES-24-1094	
Summary Statement:	<p>WHEREAS, RCW 42.24.180 authorizes the issuance of checks before approval of the City Council in order to expedite payment of claims; and the City of Lynden makes payments to vendors and employees by automated clearing house (ACH) or electronic funds transfers (EFTs), and given that the City has determined that adoption of a policy for the authorization and processing of ACH/electronic funds transfers for the City is in its best interest; the Finance Department has drafted Resolution Number RES-24-1094 to allow the City's Finance Director to approve checks for payment and disbursement prior to the Council taking action to approve said claims.</p> <p>The Finance Committee discussed such a process and possible resolution at its March 18th meeting and approved the new process for review by the full Council.</p>	
Recommended Action:	After appropriate consideration the City Council approve Resolution No. RES-24-1094 and authorize the Mayor's signature.	

RESOLUTION NO. RES-24-1094

**A RESOLUTION OF THE CITY COUNCIL
FOR THE CITY OF LYNDEN, WASHINGTON
AUTHORIZING THE RELEASE OF CHECKS AND
ELECTRONIC PAYMENTS PRIOR TO COUNCIL APPROVAL**

WHEREAS, the City of Lynden (hereinafter referred to as City) makes payments to vendors and employees by automated clearing house (ACH) or electronic funds transfers (EFTs); and

WHEREAS, the City receives ACH and EFT funds from various parties as a routine business practice; and

WHEREAS, proper authorization and execution of ACH and EFT payments reduces the risk of erroneous and fraudulent transactions; and

WHEREAS, the City has determined that adoption of a policy for the authorization and processing of ACH/electronic funds transfers for the City is in its best interest;

WHEREAS, RCW 42.24.180 authorizes the issuance of checks before approval of the City Council in order to expedite payment of claims;

NOW THEREFORE, BE IT RESOLVED, the Lynden City Council hereby authorizes:

Section A: All claims against the City of Lynden shall be pre-audited and approved by the Finance Director or their designee prior to release;

Section B: The City Council shall review and approve claims paid at its next regularly scheduled meeting; and

Section C: If the City Council disapproves any claims, the Finance Director will recognize these claims as receivables of the City and will pursue collection diligently until the amounts are either collected or the City Council approves the claims.

Section D: The City's Finance Director may approve checks for payment and disbursement prior to the Council taking action to approve said claims.

Section E: BE IT FURTHER RESOLVED that any resolutions or parts of resolutions in conflict herewith are hereby repealed insofar as they conflict with the provisions of this resolution.

Section F: If any section, subsection, sentence, clause or phrase of this resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this resolution. The Council hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact than any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, and if, for any reason, this resolution should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

Section G: This resolution shall take effect and be in force on May 1, 2024 after its passage by the Council and after its approval by the Mayor, if approved, otherwise, as provided by law and five (5) days after the date of its publication.

PASSED BY THE CITY COUNCIL BY AN AFFIRMATIVE VOTE _____ IN FAVOR, _____ AGAINST AND SIGNED BY THE MAYOR THIS _____ DAY OF APRIL 2024.

Scott Korthuis
Mayor

ATTEST:

Pam Brown
City Clerk

APPROVED AS TO FORM:

Robert Carmichael
City Attorney

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	April 15, 2024	
Name of Agenda Item:	Whatcom Community Foundation Donation Approval	
Section of Agenda:	New Business	
Department:	Parks	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input checked="" type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input type="checkbox"/> Review Not Required	
Attachments:		
Pavilion Site Plan Whatcom Community Foundation Letter		
Summary Statement:		
<p>The Parks Department is excited to be offered a significant donation to fund and construct a 30 by 50-foot timber frame pavilion and official entryway structure to Schoolyard Park located at 700 Edson Street. Whatcom Community Foundation has donations totaling \$675,000 and will disburse the funds as needed toward this privately funded and managed project.</p> <p>If approved by Council, the above project will begin in late summer or early fall once materials and labor have been delivered and organized by the project manager. Bob Libolt as the contact agent for the project and will oversee the project to completion; Cascade Joinery will be the contractor.</p>		
Recommended Action:		
Motion for the Council to accept the donation and project outline from the Whatcom Community Foundation for future work at Schoolyard Park.		



1500 Cornwall Ave., Suite 202
Bellingham, Washington 98225
360.671.6463 whatcomcf.org

April 11, 2024

Scott Korthuis, Mayor
John Williams, City Administrator
Brent DeRuyter City Parks Director
City of Lynden
300 4th Street
Lynden, WA 98264

Dear Mayor Korthuis, Mr. Williams and Mr. DeRuyter:

We are pleased to advise you that the Whatcom Community Foundation, upon acceptance by the City of Lynden, Washington (the City), has authorized a grant to the City of two structures for the Schoolyard Park in Lynden, Washington. These structures consist of an entry structure to be centered along the southerly edge of the park and a pavilion to be located in the center of the park. Please find attached exhibits A & B for more information on these structures. This grant is made possible by a generous donation of \$675,000 to the Whatcom Community Foundation from the Echo Foundation, which also represents our estimated value for this grant. Our estimated value is based on inputs excluding donated labor and materials.

This is a privately funded and managed project led by Lynden residents and offered to the City as an inspiration to the Lynden community to enjoy this historic place where many experienced the beginnings of their educational journey as well as years of youth sports. The design and location of the structures reflect that heritage.

This contribution is intended as a gift in its entirety, and may not be used to fulfill the payment of any pledge or financial obligation. By accepting this gift, the City certifies to the Whatcom Community Foundation that no tangible benefit, goods, or services are received by any individual or entities connected with the Foundation.

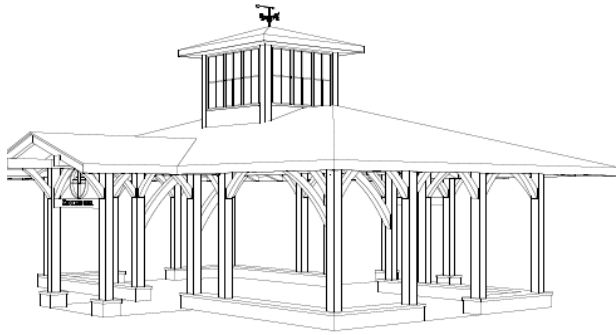
Should this gift ever be acknowledged publicly, it should be listed as a gift from the "Echo Foundation via the Whatcom Community Foundation."

Thank you for your help in making this community asset a reality.

Warmly,

Mauri Ingram
President & CEO
Whatcom Community Foundation

Exhibit A – Glenning Schoolyard Pavilion



3D MODEL

SCALE: NTS



VICINITY MAP

SCALE: NTS

PROJECT DESCRIPTION

CONSTRUCTION OF A NEW 30'x50' (500 SF) OPEN AIR TIMBER FRAME PAVILION FOR LYNDEN SCHOOLYARD PARK

LEGAL DESCRIPTION

PARCEL #: 400320

LOTS 1 THROUGH 10, BLOCK 32, AND LOTS 1 THROUGH 10, BLOCK 33, SUPPLEMENTAL AND CORRECTED PLAT OF LYNDEN, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 3 OF PLATS, PAGE 48, RECORDS OF WHATCOM COUNTY, WASHINGTON.

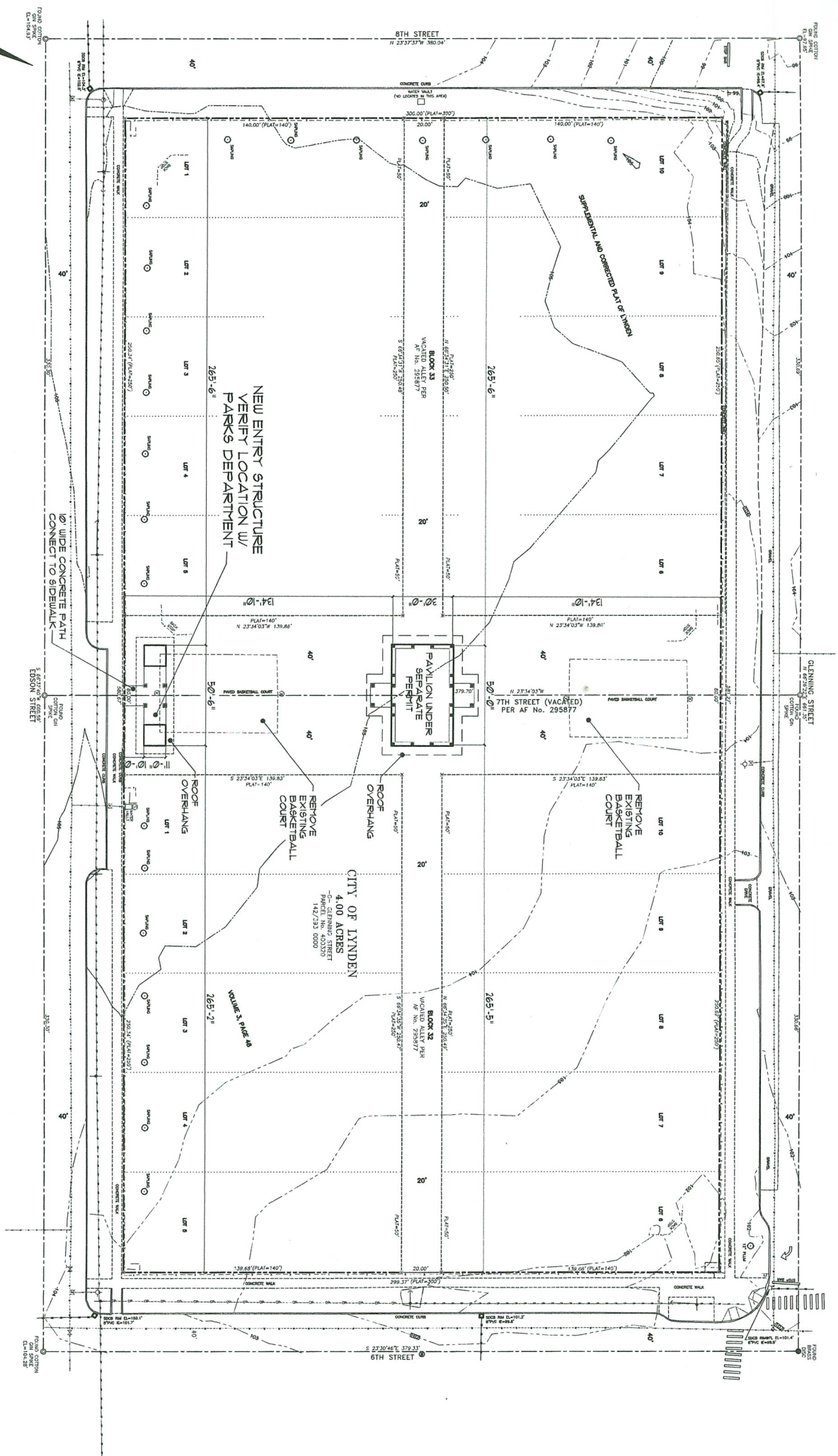
TOGETHER WITH THOSE PORTIONS OF SEVENTH STREET, AND OF ALLEYS WITHIN SAID BLOCKS AS VACATED UNDER TOWN OF LYNDEN ORDINANCE No. 208, RECORDED AUGUST 3, 1923 UNDER AUDITOR'S FILE No. 295071.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

SUBJECT TO AND/OR TOGETHER WITH ALL EASEMENTS, COVENANTS, RESTRICTIONS AND/OR AGREEMENTS OF RECORD, OR OTHERWISE.



LYNDEN SCHOOLYARD PARK ENTRY
 CORNER OF GLENNING AND 6TH STREET, LYNDEN WA 98264
 SITE PLAN



GRAPHIC SCALE - FEET
 SCALE: 1 INCH = 30 FEET
 BASIS OF BEARINGS =
 CITY OF LYNDEN SURVEY
 MONUMENT NETWORK
 VERTICAL DATUM = NAD 83

- LEGEND:**
- OVERHEAD POWER LINE
 - STORM DRAIN LINE
 - WATER LINE
 - EDGE OF PARKING
 - POUR POLE
 - OUT RACKER
 - PIPE HOBSPIT
 - WATER VALVE
 - WATER SHOOT
 - SEWER MANHOLE
 - SOIL POST

SITE PLAN
 1" = 30'-0"



- NOTES:**
1. STORMWATER / CIVIL DESIGN PROVIDED BY OTHERS
 2. PARKING / LANDSCAPE / LIGHTING DESIGN PROVIDED BY OTHERS

NORTHWEST SURVEYING & GPS, INC.
 407 5TH STREET, LYNDEN, WA 98264
 PH. (360) 354-1950 NWSURVEY.COM

PERMIT SET 11-21-23

Revisions

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	April 15, 2024	
Name of Agenda Item:	Nooksack Valley Disposal Spring Cleanup	
Section of Agenda:	Reports	
Department:	Administration	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input checked="" type="checkbox"/> Other: None
		Legal Review: <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
Attachments:	None.	
Summary Statement:	Nooksack Valley Disposal is holding the annual Spring cleanup on April 20, 2024 from 9am to 12pm. Please contact NVD at 360-354-3400 for more information.	
Recommended Action:	For Information only.	