



**City Council Meeting
December 15, 2014 - 7:30 PM
Auburn City Hall
AGENDA**

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[Watch the meeting video](#)

Meeting videos are not available until 72 hours after the meeting has concluded.

I. CALL TO ORDER

A. Flag Salute

B. Roll Call

C. Announcements, Appointments, and Presentations

1. Boards and Commissions Reappointments
City Council to confirm the following three year reappointments to expire December 31, 2017 to the following Boards and Commissions:

Airport Board

Donald Peters

Arts Commission

Dan Norman

Cemetery Board

Jeanne Coffey

Human Services Committee

Jason Berry

Bette Vangasken

Cecila Brugger

Lodging Tax Advisory Board

Khara Nixon

David Kwok

Ronnie Roberts

Parks & Recreation Board

Michael Hassen

Richard Artura

Greg Dobbs

Planning Commission

Judi Roland

Urban Tree Board

Jan Speer

Bryce Landrud

2. Lodging Tax Advisory Committee Appointment
City Council to appoint Julie Krueger to the Lodging Tax Advisory Committee for new a three year term to expire December 31, 2017.

D. Agenda Modifications

II. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE

A. Public Hearings

No public hearing is scheduled for this evening.

B. Audience Participation

This is the place on the agenda where the public is invited to speak to the City Council on any issue. Those wishing to speak are reminded to sign in on the form provided.

C. Correspondence

There is no correspondence for Council review.

III. COUNCIL COMMITTEE REPORTS

A. Municipal Services

1. **December 8, 2014 Minutes* (Peloza)**

B. Planning & Community Development

C. Public Works

1. **December 1, 2014 Minutes* (Osborne)**

D. Finance

1. **December 1, 2014 Minutes* (Wales)**

E. Les Gove Community Campus

F. Council Operations Committee

IV. CONSENT AGENDA

All matters listed on the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion in the form listed.

A. November 4, 2014 Special City Council Meeting Minutes*

B. December 1, 2014 City Council Minutes*

C. December 3, 2014 Special City Council Meeting Minutes*

D. Claims Vouchers (Wales/Coleman)

Claims voucher numbers 431473 through 431660 in the amount of

\$1,337,790.75 and two wire transfers in the amount of \$2452.21 and dated December 15, 2014.

E. **Payroll Vouchers (Wales/Coleman)**

Payroll check numbers 535200 through 535233 in the amount of \$859,460.56, electronic deposit transmissions in the amount of \$1,303,856.97 for a grand total of \$2,163,317.53 for the period covering November 27, 2014 to December 10, 2014.

F. **Public Works Project No. C512A* (Osborne/Snyder)**

City Council to award Contract No. 13-12, to Gary Harper Construction, Inc. on their low bid of \$797,160.00 plus Washington State sales tax of \$75,730.20 for a total contract price of \$872,890.20 for Project No. C512A, Well 4 Emergency Power Improvements

G. **Public Works Project No. C524A* (Osborne/Snyder)**

City Council to approve final pay estimate No. 25 to Contract No. AG-C-401 in the amount of \$22,119.00 and accept construction of Project No. C524A – SCADA System Improvements, Consultant and Technology Services

H. **Public Works Project No. CP1304* (Osborne/Snyder)**

City Council to grant permission to advertise for bids for Project No. CP1304, 37th Street & B Street NW Pre-Signal Project, Contract 14-12

I. **Public Works Project No. CP1320* (Osborne/Snyder)**

City Council to grant permission to advertise for bids for Project No. CP1320, Maintenance and Operations Storm Drainage Improvement Project

J. **VADIS Service Agreement AG-S-080* (Peloza/Coleman)**

City Council to approve Service Agreement No. AG-S-080 with Vadis for a litter control program

(RECOMMENDED ACTION: City Council approve the Consent Agenda.)

V. **UNFINISHED BUSINESS**

There is no unfinished business.

VI. **NEW BUSINESS**

There is no new business.

VII. **ORDINANCES**

A. **Ordinance No. 6545* (Osborne/Snyder)**

An Ordinance of the City Council of the City of Auburn, Washington, amending Chapter 3.12 of the City Code relating to public contracts

(RECOMMENDED ACTION: City Council introduce and adopt Ordinance No. 6545.)

B. **Ordinance No. 6546* (Wales/Heid)**

An Ordinance of the City Council of the City of Auburn, Washington, amending Sections 13.36.040, 13.36.230, 20.04.020, 20.04.120, 20.06.020, 20.06.100,

20.06.130 and 20.06.180 of the Auburn City Code relating to the City of Auburn Fee Schedule

(RECOMMENDED ACTION: City Council introduce and adopt Ordinance No. 6546.)

C. **Ordinance No. 6547* (Wales/Heid)**

An Ordinance of the City Council of the City of Auburn, Washington, amending Chapter 3.68 of the Auburn City Code relating to Parks and Recreation fees

(RECOMMENDED ACTION: City Council introduce and adopt Ordinance No. 6547.)

VIII. **RESOLUTIONS**

A. **Resolution No. 5114* (Wales/Heid)**

A Resolution of the City Council of the City of Auburn, Washington, amending the City of Auburn Fee Schedule to adjust fees for 2015

(RECOMMENDED ACTION: City Council adopt Resolution No. 5114.)

B. **Resolution No. 5115* (Holman/Heid)**

A Resolution of the City Council of the City of Auburn, Washington, amending the City Council Rules of Procedure as adopted by Ordinance No. 5802 and amended by Resolution Nos. 4282, 4429, 4467, 4615, 4686, 4740, 4813, 4909, 5105 and 5112

(RECOMMENDED ACTION: City Council adopt Resolution No. 5115.)

IX. **REPORTS**

At this time the Mayor and City Council may report on significant items associated with their appointed positions on federal, state, regional and local organizations.

A. **From the Council**

B. **From the Mayor**

X. **ADJOURNMENT**

Agendas and minutes are available to the public at the City Clerk's Office, on the City website (<http://www.auburnwa.gov>), and via e-mail. Complete agenda packets are available for review at the City Clerk's Office.

*Denotes attachments included in the agenda packet.



AGENDA BILL APPROVAL FORM

Agenda Subject:

December 8, 2014 Minutes

Date:

December 9, 2014

Department:

Police

Attachments:

[Minutes - December 8, 2014](#)

Budget Impact:

\$0

Administrative Recommendation:**Background Summary:****Reviewed by Council Committees:**

Councilmember: Peloza

Staff:

Meeting Date: December 15, 2014

Item Number: MS.1



**Municipal Services Committee
December 8, 2014 - 3:30 PM
City Hall Conference Room 3
MINUTES**

I. CALL TO ORDER

Chair Peloza called the meeting to order at 3:29 p.m. in Conference Room 3 of City Hall, 25 West Main Street, Auburn, WA.

A. Roll Call

Members present were: Chair Bill Peloza, Vice Chair Wayne Osborne and Member Claude DaCorsi.

Staff present were: Mayor Nancy Backus; Chief of Police Bob Lee; City Attorney Dan Heid, Parks; Arts & Recreation Director Daryl Faber; Solid Waste & Recycling Supervisor Joan Nelson; and Police Secretary Sue Van Slyke.

Others present: Robert Whale of the Auburn Reporter.

B. Announcements

There were no announcements.

C. Agenda Modifications

Discussion Item
IV.E. Resolution No. 5115

City Attorney Dan Heid reviewed Resolution No. 5115 which will amend the City Council Rules of Procedure as adopted by Ordinance No. 5802 and amended by Resolution No. 4282, 4429, 4467, 4615, 4686, 4740, 4813, 4909, 5105 and 5112.

Resolution No. 5115 would allow the sequence of agenda items in City Council meetings to be changed for flexibility purposes. There may be occasions when it would be advantageous to take items out of their order and consider them at an earlier or later time, depending upon the circumstances or parties in attendance at the meeting.

A brief discussion by the Committee resulted in agreement with the need for this Resolution.

II. CONSENT AGENDA

A. Minutes - November 24, 2014 (Peloza)

Vice Chair Osborne moved and Member DaCorsi seconded to approve the November 24, 2014 Municipal Services Committee minutes as written.

Motion carried unanimously. 3-0

III. ACTION

A. VADIS Service Agreement AG-S-080 (Coleman)

Solid Waste & Recycling Supervisor Joan Nelson presented the VADIS Service Agreement to the Committee. This is a bi-annual service agreement between the City of Auburn and Vadis for a litter control program for 2015. The service includes a recycling pickup program that runs from April to September each year. Ms. Nelson explained that the cost of the program remains higher than what the City currently pays.

Vice Chair Osborne recommended to forward the 2015-2016 Service Agreement No. AG-S-080 with Vadis to City Council for approval. Member DaCorci seconded.

Recommendation passed. 3-0

IV. DISCUSSION ITEMS

A. Resolution No. 5114 (Heid)

City Attorney Dan Heid summarized Resolution No. 5114 which will amend the City of Auburn Fee Schedule to adjust fees for 2015. In this document, each department identified fees they feel need to be amended. Attorney Heid opened the meeting for questions from the Committee. Vice Chair Osborne stated that the incorrect Resolution number was listed at the top of page 23. Mr. Heid will amend the resolution to reflect the correct number. Vice Chair Osborne also addressed Section 4.a. on page 27 regarding the total valuation fees on Permits. He stated that there is a discrepancy in the fee total when the additional fee of \$100.00 is added to the base fee. Attorney Heid will confer with Community Development and Public Works to adjust this fee schedule to reflect correct costs.

At the conclusion of the discussion it was recommended that Attorney Heid research and either correct or clarify the following items.

1. Section B.4 on page 35 - Other Annual Franchise Fee where the

4.5% of Gross Revenue is crossed off.

2. Section G. Graves on page 45 which shows an increase of the cost of a grave by \$5000.00 from \$4,995.00 to \$9,995.00.

B. Ordinance No. 6546 (Heid)

Attorney Heid discussed Ordinance No. 6546 which will include fees that are stated in the Auburn fee schedule. This ordinance will accommodate some of the new fees that are currently in the fee schedule that were previously referenced in city code. Member DaCorsi pointed out that the lettering is out of sequence on page 59 with the rest of Section 8. Attorney Heid will correct this error. Vice Chair Osborne called attention to Section 5.K. where the nonrefundable application fee has doubled from \$2,500.00 to \$5,000.00. Attorney Heid will find out the reason this occurred.

C. Ordinance No. 6547 (Heid)

Attorney Heid explained that this Ordinance seeks to allow flexibility in the fees that are charged by the Parks and Recreation department. There currently is no methodology to deviate from the Fees and Charges Manual in special circumstances with individuals, groups or special populations. The Committee suggested amending the statement in Section 3.68.030.B which states "benefit to the public and the Department" to "benefit to the public, city and the Department".

D. Project Matrix (Peloza)

Line item 28P will be removed from the Project Matrix.

V. **ADJOURNMENT**

In regards to the next Municipal Services Committee meeting scheduled for December 22, 2014, Mayor Backus informed the Committee that there will not be any items moving forward from current committees due to the change to study sessions. Vice Chair Osborne moved to cancel the next Municipal Services Committee meeting on December 22, 2014. Member DaCorsi seconded.

Motion approved. 3-0

There being no further business to come before the Committee, the meeting was adjourned at 4:08 p.m.

APPROVED this 9th day of December, 2014.

Bill Peloza, Chair

Sue Van Slyke, Police Secretary



AGENDA BILL APPROVAL FORM

Agenda Subject:

December 1, 2014 Minutes

Date:

December 9, 2014

Department:

Public Works

Attachments:

[Draft Minutes](#)

Budget Impact:

\$0

Administrative Recommendation:**Background Summary:**

See attached draft minutes.

Reviewed by Council Committees:

Public Works

Councilmember: Osborne

Staff:

Meeting Date: December 15, 2014

Item Number: PW.1



**Public Works Committee
December 1, 2014 - 3:30 PM
Annex Conference Room 2
MINUTES**

I. CALL TO ORDER

Chairman Wayne Osborne called the meeting to order at 3:30 p.m. in Conference Room #2, located on the second floor of Auburn City Hall, One East Main Street, Auburn, Washington.

A. Roll Call

Chairman Wayne Osborne, Vice-Chair Bill Peloza, and Member Claude DaCorsi were present. Also present during the meeting were: Assistant Director of Engineering/City Engineer Ingrid Gaub, Assistant Director of Public Works Operations Randy Bailey, Assistant City Engineer Jacob Sweeting, Utility Engineering Manager Lisa Tobin, Director of Administration Michael Hursh, City Attorney Dan Heid, Planning Services Manager Jeff Dixon and Public Works Secretary Molly Mendez.

B. Announcements

There were no announcements.

C. Agenda Modifications

There were no modifications to the agenda.

II. CONSENT AGENDA

- A. Approval of Minutes
Approve the minutes of the November 17, 2014 Public Works Committee meeting.

It was moved by Vice-Chair Peloza, seconded by Member DaCorsi, that the Committee approve the Public Works Committee Meeting minutes for date, November 17, 2014.

Motion carried 3-0.

III. ACTION

- A. Small Works Project No. EM1303 (Moore)
City Council approve final payment for Small Works Contract No. 13-22 in the amount of \$60,672.38 and accept Project No. EM1303, R Street Emergency Repairs

Director of Administration Hursh provided a brief background summary of Project No. EM1303. Hursh confirmed this project did not go out to bid as this was an emergency repair in response to a question asked by Chairman Osborne.

It was moved by Vice-Chair Peloza, seconded by Member DaCorsi, that the Committee approve final payment for Small Works Contract No. 13-22 in the amount of \$60,672.38 and accept Project No. EM1303, R Street Emergency Repairs.

Motion carried 3-0.

IV. DISCUSSION ITEMS

- A. Ordinance No. 6543 (Heid)
An Ordinance of the City Council of the City of Auburn, Washington, amending Section 10.36.270 of the Auburn City Code related to parking restrictions

City Attorney Heid responded to a question asked by Member DaCorsi regarding Section 10.36.270.A.3 of Ordinance No. 6543.

- B. Ordinance No. 6542 (Dixon)
An Ordinance amending ACC 19.02 related to annual adjustment of school impact fees

Planning Services Manager Dixon provided a brief background summary of Ordinance No. 6542. There were no questions from the Committee.

- C. Capital Project Status Report (Sweeting)

Item 31 – C207A – A Street NW Extension – Wetland Monitoring, Reporting and Planting:

Assistant Director of Engineering/City Engineer Gaub pointed out that this project was added to the Capital Project Status Report and that the next action they see will be the project award.

- D. Significant Infrastructure Projects by Others - Public Works Status Report (Gaub)

There were no questions from the Committee.

- E. Action Tracking Matrix (Gaub)

Vice-Chair Peloza requested to have the wording on item F, Lea Hill Road Repair revised to 'Lea Hill Road Repair at 105th Intersection'. Staff will revise as requested.

V. ADJOURNMENT

There being no further business to come before the Public Works Committee, the meeting was adjourned at 3:42 p.m.

Approved this 15th day of December, 2014.

Wayne Osborne
Chairman

Molly Mendez
Public Works Department Secretary



AGENDA BILL APPROVAL FORM

Agenda Subject:

December 1, 2014 Minutes

Date:

December 9, 2014

Department:

Administration

Attachments:

[12-1-2014 minutes](#)

Budget Impact:

\$0

Administrative Recommendation:**Background Summary:****Reviewed by Council Committees:**

Councilmember: Wales

Staff:

Meeting Date: December 15, 2014

Item Number: FN.1



**Finance Committee
December 1, 2014 - 5:00 PM
Annex Conference Room 1
MINUTES**

I. CALL TO ORDER

Chair Largo Wales called the meeting to order at 5:00 p.m. in Annex Conference Room 1 located on the second floor of the City Hall Annex at 1 East Main Street in Auburn.

A. Roll Call

Chair Largo Wales and Member Yolanda Trout were present. Vice Chair John Holman was excused.

Officials and staff members present included: City Attorney Daniel B. Heid, Finance Director Shelley Coleman, Community Development and Public Works Director Kevin Snyder, Emergency Preparedness Manager Sarah Miller, Solid Waste and Recycling Supervisor Joan Nelson, and City Clerk Danielle Daskam.

B. Announcements

There was no announcement.

C. Agenda Modifications

There was no change to the agenda.

II. CONSENT AGENDA

A. November 17, 2014 Minutes

Member Trout moved and Chair Wales seconded to approve the minutes as distributed.

MOTION CARRIED UNANIMOUSLY. 2-0

B. Claims Vouchers (Coleman)

Claims voucher numbers 431308 through 431472 in the amount of \$3,039,619.66 and two wire transfers in the amount of \$2,816.54 and dated December 1, 2014.

Committee members reviewed claims vouchers and payroll and briefly discussed claims voucher number 431326.

Member Trout moved and Chair Wales seconded to approve the claims vouchers and payroll vouchers.

MOTION CARRIED UNANIMOUSLY. 2-0

- C. Payroll Vouchers (Coleman)
Payroll check numbers 535126 through 535199 in the amount of \$363,247.58 and electronic deposit transmissions in the amount of \$1,369,666.42 for a grand total of \$1,732,914.00 for the period November 13, 2014 to November 26, 2014.

See claims vouchers above for approval of payroll vouchers.

III. ORDINANCES

- A. Ordinance No. 6533 (Coleman)
An Ordinance of the City Council of the City of Auburn, Washington, adopting the 2015-2016 Biennial Budget for the City of Auburn, Washington

Finance Director Coleman presented Ordinance No. 6533 adopting the City's 2015-2016 Biennial Budget.

Council previously reviewed the proposed budget in several work sessions and public hearings.

Member Trout moved and Chair Wales seconded to approve and forward Ordinance No. 6533 to the full Council for consideration.

MOTION CARRIED UNANIMOUSLY. 2-0

- B. Ordinance No. 6539 (Coleman)
An Ordinance of the City Council of the City of Auburn, Washington, amending Ordinance No. 6432, the 2013-2014 Biennial Budget Ordinance, as amended by Ordinance No. 6456, Ordinance No. 6462, Ordinance No. 6472, Ordinance No. 6473, Ordinance No. 6474, Ordinance No. 6481, Ordinance No. 6502, Ordinance No. 6510, authorizing amendment to the City of Auburn 2013-2014 Budget as set forth in Schedule "A" and Schedule "B"

Finance Director Coleman presented Ordinance No. 6539 amending the 2013-2014 Biennial Budget. The ordinance represents budget amendment number nine and includes fund balance adjustments, project funding requests, other spending authority for contracts for services, receipt of grant revenues, purchase of vehicles and equipment, and innovation and technology items.

Member Trout moved and Chair Wales seconded to approve and forward Ordinance No. 6539 to the full Council for consideration.

MOTION CARRIED UNANIMOUSLY. 2-0

IV. RESOLUTIONS

- A. Resolution No. 5110 (Heid)
A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to negotiate and execute interlocal agreements between the City of Auburn and King County and the Cities of Bellevue, Federal Way, Issaquah, Kent, Kirkland, Mercer Island, Redmond, Renton,

Seattle and Tukwila for the establishment, implementation and operation of the Puget Sound Emergency Radio Network System (PSERN)

City Attorney Heid presented Resolution No. 5110, which authorizes the Mayor to negotiate and execute interlocal agreements between the City and King County and other cities and users of the emergency radio system.

City Attorney Heid explained the equipment utilized by the City, King County and other cities is out of date, no longer being made and will no longer be supported by its manufacturers. Therefore, King County and King County cities plan to replace the equipment through a bond measure. King County plans to place a bond measure before the voters in April 2015. Representatives of King County and other cities have been working to develop agreements that would provide for the creation of a new emergency radio system and for operation of the system thereafter.

Member Trout moved and Chair Wales seconded to recommend approval of Resolution No. 5110.

MOTION CARRIED UNANIMOUSLY. 2-0

V. DISCUSSION ITEMS

A. Resolution No. 5096 (Hursh)

A Resolution of the City Council of the City of Auburn, Washington, authorizing the adoption of the 2014 King County Regional Hazard Mitigation Plan including the City of Auburn Plan Annex

Emergency Preparedness Manager Sarah Miller presented Resolution No. 5096. Manager Miller explained the City has been a signatory of the King County Hazard Mitigation Plan since 2004. The Plan is updated every four years.

In order to be eligible to apply for Hazard Mitigation Grants, the City must either have its own Hazard Mitigation Plan or be a party to another Plan. Staff members are currently working on two separate grant applications for hazard mitigation.

B. Vadis Service Agreement AG-S-080

Finance Director Coleman presented Service Agreement No. AG-S-080 with Vadis for a litter control program beginning January 1, 2015 through December 31, 2016. The agreement also includes a recycling pickup program that runs from April to September of each year.

Vadis is a non-profit corporation that develops employment opportunities for individuals with disabilities. Each litter crew is made up of five specially challenged individuals and a crew supervisor who collect trash and debris along City traveled ways. The contract has been renewed since 1991.

C. Ordinance No. 6543 (Heid)

An Ordinance of the City Council of the City of Auburn, Washington, amending Section 10.36.270 of the Auburn City Code related to parking restrictions

City Attorney Heid presented Ordinance No. 6543, which amends Section 10.36.270 of the Auburn City Code related to parking restrictions. He explained Ordinance No. 6535 adopted on September 15, 2014, allows administrative changes to time and parking within the Downtown Business District. Ordinance No. 6543 will clarify the application of penalty provisions for parking code violations authorized by Auburn City Code Section 10.36.060.

D. Study Sessions - Finance Items (Coleman)

Committee members reviewed a list of Finance related items for consideration for the new Council study session format in the upcoming year and beyond. Items included budget and budget amendments, quarterly financial reports, property tax levy, other tax issues, state shared revenues, annexation sales tax credit, local revitalization sales tax credit, interfund loans, banking agreements, interagency agreements, labor contracts.

VI. ADJOURNMENT

There being no further business to come before the Committee, the meeting adjourned at 5:36 p.m.

APPROVED this _____ day of December, 2014.

LARGO WALES, CHAIR

Danielle Daskam, City Clerk



AGENDA BILL APPROVAL FORM

Agenda Subject:

November 4, 2014 Special City Council Meeting Minutes

Date:

December 2, 2014

Department:

Administration

Attachments:

[11-4-2014 minutes](#)

Budget Impact:

\$0

Administrative Recommendation:**Background Summary:****Reviewed by Council Committees:****Councilmember:****Staff:**

Meeting Date: December 15, 2014

Item Number: CA.A



**Special City Council Meeting
November 4, 2014 - 4:00 PM
Auburn City Hall
MINUTES**

I. CALL TO ORDER

Mayor Nancy Backus called the special meeting to order at 4:00 p.m. Councilmembers in attendance included: Deputy Mayor Wagner, Bill Peloza, Wayne Osborne, John Holman Yolanda Trout and Claude DaCorsi.

Councilmember Largo Wales was excused.

Junior City Council members in attendance included: Chair Cole Lindell, Vice Chair Sydney Campbell, Angelina Zalutskiy, Mary Riel, Tyler Cushing and Brandon Berend.

Junior City Councilmember Dalton Hands was excused.

Auburn Youth Councilmembers present included: Marcus Ebey, Amber Muggy and Alexandra Ostos

Department directors and staff members present included: Police Chief Bob Lee, City Attorney Dan Heid, Community Development and Public Works Director Kevin Snyder, Assistant Director of Engineering Services and City Engineer Ingrid Gaub, Director of Administration Michael Hursh, Teen Coordinator Jim Westhusing, Program Specialist Kjerstin Lange and Deputy City Clerk Shawn Campbell.

II. DISCUSSION ITEMS

- A. Council Brainstorm for Auburn Youth Center and Community Center
City Council joined by representatives from the Youth Advisory Board and Junior City Council will brainstorm with project consultants and City staff on design ideas, options and issues for the Auburn Youth Center and Community Center.

Mayor Backus explained the purpose of the meeting is to discuss the Youth and Community Centers.

Stan Lokting from arc Architect introduced the process and agenda for the meeting. He explained his firm has not started designing the buildings. The purpose of this meeting is to receive input from the City Council, Junior City Council and Auburn Youth Council. His firm needs to understand the priorities and needs of the City in order to design a building that stays within the \$9 million budget and meets the needs of the community. He reviewed the project site and the need to integrate the project into the existing Les Gove Community Campus.

Katrina Morgan from Fermata explained the plan is to design the new building to be Silver LEED Certified. The City held an eco charrette earlier in the day where the overarching goals for the project were set. The project will need to make accommodations for all the different age groups that will be using the new building.

Deputy Mayor Wagner asked if the length of time required to recoup the cost of equipment has been established. He suggested less than 15 years. Ms. Morgan stated the payback period is still an open discussion.

Councilmember Peloza asked about solar power. Mr. Lokting stated they would look at the payback period and if solar is too expensive for now they would install infrastructure so solar could be added at a later time.

Mr. Lokting reviewed the priorities his company is focused on while designing the building, such as connecting the youth center and community center, being able to see out of the building, having a control center that is flexible depending on the use of the building, technology lab for computers, areas for music and writing, creating a usable setting for teens, the need for a stage or theater, and the ability to accommodate large gatherings.

Councilmember DaCorsi stated he likes keeping the focus on creating an atmosphere that allows the space to be the center of the community. He said he wants it to be a one of a kind building but it is important to stay within budget. Deputy Mayor Wagner stated he would like there to be a place in the facility to accommodate pets. One of the rooms needs to be able to accommodate children from infants to toddlers. Councilmember Holman stated it is important to have easy access to the indoor and outdoor spaces. Councilmember Trout said the space needs to be configured to have a view of the park.

Mr. Lokting asked the Junior City Councilmembers and the Auburn Youth Councilmembers what they felt was important to incorporate into the space. Youth Councilmember Marcus Ebey stated teens want something different, they want a place to hang out and talk to their friends. They want a space that is a home away from home. Junior City Council Chair Lindell stated some teens would enjoy activities to combine the seniors with the teens. Junior City Councilmember Zalutskiy suggested the lobby have a coffee house atmosphere. Parks Program Assistant Kjerstin Lange stated the Parks Department is working on creating a space that is like a coffee shop area with a training program for baristas.

Teen Coordinator Jim Westhusing stated programs drive the building. He asked what types of programs the teens would like to see in the new facility. The members present suggested a community garden including lessons on how to grow fruits and vegetables, science labs, career day where professionals come in and talk about their profession. Youth Councilmember Ostos stated she wants to see programs that help with teen pregnancy, drop outs and drugs. Junior City Council Vice Chair Campbell asked if the programs and supplies would have a fee charged to the teens. Director Faber stated the City tries to provide all materials at either no cost or a very reduced cost. Youth Councilmember Muggy stated the gym needs to have activities besides basketball. Junior City Council Vice Chair Campbell suggested a sand volleyball court.

Junior City Council Chair Lindell noted different social groups often have a difficult time intermixing. It would be helpful to have activities that help the different social groups mix. Junior City Council Vice Chair Campbell stated the City must ensure the different interests and ethnic groups are represented throughout the facility. The teen center is a place for teens to meet other

teens.

Mayor Backus stated most programs are geared for the majority. She asked how the City could program for less than the majority. Junior City Councilmember Zalutskiy suggested the City could employ counselors at the center.

Junior City Council Chair Lindell stated the common goal is to get everyone to want to come to the park. The City needs to provide transportation to the teen center. Mayor Backus stated the City is working with the Auburn School District to provide transportation in the future. Youth Councilmember Ebey stated parking at the Park and Recreation building is already a problem.

Councilmember DaCorsi suggested the space could be used as a celebration of the community, featuring significant accomplishments of the community. There are features of the park that need to be maintained such as the bocce courts and the half mile loop trail.

Mr. Lokting explained his firm is going to continue community outreach meetings and community surveys. They will come back to the Council with two or three rough designs to choose from. Once an option has been selected they will present to Council again at 30% complete and 60% complete and then a final presentation with construction documents at 100% complete. The goal is to open the facility in June of 2015.

III. **ADJOURNMENT**

There being no further business to come before the Council, the meeting adjourned at 5:45 p.m.

APPROVED this 15th day of December, 2014.

NANCY BACKUS, MAYOR

Shawn Campbell, Deputy City Clerk



AGENDA BILL APPROVAL FORM

Agenda Subject:

December 1, 2014 City Council Minutes

Date:

December 10, 2014

Department:

Administration

Attachments:

[12-01-2014 minutes](#)

Budget Impact:

\$0

Administrative Recommendation:**Background Summary:****Reviewed by Council Committees:****Councilmember:****Staff:**

Meeting Date: December 15, 2014

Item Number: CA.B



**City Council Meeting
December 1, 2014 - 7:30 PM
Auburn City Hall
MINUTES**

I. CALL TO ORDER

A. Flag Salute

Mayor Nancy Backus called the meeting to order at 7:30 p.m. and led those in attendance in the Pledge of Allegiance.

B. Roll Call

City Councilmembers present: Deputy Mayor Rich Wagner, Bill Peloza, Largo Wales, Wayne Osborne, John Holman, Claude DaCorsi and Yolanda Trout.

Department Directors and staff members present included: Innovation and Technology Operations Manager Ashley Riggs, City Attorney Daniel B. Heid, Finance Director Shelley Coleman, Chief of Police Bob Lee, Parks, Arts and Recreation Director Daryl Faber, Community Development and Public Works Director Kevin Snyder, Economic Development Manager Doug Lein, Director of Administration Michael Hursh, Public Affairs and Market Liaison Dana Hinman, and City Clerk Danielle Daskam.

C. Announcements, Appointments, and Presentations

1. 2014 Tree Steward Proclamation

Mayor Backus to proclaim Mike Poste as a 2014 Tree Steward for preserving and caring for the Oregon Myrtle located at 1008 4th Street NE and declaring it a "Significant Tree".

Mayor Backus read a proclamation declaring Mike Poste as a 2014 Tree Steward and designating the Oregon Myrtle tree at 1008 4th Street NE as a significant tree in Auburn. Mayor Backus introduced Bryce Landrud, Chair of the City's Urban Tree Board, who accepted the proclamation on Mr. Poste's behalf.

Mr. Landrud stated the Oregon Myrtle tree could be the largest Myrtle in the State of Washington. According to Mr. Poste, the tree has been located at its current location since the 1940's. Mr. Landrud stated the tree is approximately five and one-half feet in diameter at the ground level and is approximately 40-50 feet tall and has a spread of about 80 feet wide.

Mr. Landrud thanked the City for designating the Oregon Myrtle as a significant tree.

D. Agenda Modifications

There was no change to the agenda.

II. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE

A. Public Hearings

No public hearing was scheduled for this evening.

B. Audience Participation

This is the place on the agenda where the public is invited to speak to the City Council on any issue. Those wishing to speak are reminded to sign in on the form provided.

No one in the audience addressed the Council.

C. Correspondence

There was no correspondence for Council review.

III. COUNCIL COMMITTEE REPORTS

A. Municipal Services

Chair Peloza reported the Municipal Services Committee met November 24, 2014. The Committee reviewed Ordinance No. 6543 relating to parking restrictions and Resolution No. 5110 relating to interlocal agreements establishing the Puget Sound Emergency Radio Network System. The next regular meeting of the Municipal Services Committee meeting is scheduled for December 8, 2014.

B. Planning & Community Development

Chair Holman reported the Planning and Community Development Committee met November 24, 2014. The Committee reviewed Ordinance No. 6542 related to the annual adjustment of school impact fees. The Committee also discussed conversion of the Committee's work matrix to the study session format. The next regular meeting of the Planning and Community Development Committee is scheduled for December 8, 2014.

C. Public Works

Chair Osborne reported the Public Works Committee met this afternoon at 3:30. The Committee approved final payment for Small Works Project EM1303 for emergency repairs at 2840 Riverwalk Drive. The Committee discussed Ordinance No. 6543 related to parking restrictions, Ordinance No. 6542 relating to school impact fees, the capital project status report, infrastructure projects by others, and the Committee's matrix. The next regular meeting of the Public Works Committee is scheduled for December 15, 2014.

D. Finance

Chair Wales reported the Finance Committee met this evening at 5:00. The Committee approved claims vouchers and wire transfers in the amount of approximately \$3,042,435.00 and payroll vouchers in the amount of approximately \$1,732,914.00. The Committee also approved Ordinance No. 6533 adopting the 2015-2016 Biennial Budget, Ordinance No. 6539 amending the 2013-2014 Biennial Budget, Resolution No. 5110 relating to interlocal agreements for the creation of the Puget Sound Emergency Radio Network System, a service agreement with VADIS for a litter control program, Ordinance No. 6543 relating to parking restrictions, Resolution No. 5096

adopting the 2014 King County Regional Hazard Mitigation Plan, and potential study session items. The next regular meeting of the Finance Committee is scheduled for December 15, 2014.

E. Les Gove Community Campus

Deputy Mayor Wagner reported the Les Gove Community Campus Committee will meet on December 9, 2014.

F. Council Operations Committee

Deputy Mayor Wagner reported the Council Operations Committee met on November 24, 2014. The Committee reviewed Resolution No. 5012, which relates to the Deputy Mayor selection process. The Committee also received an update on the status of the Independent Salary Commission.

G. Junior City Council

The next regular meeting of the Junior City Council is scheduled for December 15, 2014.

IV. CONSENT AGENDA

All matters listed on the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion in the form listed.

A. Minutes of the November 17, 2014 Regular Meeting

B. Claims Vouchers (Wales/Coleman)
Claims voucher numbers 431308 through 431472 in the amount of \$3,039,619.66 and two wire transfers in the amount of \$2,816.54 and dated December 1, 2014.

C. Payroll Vouchers (Wales/Coleman)
Payroll check numbers 535126 through 535199 in the amount of \$363,247.58 and electronic deposit transmissions in the amount of \$1,369,666.42 for a grand total of \$1,732,914.00 for the period November 13, 2014 to November 26, 2014.

D. Small Works Project No. EM1303 (Osborne/Hursh)
City Council approve final payment for Small Works Contract No. 13-22 in the amount of \$60,672.38 and accept Project No. EM1303, R Street Emergency Repairs

Deputy Mayor Wagner moved and Councilmember Pelozo seconded to approve the Consent Agenda.

The Consent Agenda includes claims and payroll vouchers and final payment for a Small Works contract.

MOTION CARRIED UNANIMOUSLY. 7-0

V. UNFINISHED BUSINESS

There was no unfinished business.

VI. NEW BUSINESS

There was no new business.

VII. ORDINANCES

- A. Ordinance No. 6533 (Wales/Coleman)
An Ordinance of the City Council of the City of Auburn, Washington, adopting the 2015-2016 Biennial Budget for the City of Auburn, Washington

Councilmember Wales moved and Councilmember Holman seconded to adopt Ordinance No. 6533.

Ordinance No. 6533 adopts the 2015-2016 Biennial Budget. The budget was reviewed in several Council study sessions and public hearings.

MOTION CARRIED UNANIMOUSLY. 7-0

- B. Ordinance No. 6539 (Wales/Coleman)
An Ordinance of the City Council of the City of Auburn, Washington, amending Ordinance No. 6432, the 2013-2014 Biennial Budget Ordinance, as amended by Ordinance No. 6456, Ordinance No. 6462, Ordinance No. 6472, Ordinance No. 6473, Ordinance No. 6474, Ordinance No. 6481, Ordinance No. 6502, Ordinance No. 6510, authorizing amendment to the City of Auburn 2013-2014 Budget as set forth in Schedule "A" and Schedule "B"

Councilmember Wales moved and Councilmember Holman seconded to adopt Ordinance No. 6539.

Ordinance No. 6539 represents the end of the year budget amendment for the 2013-2014 Biennial Budget.

MOTION CARRIED UNANIMOUSLY. 7-0

- C. Ordinance No. 6542 (Holman/Snyder)
An Ordinance of the City Council of the City of Auburn, Washington, amending Sections 19.02.115, 19.02.120, 19.02.130 and 19.02.140 of the Auburn City Code relating to school impact fees

Councilmember Holman moved and Councilmember Wales seconded to adopt Ordinance No. 6542.

Ordinance No. 6542 relates to the annual adjustment of school impact fees.

MOTION CARRIED UNANIMOUSLY. 7-0

- D. Ordinance No. 6543 (Peloza/Heid)
An Ordinance of the City Council of the City of Auburn, Washington, amending Section 10.36.270 of the Auburn City Code related to parking restrictions

Councilmember Peloza moved and Councilmember Osborne seconded to adopt Ordinance No. 6543.

MOTION CARRIED UNANIMOUSLY. 7-0

VIII. RESOLUTIONS

- A. Resolution No. 5096 (Peloza/Hursh)
A Resolution of the City Council of the City of Auburn, Washington, authorizing the adoption of the 2014 King County Regional Hazard Mitigation Plan including the City of Auburn Plan Annex

Councilmember Pelozza moved and Councilmember Osborne seconded to adopt Resolution No. 5096.

MOTION CARRIED UNANIMOUSLY. 7-0

- B. Resolution No. 5110 (Pelozza/Heid)
A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to negotiate and execute interlocal agreements between the City of Auburn and King County and the Cities of Bellevue, Federal Way, Issaquah, Kent, Kirkland, Mercer Island, Redmond, Renton, Seattle and Tukwila for the establishment, implementation and operation of the Puget Sound Emergency Radio Network System (PSERN)

Councilmember Pelozza moved and Councilmember Osborne seconded to adopt Resolution No. 5110.

MOTION CARRIED UNANIMOUSLY. 7-0

- C. Resolution No. 5112 (Wagner/Heid)
A Resolution of the City Council of the City of Auburn, Washington, amending the City Council Rules of Procedure as adopted by Ordinance No. 5802 and amended by Resolution Nos. 4282, 4429, 4467, 4615, 4686, 4740, 4813, 4909 and 5105

Deputy Mayor Wagner moved and Councilmember Pelozza seconded to adopt Resolution No. 5112.

Deputy Mayor Wagner explained the Resolution approves an amendment to the Council Rules relating to the process for selecting the Deputy Mayor.

MOTION CARRIED UNANIMOUSLY. 7-0

City Attorney Heid explained that any member of the City Council may be nominated for the position of Deputy Mayor by a Councilmember. The nomination does not require a second.

The Councilmember receiving a majority of the votes cast by the members of the City Council shall be elected Deputy Mayor. The Council rules also provide for a run-off election if no single Councilmember receives a majority vote on the first ballot.

Mayor Backus opened nominations for Deputy Mayor for the year 2015.

Councilmember Osborne nominated Councilmember John Holman for Deputy Mayor in 2015.

Councilmember DaCorsi nominated Deputy Mayor Wagner for Deputy Mayor in 2015.

There being no other nomination, nominations were closed.

Councilmember Holman was elected Deputy Mayor for the year 2015 with Councilmembers Osborne, Wales, Trout and Holman voting for Councilmember Holman.

IX. REPORTS

At this time the Mayor and City Council may report on significant items associated with their appointed positions on federal, state, regional and local organizations.

A. From the Council

Deputy Mayor Wagner reported on his attendance at the Pierce County Regional Council meeting where discussion centered on the legislative agenda for the Pierce County delegation.

Councilmember Holman reported that several members of the Council attended the National League of Cities (NLC) Conference in Austin, Texas. Councilmember Holman explained the NLC is comprised of 1,845 members cities from 42 states. The goals of NLC are to proactively drive federal policy on behalf of cities on issues that directly impact cities, find city solutions, and build the skills of its members. Based on a survey of its members, the most pressing issues for NLC are transportation, water/sewer infrastructure, and parks and open spaces. Councilmember Holman reviewed the areas where the NLC members believe Congress should take action in the next two years, where Federal leadership is most needed, the areas of most active regional partnerships, and the areas of most active private or public-private partnerships.

Councilmember Osborne, a member of the NLC steering committee for the Transportation and Infrastructure Services Committee, spoke regarding the work of the committee and the need for a federal transportation bill. Councilmember Osborne reported the Washington contingent to NLC is a strong component of the NLC.

Councilmember Wales, a member of the NLC Human Development Committee, spoke regarding the work of NLC Human Development Committee, which supports education and immigration reform.

Councilmember Pelloza reported he attended the National League of Cities where he served as chair of the Energy, Environment and Natural Resources Committee for the last time. Councilmember Pelloza announced he was elected to the NLC Board of Directors for a two-year term.

Mayor Backus wished Councilmember DaCorsi a very happy birthday on December 2nd.

B. From the Mayor

Mayor Backus reported on a breakfast meeting with representatives from Senator Cantwell's office where discussion focused on federal funding for transportation projects. Mayor Backus also reported on her attendance at the King County Flood Control District Advisory Committee meeting, a Safe Energy Leadership Alliance meeting, and interviews of the Auburn Tourism Board members.

X. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 8:30 p.m.

APPROVED this 15th day of December, 2014.

NANCY BACKUS, MAYOR

Danielle Daskam, City Clerk



AGENDA BILL APPROVAL FORM

Agenda Subject:

December 3, 2014 Special City Council Meeting Minutes

Date:

December 8, 2014

Department:

Administration

Attachments:

[12-3-2014 minutes](#)

Budget Impact:

\$0

Administrative Recommendation:**Background Summary:****Reviewed by Council Committees:****Councilmember:****Staff:**

Meeting Date: December 15, 2014

Item Number: CA.C



**Special City Council Meeting
December 3, 2014 - 8:00 AM
Public Works Maintenance and
Operations Building - 1305 C Street
MINUTES**

I. CALL TO ORDER

City Councilmembers present: Councilmember Wayne Osborne, Councilmember Bill Peloza and Councilmember Largo Wales. No quorum was present. the tour continued for informational purposes.

Officials and staff members present included: staff members present included: Mayor Nancy Backus, Assistant Director of Engineering/City Engineer Ingrid Gaub, Assistant Director of Public Works Operations Randy Bailey, Sewer/Storm Manager Chad Jordison, Water Manager Allen Hunter, Street/Vegetation Manager David Ornsbey, Vegetation Supervisor Erik Cottle, Pump Specialist Dave King, Maintenance Worker II Susan Miller, Cross Connection Specialist Vince Konkler, and Cross Connection Specialist Dave Huhtala.

II. DISCUSSION ITEMS

A. Tour of Public Works Facilities

The tour started at 8:05 a.m. at the Public Works Maintenance and Operations Building.

The Council members and staff reviewed the system control room for the City's System Control and Data Acquisition (SCADA) system and reviewed what remote controls and monitoring capabilities the system has. The Council then toured the equipment used to create the salt brine used to treat streets in inclement weather conditions before leaving the Building site. The Council then received a tour of the following facilities: Ellingson Sewer Lift Station, White River Storm Pump Station, Lakeland Hills Water Booster Station/Reservoir 5, Reservoir 6, and the Howard Road Corrosion Control Facility and headworks. The tour ended at the Public Works Maintenance and Operations Building.

III. ADJOURNMENT

The tour concluded at 10:45 a.m.

APPROVED this 15th day of December, 2014.

NANCY BACKUS, MAYOR

Shawn Campbell, Deputy City Clerk



AGENDA BILL APPROVAL FORM

Agenda Subject:

Claims Vouchers

Date:

December 8, 2014

Department:

Administration

Attachments:

No Attachments Available

Budget Impact:

\$0

Administrative Recommendation:

Approve claims vouchers.

Background Summary:

Claims voucher numbers 431473 through 431660 in the amount of \$1,337,790.75 and two wire transfers in the amount of \$2452.21 and dated December 15, 2014.

Reviewed by Council Committees:

Councilmember: Wales

Staff: Coleman

Meeting Date: December 15, 2014

Item Number: CA.D



AGENDA BILL APPROVAL FORM

Agenda Subject:

Payroll Vouchers

Date:

December 8, 2014

Department:

Administration

Attachments:

No Attachments Available

Budget Impact:

\$0

Administrative Recommendation:

Approve Payroll Vouchers

Background Summary:

Payroll check numbers 535200 through 535233 in the amount of \$859,460.56, electronic deposit transmissions in the amount of \$1,303,856.97 for a grand total of \$2,163,317.53 for the period covering November 27, 2014 to December 10, 2014

Reviewed by Council Committees:

Councilmember: Wales

Staff: Coleman

Meeting Date: December 15, 2014

Item Number: CA.E



AGENDA BILL APPROVAL FORM

Agenda Subject:

Public Works Project No. C512A

Date:

December 9, 2014

Department:

Public Works

Attachments:

[Budget Status Sheet](#)

[Bid Tab](#)

[Vicinity Map](#)

Budget Impact:

\$0

Administrative Recommendation:

City Council award Contract No. 13-12, to Gary Harper Construction, Inc. on their low bid of \$797,160.00 plus Washington State sales tax of \$75,730.20 for a total contract price of \$872,890.20 for Project No. C512A, Well 4 Emergency Power Improvements.

Background Summary:

The purpose of this project is to provide emergency power, upgrade the chlorination system, and install security fencing at the City's Well 4 water facility. Providing a diesel generator for emergency power will ensure that one of the City's primary sources of water will continue to operate in the event electrical power is lost. Upgrading the chlorination system from the existing gas chlorination system to a liquid hypochlorite solution will increase operator safety and improve operations by providing a chlorination system similar to other City water sources. Both the new chlorination system and the generator will be housed in a new building that will be constructed adjacent to the existing building at the Well 4 site.

Construction is anticipated to begin in January 2015 and be complete in July 2015.

A project budget contingency of \$57,850.00 remains in the 430 (Water) fund.

Reviewed by Council Committees:

Public Works

Councilmember: Osborne

Staff: Snyder

Meeting Date: December 15, 2014

Item Number: CA.F

BUDGET STATUS SHEET

Project No: C512A	Project Title: Well 4 Emergency Power Improvements
Project Manager: Seth Wickstrom	

Initiation Date: Nov 5, 2012

Advertisement Date: Nov 6, 2014

Award Date: _____

- ☐ Initiation/Consultant Agreement

☐ Permission to Advertise

☒ Contract Award

☐ Change Order Approval

☐ Contract Final Acceptance

Date: December 4, 2014

The "Future Years" column indicates the projected amount to be requested in future budgets.

Funds Budgeted (Funds Available)

Funding	Prior Years	2013	2014	2015	Total
430 Fund - Water	39,448	172,621	1,166,520		1,378,589
Total	39,448	172,621	1,166,520	0	1,378,589

Estimated Cost (Funds Needed)

Activity	Prior Years	2013	2014	2015	Total
Design Engineering - City Costs	6,850	18,917	26,000		51,767
Design Engineering - Consultant Costs	32,598	153,705	31,537		217,839
Construction Contract Bid				872,890	872,890
Authorized Contingency (10%)				87,289	87,289
Construction Engineering - City Costs				60,000	60,000
Construction Engineering - Consultant Costs				30,954	30,954
Total	39,448	172,622	57,537	1,051,133	1,320,739

430 Water Budget Status

	Prior Years	2013	2014	2015	Total
*430 Funds Budgeted ()	(39,448)	(172,621)	(1,166,520)	0	(1,378,589)
430 Funds Needed	39,448	172,622	57,537	1,051,133	1,320,739
*430 Fund Project Contingency ()	0	0	(1,108,983)	0	(57,850)
430 Funds Required	0	0	0	1,051,133	0

* (#) in the Budget Status Sections indicates Money the City has available.

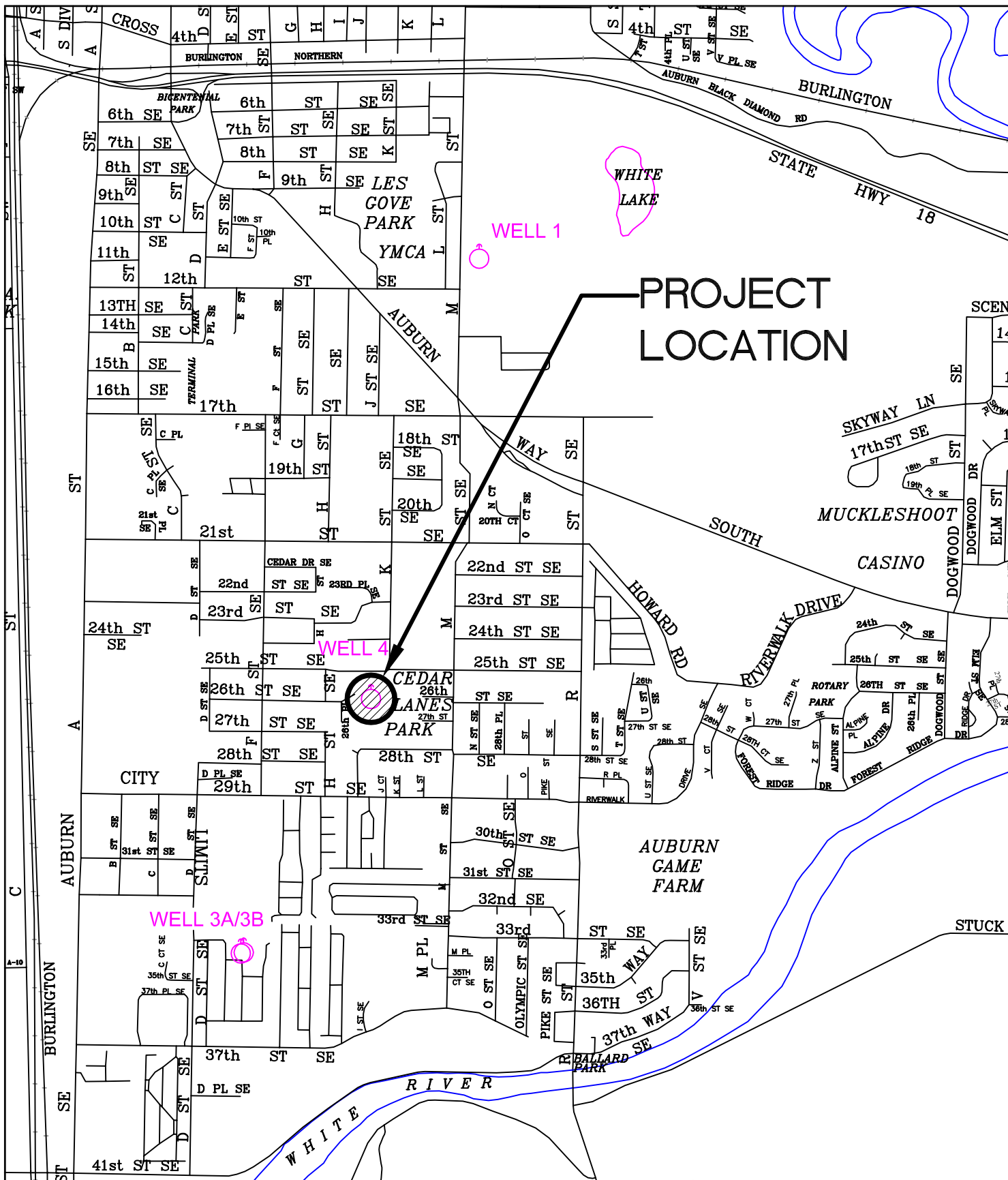
**BID TABULATION
BID TOTALS SUMMARY**

Project Name: C512A, Well 4 Emergency Improvements, Contract 13-12
Prepared by: City of Auburn
Bid Date: 11/20/14

ENGINEER'S ESTIMATE:	\$	891,355.50			
AVERAGE BASIC BID AMOUNT:	\$	855,722.26			
BASIC BID SPREAD AMOUNT:	\$	92,739.30	Basic BID Amount	Spread \$	Spread %

LOW BIDDER:	Gary Harper Construction, Inc.	\$	797,160.00	-\$94,195.50	-10.57%
Second Bidder:	McClure & Sons, Inc.	\$	852,905.00	-\$38,450.50	-4.31%

	Basic BID (Tax not Included)	Total BID (Tax Included)
Gary Harper Construction, Inc	\$ 797,160.00	\$ 872,890.20
SGC General Contractors	Non-Responsible	
McClure & Sons, Inc.	\$ 852,905.00	\$ 933,930.98
Award Construction, Inc.	\$ 854,265.00	\$ 935,420.18
Prospect Construction	\$ 884,382.00	\$ 968,398.29
T. Miller Construction, Inc.	\$ 889,899.30	\$ 974,439.73





AGENDA BILL APPROVAL FORM

Agenda Subject:

Public Works Project No. C524A

Date:

December 9, 2014

Department:

Public Works

Attachments:

[Budget Status Sheet](#)
[Vicinity Map](#)

Budget Impact:

\$0

Administrative Recommendation:

City Council approve Final Pay Estimate No. 25 to Contract No. AG-C-401 in the amount of \$22,119.00 and accept construction of Project No. C524A SCADA System Improvements, Consultant and Technology Services.

Background Summary:

This project upgraded the City of Auburn's Supervisory Control and Data Acquisition (SCADA) System for the City's water, sewer, and storm utilities. The work included design and installation of new telemetry systems, closed circuit television security cameras, and digital interface control systems that improve the City's ability to effectively monitor and manage critical utility infrastructure throughout the City. The project is also constructing physical security improvements such as fences, gates, equipment shelters, and lighting, which are being constructed as a separate construction contract.

A total project budget contingency of \$29,884.00 remains in the various utility accounts funding this project.

Reviewed by Council Committees:

Public Works

Councilmember: Osborne

Staff: Snyder

Meeting Date: December 15, 2014

Item Number: CA.G

BUDGET STATUS SHEET

Project No: C524A	Project Title: SCADA System Improvements
Project Manager: Jacob Sweeting	

Initiation Date: 3/5/2007
 Advertisement Date: 3/18/2014
 Award Date: 2/22/2011(Tech Contract)

- ☒ Final Acceptance
☐ Permission to Advertise Physical Imp
☐ Consultant Agreement
☐ Change Order Approval

Date: December 9, 2014

Funds Budgeted (Funds Available)

Funding	2011 (actual)	2012 (actual)	2013 (actual)	2014	Total
430 Fund - Water	657,779	1,669,604	358,616	588,790	3,274,789
431 Fund - Sewer	329,737	1,044,185	234,409	306,666	1,914,997
432 Fund - Storm	151,347	443,060	145,531	151,489	891,427
431 Fund - Emergency Sewer Repairs				20,000	20,000
Total	1,138,863	3,156,849	738,556	1,066,945	6,101,213

Estimated Cost (Funds Needed)

Activity	2011 (actual)	2012 (actual)	2013 (actual)	2014	Total
Design Engineering City	14,285	17,150	561	3,329	35,325
Technology Contract	1,107,440	3,065,875	679,219	317,488	5,170,022
Physical Site Security Construction Contract	0	0	0	518,500	518,500
Physical Site Security Contract - Change Order 1 - Emergency Repairs (Sewer)	0	0	0	15,000	15,000
Physical Site Security Contract - Change Order 2 - Additional Fence (Water)				27,469	27,469
Physical Site Security Contract - Change Order 3 - Emergency Repairs (Sewer)				5,000	5,000
Physical Site Security Contract - Change Order 4 - Shelter Modifications (Storm)				10,370	10,370
Remaining Physical Security Imp. Contingency	0	0	0	15,905	15,905
Construction Engineering	17,138	73,824	58,776	124,000	273,738
Total	1,138,863	3,156,849	738,556	979,222	6,013,490

430 Water Budget Status

	2011 (actual)	2012 (actual)	2013 (actual)	2014	Total
*430 Funds Budgeted ()	(657,779)	(1,669,604)	(358,616)	(588,790)	(3,274,789)
430 Funds Needed	657,779	1,669,604	358,616	570,457	3,256,456
*430 Fund Project Contingency ()	0	0	0	(18,333)	(18,333)
430 Funds Required	0	0	0	0	0

431 Sewer Budget Status

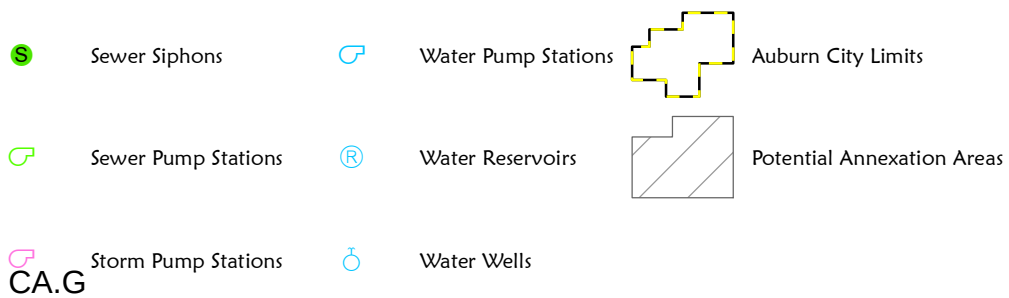
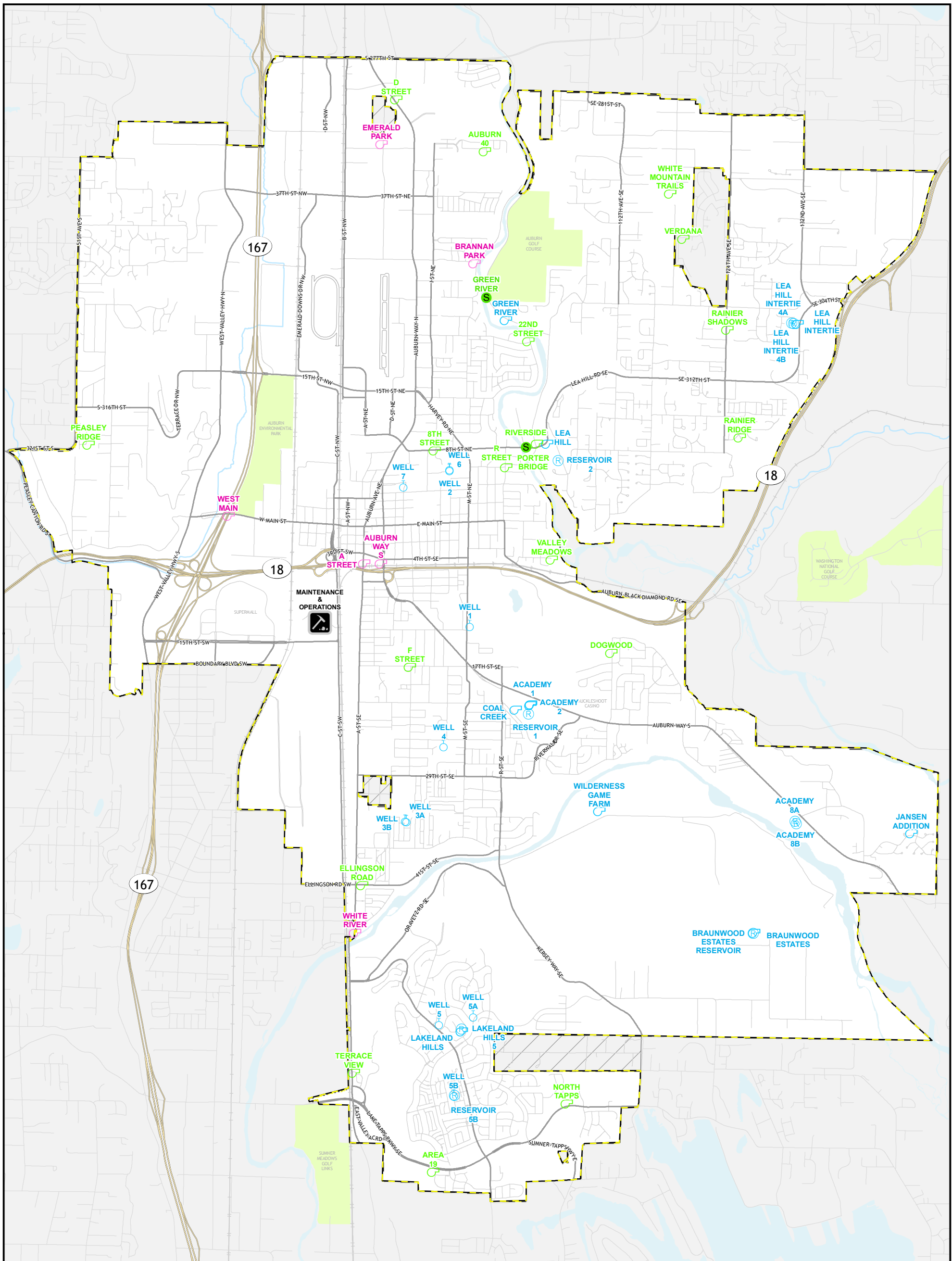
	2011 (actual)	2012 (actual)	2013 (actual)	2014	Total
*431 Funds Budgeted ()	(329,737)	(1,044,185)	(234,409)	(326,666)	(1,934,997)
431 Funds Needed	329,737	1,044,185	234,409	322,212	1,930,543
*431 Fund Project Contingency ()	0	0	0	(4,454)	(4,454)
431 Funds Required	0	0	0	0	0

432 Storm Budget Status

	2011 (actual)	2012 (actual)	2013 (actual)	2014	Total
*432 Funds Budgeted ()	(151,347)	(443,060)	(145,531)	(151,489)	(891,427)
432 Funds Needed	151,347	443,060	145,531	144,392	884,330
*432 Fund Project Contingency ()	0	0	0	(7,097)	(7,097)
432 Funds Required	0	0	0	0	0

* (#) in the Budget Status Sections indicates Money the City has available.

SCADA Utility Sites



Printed On: 02/16/11
Map ID: 3681

Information shown is for general reference purposes only and does not necessarily represent exact geographic or cartographic data as mapped. The City of Auburn makes no warranty as to its accuracy.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Public Works Project No. CP1304

Date:

December 9, 2014

Department:

Public Works

Attachments:

[Budget Status Sheet](#)
[Vicinity Map](#)

Budget Impact:

\$0

Administrative Recommendation:

City Council grant permission to advertise for bids for Project No. CP1304, 37th Street & B Street NW Pre-Signal Project, Contract 14-12.

Background Summary:

The 37th Street and B Street NW Pre-Signal project will construct a new pre-signal, make modifications to the existing traffic signal, and install advanced railroad pre-emption for the at-grade Burlington Northern Santa Fe (BNSF) rail crossing intersection of 37th St NW and B St NW. This work will also mitigate the impacts from the proposed BNSF third mainline rail anticipated to be constructed in 2014.

A project budget contingency of \$10,580.00 remains in the 102 – Arterial Street Fund.

Reviewed by Council Committees:

Public Works

Councilmember: Osborne

Staff: Snyder

Meeting Date: December 15, 2014

Item Number: CA.H

BUDGET STATUS SHEET

Project No: CP1304	Project Title: 37th and B Street NW Pre-Signal
Project Manager: Jacob Sweeting	

Initiation Date: 2/19/2013

Advertisement Date: _____

Award Date: _____

- ☐ 2013 Carryforward

☒ Permission to Advertise

☐ Contract Award

☐ Change Order Approval

☐ Contract Final Acceptance

Date: 12/9/2014

The "Future Years" column indicates the projected amount to be requested in future budgets.

Funds Budgeted (Funds Available)

Funding	Prior Years	2013 (Actual)	2014	Total
102 Fund - FHWA Grant		22,112	285,438	307,550
102 Fund - Arterial Safety Improvements		12,310	64,590	76,900
Total	0	34,422	350,028	384,450

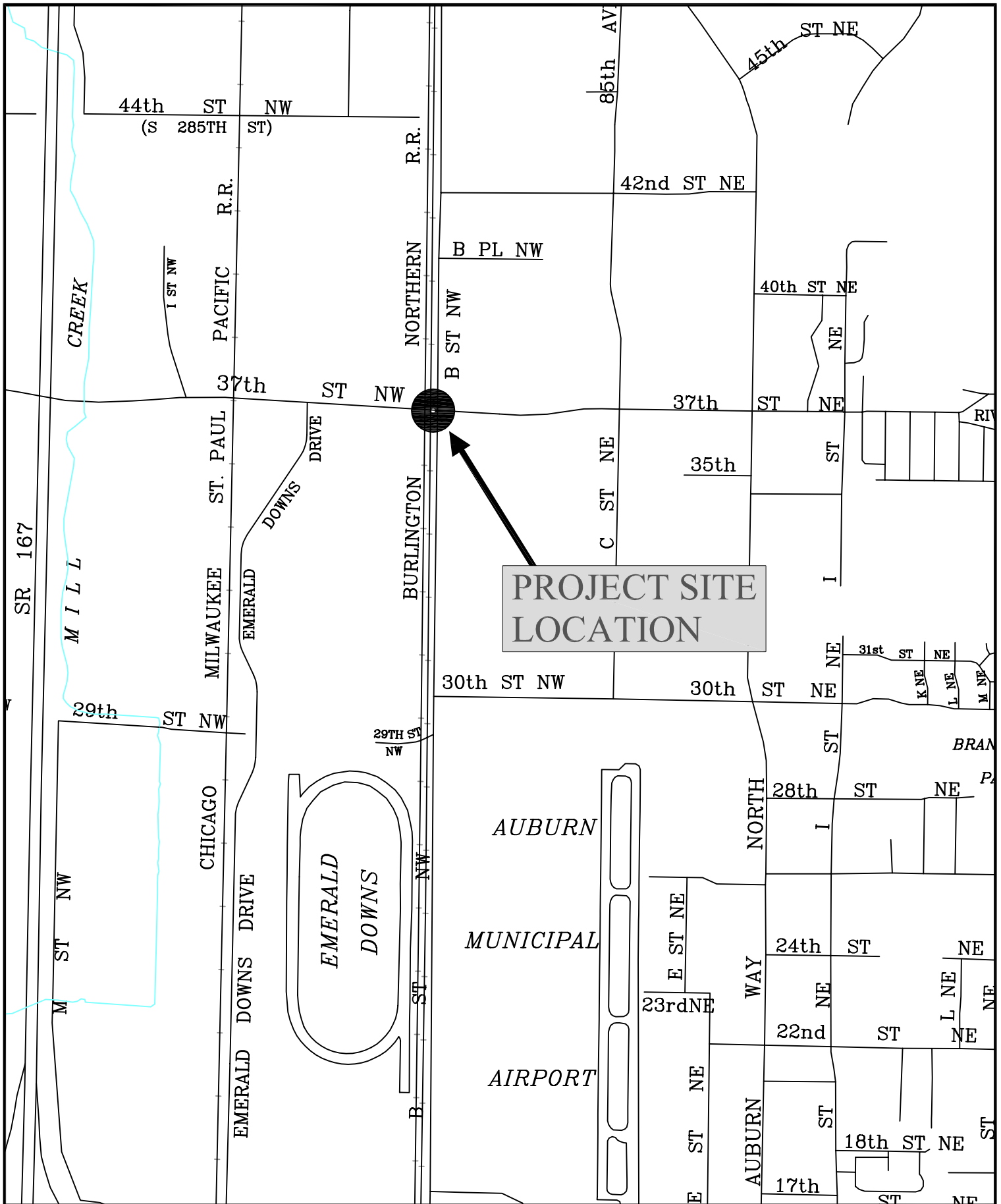
Estimated Cost (Funds Needed)

Activity	Prior Years	2013 (Actual)	2014	Total
Design Engineering - City Costs		17,819	12,181	30,000
Design Engineering - Consultant Costs		16,603	38,397	55,000
Construction Estimate			163,800	163,800
Construction Contingency (15%)			24,570	24,570
BNSF Improvements			59,500	59,500
ROW/Permits			4,500	4,500
Construction Engineering - Consultant Costs			8,000	8,000
Construction Engineering - City Costs			25,000	25,000
State Review			3,500	3,500
Total	0	34,422	339,448	373,870

102 Arterial Street Budget Status

	Prior Years	2013 (Actual)	2014	Total
*102 Funds Budgeted ()	0	(34,422)	(350,028)	(384,450)
102 Funds Needed	0	34,422	339,448	373,870
*102 Fund Project Contingency ()	0	0	(10,580)	(10,580)
102 Funds Required	0	0	0	0

* (#) in the Budget Status Sections indicates Money the City has available.





AGENDA BILL APPROVAL FORM

Agenda Subject:

Public Works Project No. CP1320

Date:

December 10, 2014

Department:

Public Works

Attachments:

[Budget Status Sheet](#)

[Vicinity map](#)

Budget Impact:

\$55,738.00

Administrative Recommendation:

City Council grant permission to advertise for bids for Project No. CP1320, Maintenance and Operations Storm Drainage Improvement project.

Background Summary:

The Maintenance and Operations (M&O) Storm Drainage Improvement project consists of the following improvements at the City's M&O facility located at 1305 C Street SW:

- Abandon the existing onsite storm pond and construct new larger storm facilities onsite.
- Reconfigure the existing onsite storm drainage system to route into the new storm facilities.
- Modify the existing decant facility bays for improved performance.
- Construct a new decant facility to allow more material to be decanted.
- Pave the driving areas that are currently gravel.

Construction of this project is anticipated to start in February 2015 and be complete by late August 2015.

A project increase of \$110,664.00 within the 430 (Storm) fund may be necessary, however it would not require a budget adjustment since there is money available in the 430 fund under the 2014 Street Utility Improvement budget.

A budget adjustment of \$55,738.00 from the 550 (Equipment Rental Fund) may be necessary to fund the project.

Reviewed by Council Committees:

Public Works

Councilmember: Osborne

Staff: Snyder

Meeting Date: December 15, 2014

Item Number: CA.I

BUDGET STATUS SHEET

Project No: CP1320	Project Title: Maintenance & Operations Storm Drainage Improvements
Project Manager: Seth Wickstrom	

Initiation Date: February 18, 2014
 Advertisement Date: _____
 Award Date: _____

☐ Project Initiation / Grant Acceptance ☐ Consultant Agreement ☒ Permission to Advertise ☐ Contract Award ☐ Change Order Approval ☐ Contract Final Acceptance

Date: December 9, 2014

The "Future Years" column indicates the projected amount to be requested in future budgets.

Funds Budgeted (Funds Available)

Funding	Prior Years	2014	2015	Future Years	Total
430 Water Fund - M&O Facility Expansion		220,000			220,000
430 Water Fund			49,088		49,088
431 Sewer Fund - M&O Facility Expansion		200,000			200,000
431 Sewer Fund - R&R Program*			40,763		40,763
432 Storm Fund - R&R Program**	19,641				19,641
432 Storm Fund - Vactor Decant Facility		270,000			270,000
432 Storm Fund - M&O Facility Expansion		200,000			200,000
432 Storm Fund - Dept. of Ecology Grant		999,400			999,400
550 Equipment Rental - M&O Facility Expansion			270,000		270,000
Total	19,641	1,889,400	89,851	0	2,268,892

* This was a portion of the 2015 annual budget for the Sewer Repair & Replacement Program.

** This was a portion of the 2013 annual budget for the Storm Repair & Replacement Program.

Estimated Cost (Funds Needed)

Activity	Prior Years	2014	2015	Future Years	Total
Design Engineering - City Costs	3,698	37,000	3,000		43,698
Design Engineering - Consultant Costs	15,943	424,054			439,997
Construction Estimate			1,696,000		1,696,000
Project Contingency (10%)			169,600		169,600
Construction Engineering - City Costs			46,000		46,000
Construction Engineering - Consultant Costs			40,000		40,000
Total	19,641	461,054	1,954,600	0	2,435,295

430 Water Budget Status

	Prior Years	2014	2015	Future Years	Total
**430 Funds Budgeted ()	0	(220,000)	(49,088)	0	(269,088)
430 Funds Needed	0	21,900	247,188	0	269,088
**430 Fund Project Contingency ()	0	(198,100)	0	0	0
430 Funds Required	0	0	198,100	0	0

431 Sewer Budget Status

	Prior Years	2014	2015	Future Years	Total
**431 Funds Budgeted ()	0	(200,000)	(40,763)	0	(240,763)
431 Funds Needed	0	19,595	221,168	0	240,763
**431 Fund Project Contingency ()	0	(180,405)	0	0	0
431 Funds Required	0	0	180,405	0	0

432 Storm Budget Status

	Prior Years	2014	2015	Future Years	Total
**432 Funds Budgeted ()	(19,641)	(1,469,400)	0	0	(1,489,041)
432 Funds Needed	19,641	393,049	1,187,016	0	1,599,705
**432 Fund Project Contingency ()	0	(1,076,351)	0	0	0
432 Funds Required	0	0	1,187,016	0	110,664

550 Equipment Rental Budget Status

	Prior Years	2014	2015	Future Years	Total
**432 Funds Budgeted ()	0	0	(270,000)	0	(270,000)
432 Funds Needed	0	26,511	299,228	0	325,738
**432 Fund Project Contingency ()	0	0	0	0	0
432 Funds Required	0	26,511	29,228	0	55,738

** (#) in the Budget Status Sections indicates Money the City has available.



AGENDA BILL APPROVAL FORM

Agenda Subject:

VADIS Service Agreement AG-S-080

Date:

December 9, 2014

Department:

Finance

Attachments:

[Agreement](#)

Budget Impact:

\$0

Administrative Recommendation:

City Council review and approve 2015-2016 Service Agreement No. AG-S-080 with Vadis.

Background Summary:

AG-S-080 is a bi-annual service agreement between the City of Auburn and Vadis for a litter control program, beginning January 1, 2015, and ending December 31, 2016. This agreement also includes a recycling pickup program that runs from April to September of each year. The City's current agreement with Vadis is valid through December 31, 2014. The fees for services under this agreement shall not exceed \$155,688.00 in 2015 and \$159,582.00 in 2016.

Vadis is a non-profit corporation that develops employment opportunities for individuals with disabilities. Each litter crew is made up of five specially challenged individuals and a crew supervisor who collect trash and debris along City traveled ways. The contract has been renewed annually since 1991.

Vadis Litter Crew Accomplishments:

- 1) Annually, the litter crews remove 5,000 bags of litter from City traveled ways.
- 2) The litter crews maintain approximately 85 waste receptacles, 10 ash receptacles (for cigarette butts), and 45 recycling receptacles in the City.
- 3) The recycling crew maintains 105 recycling containers at the City Parks.
- 4) The litter crews respond to calls on illegal dumping 3 - 4 times per week.
- 5) The litter crews also fill sandbags as needed.

Reviewed by Council Committees:

Finance, Municipal Services

Councilmember: Pelosa

Staff:

Coleman

Meeting Date: December 15, 2014

Item Number: CA.J

CITY OF AUBURN
AGREEMENT FOR SERVICES
AG-S-080

THIS AGREEMENT made and entered into on this ____ day of _____, 2014, by and between the **City of Auburn**, a municipal corporation of the State of Washington, hereinafter referred to as "City" and **Vadis**, 1701 Elm Street, Sumner WA 98390, hereinafter referred to as the "Provider."

W I T N E S S E T H :

WHEREAS, the City is engaged in or readying itself to be engaged in its litter control and recycling program and is in need of services of individuals, employees or firms for litter control and recycling work; and,

WHEREAS, the City desires to retain the Provider to provide certain services in connection with the City's work related to litter control and recycling; and,

WHEREAS, the Provider is qualified and able to provide services in connection with the City's needs for the above-described work, and is willing and agreeable to provide such services upon the terms and conditions herein contained.

NOW, THEREFORE, the parties hereto agree as follows:

1. Scope of Services

The Provider agrees to perform in a good and professional manner the tasks described on Exhibit "A" which is attached hereto and incorporated herein by this reference. (The tasks described on Exhibit "A" shall be individually referred to as a "task," and collectively referred to as the "services.") The Provider shall perform the services as an independent contractor and shall not be deemed, by virtue of this Agreement and the performance thereof, to have entered into any partnership, joint venture, employment or other relationship with the City.

2. Additional Services

From time to time hereafter, the parties hereto may agree to the performance by the Provider of additional services with respect to related work or projects. Any such agreement(s) shall be set forth in writing and shall be executed by the respective parties prior to the Provider's performance of the services there under, except as may be provided to the contrary in Section 3 of this Agreement. Upon proper completion and execution of an Amendment (agreement for additional services), such Amendment shall be incorporated into this Agreement and shall have the same force and effect as if the terms of such Amendment were a part of this Agreement as originally executed. The performance of services pursuant to an Amendment shall be subject to the terms and conditions of this Agreement except where the Amendment provides to the contrary, in which case the terms and conditions of any such Amendment shall control. In all other respects, any Amendment shall supplement and be construed in accordance with the terms and conditions of this Agreement.

3. Performance of Additional Services Prior to Execution of an Amendment

The parties hereby agree that situations may arise in which services other than those described on Exhibit "A" are desired by the City and the time period for the completion of such services makes the execution of Amendment impractical prior to the commencement of the Provider's performance of the requested services. The Provider hereby agrees that it shall perform such services upon the written request of an authorized representative of the City pending execution of an Amendment, at a rate of compensation to be agreed to in connection therewith. The invoice procedure for any such additional services shall be as described in Section 8 of this Agreement.

4. Provider's Representations

The Provider hereby represents and warrants that he has all necessary licenses and certifications to perform the services provided for herein, and is qualified to perform such services.

5. City's Responsibilities

The City shall do the following in a timely manner so as not to delay the services of the Provider:

- a. Designate in writing a person to act as the City's representative with respect to the services. The City's designee shall have complete authority to transmit instructions, receive information, interpret and define the City's policies and decisions with respect to the services.
- b. Furnish the Provider with all information, criteria, objectives, schedules and standards for the project and the services provided for herein.
- c. Arrange for access to the property or facilities as required for the Provider to perform the services provided for herein.

Specific responsibilities of the City are set forth in Exhibit B, which is attached hereto and by this reference made a part of this agreement.

6. Provider's Responsibilities

Specific responsibilities of the Provider are set forth in Exhibit B, which is attached hereto and by this reference made a part of this agreement.

7. Acceptable Standards

The Provider shall be responsible to provide, in connection with the services contemplated in this Agreement, work products and services of a quality and professional standard acceptable to the City.

8. Compensation

As compensation for the Provider's performance of the services provided for herein, the City shall pay the Provider the fees and costs specified on Exhibit "C" attached hereto and made a part hereof (or as specified in an Amendment). The Provider shall submit to the City an invoice or statement of time spent on tasks included in the scope of work provided herein, and the City shall process the invoice or statement in the next billing/claim cycle following receipt of the invoice or statement, and shall remit payment to the Provider thereafter in the normal course, subject to any

conditions or provisions in this Agreement or Amendment. The Agreement number must appear on all invoices submitted.

9. Time for Performance and Term of Agreement

The Provider shall not begin any work under this Agreement until authorized in writing by the City. The Provider shall perform the services provided for herein in accordance with the direction and scheduling provided on Exhibit "A" attached hereto and incorporated herein by this reference, unless otherwise agreed to in writing by the parties. The Term of this Agreement shall terminate on **December 31, 2016**.

10. Ownership and Use of Documents

All documents, reports, memoranda, diagrams, sketches, plans, surveys, design calculations, working drawings and any other materials created or otherwise prepared by the Provider as part of his performance of this Agreement (the "Work Products") shall be owned by and become the property of the City, and may be used by the City for any purpose beneficial to the City.

11. Records Inspection and Audit

All compensation payments shall be subject to the adjustments for any amounts found upon audit or otherwise to have been improperly invoiced, and all records and books of accounts pertaining to any work performed under this Agreement shall be subject to inspection and audit by the City for a period of up to three (3) years from the final payment for work performed under this Agreement.

12. Continuation of Performance

In the event that any dispute or conflict arises between the parties while this Contract is in effect, the Provider agrees that, notwithstanding such dispute or conflict, the Provider shall continue to make a good faith effort to cooperate and continue work toward successful completion of assigned duties and responsibilities.

13. Administration of Agreement

This Agreement shall be administered by Wayne Perrault, on behalf of the Provider, and by the Mayor of the City, or designee, on behalf of the City. Any written notices required by the terms of this Agreement shall be served on or mailed to the following addresses:

City of Auburn

Joan Nelson
Solid Waste & Recycling Supervisor
25 W Main St
Auburn, WA 98001-4998
Phone: 253-876-1900
E-mail: jenelson@auburnwa.gov

VADIS

Mary Bushnell
Group Employment Manager
1701 Elm Street
Sumner, WA 98390
Fax: 253-863-2040
E-mail: mary@vadis.org

14. Notices

All notices or communications permitted or required to be given under this Agreement shall be in writing and shall be deemed to have been duly given if delivered in person or deposited in the United States mail, postage prepaid, for mailing by certified mail,

return receipt requested, and addressed, if to a party of this Agreement, to the address for the party set forth above.

Either party may change his, her or its address by giving notice in writing, stating his, her or its new address, to the other party, pursuant to the procedure set forth above.

15. Insurance

The Provider shall be responsible for maintaining, during the term of this Agreement and at its sole cost and expense, the types of insurance coverages and in the amounts described below. Insurance is to be placed with authorized insurers in Washington State with a current A.M. Best rating of not less than A-: VII. The Provider shall furnish evidence, satisfactory to the City, of all such policies. During the term hereof, the Provider shall take out and maintain in full force and effect the following insurance policies:

- a. Automobile Liability insurance, covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage. Provider shall maintain automobile insurance with minimum combined single limit for bodily injury and property damage of \$1,000,000.00 per accident.
- b. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors, products-completed operations, stop gap liability, personal injury and advertising injury, and liability assumed under an insured contract. The Commercial General Liability insurance shall be endorsed to provide the Aggregate Per Project Endorsement ISO form CG 25 03 11 85. There shall be no endorsement or modification of the Commercial General Liability insurance for liability arising from explosion, collapse or underground property damage. The City shall be named as an insured under the Contractor's Commercial General Liability insurance policy with respect to the work performed for the City using ISO Additional Insured endorsement CG 20 10 10 01 and Additional Insured-Completed Operations endorsement CG 20 37 10 01 or substitute endorsements providing equivalent coverage. Commercial General Liability insurance shall be written with limits no less than \$1,000,000.00 each occurrence, \$2,000,000.00 general aggregate, and a \$2,000,000.00 products-completed operations aggregate limit.
- c. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

16. Indemnification

The Provider shall indemnify and hold harmless the City and its officers, agents and employees, or any of them from any and all claims, actions, suits, liability, loss, costs, expenses, and damages of any nature whatsoever, by any reason of or arising out of the negligent act or omission of the Provider, its officers, agents, employees, or any of them relating to or arising out of the performance of this Agreement. If a final judgment is rendered against the City, its officers, agents, employees and/or any of

them, or jointly against the City and the Provider and their respective officers, agents and employees, or any of them, the Provider shall satisfy the same to the extent that such judgment was due to the Provider's negligent acts or omissions.

17. Assignment

Neither party to this Agreement shall assign any right or obligation hereunder in whole or in part, without the prior written consent of the other party hereto. No assignment or transfer of any interest under this Agreement shall be deemed to release the assignor from any liability or obligation under this Agreement, or to cause any such liability or obligation to be reduced to a secondary liability or obligation.

18. Nondiscrimination

The Provider may not discriminate regarding any services or activities to which this Agreement may apply directly or through contractual, hiring, or other arrangements on the grounds of race, color, creed, religion, national origin, sex, age, or where there is the presence of any sensory, mental or physical handicap.

19. Amendment, Modification or Waiver

No amendment, modification or waiver of any condition, provision or term of this Agreement shall be valid or of any effect unless made in writing, signed by the party or parties to be bound, or such party's or parties' duly authorized representative(s) and specifying with particularity the nature and extent of such amendment, modification or waiver. Any waiver by any party of any default of the other party shall not affect or impair any right arising from any subsequent default.

Nothing herein shall limit the remedies or rights of the parties hereto under and pursuant to this Agreement.

20. Termination and Suspension

Either party may terminate this Agreement upon written notice to the other party if the other party fails substantially to perform in accordance with the terms of this Agreement through no fault of the party terminating the Agreement.

The City may terminate this Agreement upon not less than seven (7) days written notice to the Provider if the services provided for herein are no longer needed from the Provider.

If this Agreement is terminated through no fault of the Provider, the Provider shall be compensated for services performed prior to termination in accordance with the rate of compensation provided in Exhibit "C" hereof.

21. Parties in Interest

This Agreement shall be binding upon, and the benefits and obligations provided for herein shall inure to and bind, the parties hereto and their respective successors and assigns, provided that this section shall not be deemed to permit any transfer or assignment otherwise prohibited by this Agreement. This Agreement is for the exclusive benefit of the parties hereto and it does not create a contractual relationship

with or exist for the benefit of any third party, including contractors, sub-contractors and their sureties.

22. Costs to Prevailing Party

In the event of such litigation or other legal action, to enforce any rights, responsibilities or obligations under this Agreement, the prevailing parties shall be entitled to receive its reasonable costs and attorney's fees.

23. Applicable Law

This Agreement and the rights of the parties hereunder shall be governed by and interpreted in accordance with the laws of the State of Washington and venue for any action hereunder shall be in of the county in Washington State in which the property or project is located, and if not site specific, then in King County, Washington; provided, however, that it is agreed and understood that any applicable statute of limitation shall commence no later than the substantial completion by the Provider of the services.

24. Captions, Headings and Titles

All captions, headings or titles in the paragraphs or sections of this Agreement are inserted for convenience of reference only and shall not constitute a part of this Agreement or act as a limitation of the scope of the particular paragraph or sections to which they apply. As used herein, where appropriate, the singular shall include the plural and vice versa and masculine, feminine and neuter expressions shall be interchangeable. Interpretation or construction of this Agreement shall not be affected by any determination as to who is the drafter of this Agreement, this Agreement having been drafted by mutual agreement of the parties.

25. Severable Provisions

Each provision of this Agreement is intended to be severable. If any provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.

26. Entire Agreement

This Agreement contains the entire understanding of the parties hereto in respect to the transactions contemplated hereby and supersedes all prior agreements and understandings between the parties with respect to such subject matter.

27. Counterparts

This Agreement may be executed in multiple counterparts, each of which shall be one and the same Agreement and shall become effective when one or more counterparts have been signed by each of the parties and delivered to the other party.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed effective the day and year first set forth above.

CITY OF AUBURN

VADIS

Nancy Backus, Mayor

Signature

Name: _____

Title: _____

Attest:

Danielle Daskam, City Clerk

Signature

Name: _____

Title: _____

Approved as to form:

Daniel B. Heid, City Attorney

EXHIBIT A

SCOPE OF WORK

The purpose of this Agreement is to contract with the Provider, a non-profit corporation that develops employment for individuals with disabilities, on a two-year clean-up program for the Solid Waste Division.

Litter Crew

The Provider's Litter Crew shall perform the following:

A. Specific Tasks

The Provider's Litter Crew will collect and remove litter, trash, and debris from the shoulders of City traveled ways (including but not limited to streets, roads, alleys, paths, and parkways), public parking lots, and other designated areas. An additional supervisor, possessing a "Traffic Control Flagging License" certified by the State of Washington, will perform flagging on the busy streets such as Howard Road, Kersey Way, and Auburn Way South. This additional supervisor will be available two days per month.

B. Examination of Work Sites

The Provider shall examine all work sites thoroughly before commencing work at the site. It shall be the responsibility of the Provider to verify all the duties, assignments, and job sites. All existing conditions at the job site will be noted and copies with verification noted, given to the City's Solid Waste and Recycling Supervisor on a daily basis.

C. Hours

- The Provider shall perform tasks to completion between the hours of 8:00 AM and 3:30 PM Monday through Friday.
- The Provider shall recognize the same observed holidays as the City with the exception of Veteran's Day. The Provider shall observe Christmas Eve in lieu of Veteran's Day.
- The Provider will also take two (2) Floating Holidays per year for staff training.

Hill Litter Crew

The Provider's Hill Litter Crew shall perform the following:

A. Specific Tasks

The Provider's Hill Litter Crew shall perform tasks similar to the Litter Crew, but in the Lea Hill and/or West Hill area(s) for a total of 15 hours per week. The Provider will have an additional supervisor, possessing a "Traffic Control Flagging License" certificate by the State of Washington, perform flagging on busy streets such as Lea Hill Rd SE and SE 320th St one day per month.

B. Hours

The Provider's Hill Litter Crew shall perform tasks to completion between the hours of 8:00 AM and 3:30 PM on three days of the week, Monday through Friday.

Recycling Crew

The Provider's Recycling Crew shall perform the following:

A. Specific Tasks

The Provider's Recycling Crew shall collect recyclables from the City-owned recycling receptacles and maintain the recycling receptacles in the City of Auburn Parks for a total of 15 hours per week from April to September. The Recycling Crew will be supervised and will bring a second Provider vehicle.

B. Hours

The Provider's Recycling Crew shall perform tasks to completion between the hours of 8:00 AM and 3:30 PM on three days of the week, Monday through Friday.

EXHIBIT B
RESPONSIBILITIES

PROVIDER

The Provider shall be responsible for the following:

1. The performance and accomplishment of tasks and work assigned in accordance with paragraph 2 below.
2. The performance of all work as provided in this Agreement with its own employees. Individuals who perform work under this Agreement must be carried on the Provider's payroll. The Provider is responsible for administering and paying employee wages, benefits, and all other employee-related costs. Although the Provider's company headquarters may be located outside of Auburn, Washington, the Provider shall provide a full-time supervisor in the Auburn geographical area who will continuously oversee the Provider's employee work and will have authority to represent the Provider in the day-to-day activities. The Provider supervisor must be trained in traffic control and must possess a "Traffic Control Flagging License" certified by the State of Washington. The Provider will present the supervisor's name, address, and telephone number to the City's Solid Waste and Recycling Supervisor at the beginning of the contract period.
3. The Provider is responsible for the security of facilities where assigned tasks are performed as well as tools, equipment, safety gear, traffic control devices, and any other items which may be supplied by the City for the Provider's use in the performance of contracted duties. No equipment or supplies will be removed from City premises except as required for the performance of assigned duties.
4. The Provider shall supply the City with a quality control system acceptable to the City within ten days of the date of the Agreement. The quality control system shall be a plan specifying how the Provider will accomplish maintaining the level of performance required under this Agreement. Quality control statements shall be provided to the City's Solid Waste and Recycling Supervisor on a monthly basis.
5. The Provider shall supply a motor vehicle to transport its employees to and from the designated work sites. The Provider's vehicle shall be well identified with signs and equipped with safety warning lights, strobe light, and emergency flashers.
6. The Provider shall supply rain gear, foul weather gear, footwear as required, and clothing as needed for its employees.

7. The Provider shall follow accepted safety practices in the performance of all work. After every work shift of litter clean-up and other assigned tasks and services the following shall be done: the work areas shall be inspected for fire hazards; electrical or power machines and/or equipment shall be turned off; outside doors and windows closed and locked; gates closed and locked and all miscellaneous work tools and equipment shall be inspected and put away.

CITY

The City shall be responsible for the following:

1. The City shall supply litter bags to the Provider for its use in the collection of litter, trash, and debris.
2. The City shall supply traffic control devices, e.g., signs and traffic cones to the Provider so the Provider can place the traffic devices at work site(s) to protect its employees while performing services under this Agreement. The City shall also provide hard hats and reflective traffic vests.
3. The City shall supply the Provider with all grounds maintenance equipment and hand tools for performing outside grounds maintenance duties under this Agreement.
4. The City shall supply the Provider and its Auburn supervisor a copy of the daily work schedule and any change notices to use as a basic guide for the distribution of work each week. The work schedule may be changed as deemed appropriate by the City and a copy of such changes provided to the Provider and the City. The City shall determine the priority of the various assignments. The City shall verify that all services are satisfactorily performed as scheduled.

EXHIBIT C
FEE SCHEDULE

2015 Fee Schedule

	<u>Monthly Fee</u>	<u># of Months</u>	<u>Not-To-Exceed Amount</u>
Litter Crew	\$7,543.00	12	\$ 90,516.00
Hill Litter Crew	\$3,735.00	12	\$ 44,820.00
Recycling Crew	\$3,392.00	6	<u>\$ 20,352.00</u>
Total Not To Exceed Amount			<u>\$ 155,688.00</u>

2016 Fee Schedule

	<u>Monthly Fee</u>	<u># of Months</u>	<u>Not-To-Exceed Amount</u>
Litter Crew	\$7,732.00	12	\$ 92,784.00
Hill Litter Crew	\$3,828.00	12	\$ 45,936.00
Recycling Crew	\$3,477.00	6	<u>\$ 20,862.00</u>
Total Not To Exceed Amount			<u>\$ 159,582.00</u>



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6545

Date:

December 11, 2014

Department:

Public Works

Attachments:

[Ord 6545](#)

Budget Impact:

\$0

Administrative Recommendation:

Public Works Committee recommend that City Council introduces and adopts Ordinance No. 6545.

Background Summary:

Ordinance No. 6545 authorizes provides for revision to Auburn City Code Chapter 3.12, Public Contracts. The ordinance includes modifications to contract authorities and processes as discussed with the City Council during the consideration of the Council Study Session format. In addition, these revisions provide clarification of the various bid processes available to the City for completion of public work and their requirements.

Staff recommendations during the previous council committee discussions were as follows:

1. Match the various competitive bid limit authorities to the amounts as allowed by current RCW's and any future revisions of the RCW's.
2. Provide for the authority for award of construction contracts by the Director or his/her designee to be in line with State competitive bid limits for projects included in the approved budget. (Competitive bidding is currently required for any public work over \$40,000.00 for single trade and \$65,000.00 for multiple trade.)

Other modifications included in this ordinance include removing requirements on small works contracting procedures that were above and beyond that required by State law.

Reviewed by Council Committees:

Finance, Public Works

Councilmember: Osborne

Staff: Snyder

Meeting Date: December 15, 2014

Item Number: ORD.A

ORDINANCE NO. 6 5 4 5

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF AUBURN, WASHINGTON, AMENDING CHAPTER 3.12
OF THE CITY CODE RELATING TO PUBLIC CONTRACTS**

WHEREAS, the current provisions of the Auburn City Code provide for procedures and requirements related to public contracting; and

WHEREAS, many of these procedures and requirements date back to times when state statutes provided markedly different requirements; and

WHEREAS, many of these state statutes have been modified from what the City Code calls for, and now provide for requirements more favorable to city contracting needs; and

WHEREAS, It would be appropriate to amend the City Code sections to accommodate the statutory revisions and updated bid limits; and

WHEREAS, with any revisions, it would be advantageous to make the processes as flexible as would be permitted under state law and to accommodate contracting needs that fall below the level of required competitive bidding; and

WHEREAS, it would also be advantageous to allow department director discretion to address the award of bids falling below competitive bid requirements so as to allow work projects to commence in a more timely fashion.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN,
WASHINGTON, DO ORDAIN as follows

Section 1. Amendment to City Code. Chapter 3.12 of the City Code is
amended to read as follows:

Chapter 3.12
PUBLIC CONTRACTS¹

Sections:

3.12.010 Definitions.
~~3.12.0113.12.020 Formal advertisement required~~ Bid solicitation.
~~3.12.020 Advertising procedures.~~
~~3.12.030 Bid opening.~~
~~3.12.040 Rejection of bids.~~
~~3.12.0223.12.050 Disqualification of bidders.~~
~~3.12.060 Award.~~
~~3.12.070 Contractor's bond.~~
~~3.12.0253.12.080 Contractor evaluation form.~~
~~3.12.0303.12.090 Small works roster established.~~
~~3.12.032 Establishment of small works roster.~~
~~3.12.034 Procedure for utilization of small works roster.~~
~~3.12.0363.12.100 Limited public works process jects.~~
~~3.12.038 Posting of small works roster awards.~~
~~3.12.110 On Call Contracting~~
~~3.12.0503.12.120 Publication, and printing, and notices.~~

3.12.010 Definitions.

The following definitions shall apply throughout this chapter:

A. "Public works project" shall be as defined in RCW 39.04.010, as currently enacted or hereinafter amended. ~~include all work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the city.~~ All public works, including maintenance, when performed by contract shall comply with the provisions of RCW 39.12.020. A "public workproject" shall include all scope of work necessary to result in a complete operating facility. The total scope of work necessary will not be subdivided for the purpose of avoiding public bidding.

B. "Contract" shall mean a contract in writing for the execution of public work for a fixed or determinable amount duly awarded in conformance with this code. ~~after~~

¹ For statutory provisions requiring public bidding on certain public contracts of second, ~~third and fourth~~-class cities, see RCW 35.23.352; for provisions making RCW 35.23.352 applicable to code cities, see RCW 35A.40.200 and 35A.65.010. Prior legislation: 1957 code § 1.30.030 and Ords. 3689 and 4327.

~~advertisement and competitive bid. However, a contract which is awarded from a small works roster under the authority of RCW 39.04.155 need not be advertised.~~

~~C. "Improvements" refers to a public work.~~

~~B-D. "'Responsible Bidder" means a contractor who meets the criteria in RCW 39.04.350 and the requirements of ACC 3.12.050.(Ord. 4924 § 2, 1997; Ord. 4581 § 2, 1992.)~~

~~3.12.011-3.12.020 Bid Solicitation~~

~~A. Formal advertisement required.~~

~~Except as otherwise authorized in RCW 39.04 and 39.28 or 35.23.352, relating to emergency public works, or other applicable general state law, as now enacted or as hereafter amended, all public work and improvements shall be done by contract pursuant to public notice and call for competitive bids whenever the estimated cost of such public work or improvement, including the cost of materials, supplies, equipment and labor will exceed the limits for competitive bid as stated in RCW 35.23.352 as now enacted or as hereafter amended, provided the city may use a small works roster pursuant to RCW 35.23.352.~~

~~Where formal bidding is required, aA call for bids shall be issued in accordance with the provisions herein before any contract is let for the performance of any public workimprovement, for which the estimated cost thereof (including the cost of materials, supplies and equipment) shall exceed the sum of \$200,000.00.~~

~~Projects of \$200,000.00 or less need not be advertised; provided, that the small works roster procedures as herein established in ACC 3.12.030 through 3.12.040 are used.-(Ord. 5866 § 1, 2004; Ord. 4924 § 2, 1997; Ord. 4581 § 2, 1992.)~~

~~3.12.020-B. Formal aAdvertising procedures.~~

~~For projects requiring formal advertisement per ACC 3.12.020, aA notice of a call for bids, stating the nature of the contract to be let and the time on or before which sealed bids for the same must be filed with the city clerk, shall be given by posting notice thereof on the bulletin board in the lobby of City Hall. The notice shall also be published in the official newspaper, under a newspaper of general circulation most likely to bring responsive bids, at least 13 days prior to the last date upon which bids will be received. The notice shall generally state the nature of the work to be done, where the that plans and specifications may be seen or obtainedthereof shall then be on file in the City Hall for public inspection, and a specified hour and date when such bids shall be opened, and that the sealed bids be filed with the city clerk within the time specified therein. The clock within the city clerk's office shall be the official time used for determining receipt of bids.~~

~~C. Council approval~~

~~Issuance of solicitations for bids shall require City Council consent approval unless the solicitation is for a project identified in the city's current approved budget at the time of bid solicitation or if the estimated contract amount is within the budget authority of the Mayor as provided in ACC 3.10.~~

Ordinance No. 6545

December 11, 2014

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D. For projects not required to be formally advertised, the city shall issue an invitation to bid, request for quote or other form as determined appropriate by the city engineer and in accordance with the requirements of RCW 39.04.155.

3.12.030 Bid opening

A. For projects utilizing a formal advertisement process per ACC 3.12.020, bids shall be opened and publically read aloud by the city clerk at the time and location as set forth in the contract advertisement.

B. For projects not utilizing a formal advertisement process, the city engineer shall determine whether a public reading of the bids is required and indicate this in the invitation to bidders or request for quote documents.

3.12.040 Rejection of bids

The city shall have the power to reject any or all bids, to determine and to waive any irregularities or informalities that do not materially affect the substance of the bid itself, and to make further calls for bids in the same manner as the original call; or, if in its judgment the project can be done by the city at less cost than the lowest bid submitted, it may do so without making further call for bids or awarding any contract therefor. If no bid is received on the first call, the city may re-advertise and make a second call, or may enter into a contract by negotiation without further calls, or may purchase the supplies, material or equipment and perform such work or improvement with in-house forces. (Ord. 4924 § 2, 1997; Ord. 4581 § 2, 1992.)

~~3.12.022~~ 3.12.050 Disqualification of bidders.

A bidder may be deemed not responsible and the proposal rejected, unless contract terms specify otherwise, if:

A. The bidder does not meet the mandatory bidder responsibility criteria in RCW 39.04.351(1) as it is now or as amended; or

A.B. Evidence of collusion exists with any other bidder or potential bidder. Participants in collusion will be restricted from submitting further bids; or

C. The bidder, in the opinion of the city, is not qualified for the work or to the full extent of the bid, or to the extent that the bid exceeds the authorized prequalification amount as may have been determined by a requalification of the bidder; or

~~B.D. An unsatisfactory performance or safety record exists based on past or current contracting work for the city or for others, as judged from the standpoint of conduct of the work; workmanship; or progress; affirmative action; equal employment opportunity practices; termination for cause; of disadvantaged business enterprise, minority business enterprise, or woman's business enterprise utilization; or;~~

E. An unsatisfactory safety record exists based on past or current contracting work; or

G.F. There is uncompleted work, with the city or others, which in the opinion of the city might hinder or prevent the prompt completion of the work bid upon; or

~~D. A bidder is not prequalified for the work or to the full extent of the bid;~~

~~E-G.~~ The bidder failed to settle bills for labor or materials on past or current contracts, unless there are extenuating circumstances acceptable to the city; or

~~F-H.~~ The bidder has failed to complete a written public contract or has been convicted of a crime arising from a previous public contract, unless there are extenuating circumstances acceptable to the city; or

~~G-I.~~ The bidder is unable, financially or otherwise, to perform the work, in the opinion of the city; or

~~H-J.~~ A bidder is not authorized to do business in the state of Washington; or

~~I-K.~~ More than one proposal is submitted for the same project by a bidder under the same or different names; or

~~L.~~ Any other reasons deemed proper by the city.

(Ord. 4924 § 2, 1997; Ord. 4581 § 2, 1992.)

3.12.060 Award

For contracts greater than the bid limits as provided in RCW 35.23.352 as now enacted or as hereafter amended, the city council shall award the contract to the lowest responsible bidder. For contracts less than the bid limits provided in RCW 35.23.325 as now enacted or as hereafter amended, the director or his/her designee shall have the authority to award the contract.

3.12.040-3.12.070 Contractor's bond.

Whenever the city shall contract with any person or corporation to do any work, the city shall require the person or persons with whom such contract is made to make, execute, and deliver to the city clerk a sufficient bond, with a surety company as surety, conditioned that such person or persons shall faithfully perform all the provisions of such contract and pay all laborers, mechanics, subcontractors and material suppliers, and all persons who supply such person or persons, or subcontractors, with provisions and supplies for the carrying on of such work. Said security company in accordance with RCW 39.08.010 shall be bound by the laws of the state of Washington and subject to the jurisdiction of the state of Washington. The provisions of RCW 39.08.010 through 39.08.030 shall not apply to any money loaned or advanced to any such contractor, subcontractor or other person in the performance of any such work.

For contracts using the limited public works process, the city may waive the payment and performance bond requirements of Chapter 39.08 RCW and retainage requirements of Chapter 60.28 RCW, thereby assuming the liability for the contractor's nonpayment of laborers, mechanics, subcontractors, materialmen, suppliers, and taxes imposed under RCW Title 82~~84~~ that may be due from the contractor for the limited public works project; however, the city shall have the right of recovery against the contractor for any payments made on the contractor's behalf. The city engineer shall have the authority to waive the payment and performance bond requirements and retainage requirements based on his/her evaluation of the project and determination of risk.

On contracts of ~~\$25,000~~35,000.00 or less, upon mutual agreement, the city may, in lieu of the bond, retain 50 percent of the contract amount for a period of ~~45~~30 days after the date of final acceptance, or until receipt of all necessary releases from the Department of Revenue, Employment Security Department, and the Department of Labor and Industries receipt of all affidavits of wages paid for the prime and sub-contractors, and settlement of any liens filed under Chapter 60.28 RCW, whichever is later. (Ord. 5866 § 1, 2004; Ord. 4924 § 2, 1997; Ord. 4581 § 2, 1992. NOTE: See RCW 39.08.010.)

3.12.0253.12.080 Contractor evaluation form.

After work is performed by a contractor, the inspector, project manager, and contract administrator for the project shall evaluate the Contractor's work performance as to certain criteria but not limited to the following~~the following~~ criteria:

A. Progress of the Work, including:

- 1.A. The ability, capacity and skill of the contractor to perform the work;
- 2B. Whether the contractor performed the work promptly and within the time specified without delay or interference;
- BG. Quality of the work-performed;
- C. Equipment;
- D. Administration/Management/Supervision;
- E. Coordination and Control ~~of~~ Subcontractors;
- FD. Whether the contractor provided a safe working environment for his/her employees and the general public;
- GE. Whether the contractor stood behind his/her service or work performed.

A copy of the contractor evaluation form will be sent to the contractor if requested. The contractor evaluation form may be used by the city to determine whether or not the contractor is a responsible bidder who should be considered for further public works projects. (Ord. 4924 § 3, 1997.)

3.12.090030 Small works roster ~~established.~~

A. The city need not comply with formal sealed bidding procedures for construction, building, renovation, remodeling, alteration, repair, or improvement of real property where the estimated cost does not exceed the current statutory limit in RCW 39.04.155, which includes the costs of labor, material, equipment, and sales and/or use taxes as applicable. Instead, the city may use the small works roster procedures for public works projects as set forth herein. The breaking of any project into units or accomplishing any projects by phases is prohibited if it is done for the purpose of avoiding the maximum dollar amount of a contract that may be let using the small works roster process.

B. Number of small work rosters.

The city may create a single general small works roster, or may create a small works roster for different specialties or categories of anticipated work. Said small works rosters may make distinctions between contractors based upon different geographic areas served by the contractor.

C. Contractors on small works roster(s)

~~The small works roster shall consist is herein authorized to utilize a construction contractor's small works roster comprised of all responsible contractors who have requested to be on the roster(s) and who are, and where required by law are, properly licensed or registered and bonded to perform contracting work in the state of Washington. Contractors desiring to be placed on a roster or rosters must keep current records of any applicable licenses, certificates, registrations, bonding, insurance, or other appropriate matters on file with the City as a condition of being placed on a roster or rosters. The city reserves the right to exclude a contractor from the roster if they are deemed to be not responsible or to remove a contractor from the roster at such time as the city becomes aware of specific facts that would deem the contractor to be not responsible. (Ord. 5866 § 1, 2004; Ord. 4924 § 2, 1997; Ord. 4581 § 2, 1992.)~~

3.12.032 ~~_____~~ D. Publication of small work roster ~~Establishment of small works roster.~~

~~The small works roster shall be established as follows:~~

~~1. _____ At least once a year, the city shall publish ~~advertise~~ in a newspaper of general circulation within the jurisdiction a notice of the existence of the roster or rosters and solicit the names of contractors for such roster or rosters. the update of the small works roster. Responsible contractors The city shall be added to an appropriate the roster or rosters at any time that they submit a written request and necessary records. those contractors who respond to the advertisement and request to be included on the roster.~~

~~2. _____ The city will utilize the statewide electronic database developed and maintained by the Municipal Research and Services Center of Washington (MRSC Rosters) or successor agency.~~

~~A. _____ In order to be included on the roster, contractors shall supply information in response to a standard questionnaire which shall include the following:~~

- ~~1. _____ The contractor's state license and/or registration, where required by law;~~
- ~~2. _____ The contractor's UBI number, federal tax ID number, and L & I license expiration date;~~
- ~~3. _____ The contractor's claims history, safety record, financial history, bond forfeiture and construction litigation history, and ability to meet insurance requirements;~~
- ~~4. _____ The contractor's experience, organization and technical qualifications necessary to perform proposed contracts;~~
- ~~5. _____ The contractor's insurance coverage and bond;~~
- ~~6. _____ The contractor's history of jobs performed for public agencies, including contact names and telephone numbers for those jobs to allow the city to contact the references. (Ord. 5866 § 1, 2004; Ord. 4924 § 2, 1997; Ord. 4581 § 2, 1992.)~~

3.12.034 ~~_____~~ E. Quotations for ~~Procedure for utilization of small works roster projects.~~

~~The small works roster may be utilized, in lieu of advertising (ACC 3.12.011), as follows:~~

~~The city shall obtain telephone, written or electronic quotations for public works contracts from contractors on the appropriate small works roster(s) to assure that a competitive price is established and to award contracts to the lowest responsible bidder, as defined in RCW 39.04.010, RCW 39.04.350, and ACC3.12.050, as follows:~~

~~1. A contract awarded from a small works roster need not be advertised. Invitations for quotations shall include an estimate of the scope and nature of the work to be performed as well as materials and equipment to be furnished. However, detailed plans and specifications need not be included in the invitation. The paragraph does not eliminate other requirements for architectural or engineering approvals as to quality and compliance with building codes.~~

~~2. Quotations may be invited from all appropriate contractors on the appropriate small works roster(s). As an alternative, quotations may be invited from at least five contractors on the appropriate small works roster(s) who have indicated the capability of performing the kind of work being contracted, in a manner that will equitably distribute the opportunity among the contractors on the appropriate roster.~~

~~3. For the purpose of this section, "equitably distribute" means that the City may not favor certain contractors on the appropriate small works roster(s) over other contractors on the appropriate roster(s) who perform similar services. At the time bids are solicited, the city shall not inform a contractor of the terms or amount of any other contractor's bid for the same project.~~

~~4. A written record shall be made by the City of each contractor's bid on the project and of any conditions imposed on the bid. Immediately after an award is made, the bid quotations obtained shall be recorded, open to public inspection, and available by telephone inquiry.~~

~~A. Whenever the city seeks to construct any public works project, the estimated cost of which, including costs of material, supplies, labor and equipment is \$200,000 or less.~~

~~B. When the small works roster is utilized, the city shall provide an opportunity to all appropriate contractors on the small works roster to express their interest in a specific project, and shall invite proposals bids/quotes from all who demonstrate an interest.~~

~~C. The invitation to the contractor on the small works roster shall include an estimate of the scope and nature of the work to be performed and materials and equipment to be furnished, if applicable, and time required for completion.~~

~~D. When awarding a contract for work under the small works roster, the city shall award the contract to the contractor submitting the lowest responsible bid; provided, however, that the city reserves its right under applicable law to reject any or all bids, and to waive procedural irregularities.~~

~~E. For contracts greater than \$25,000, the city council shall award the contract to the lowest responsible bidder. For contracts of \$25,000 or less, the public~~

works director shall have the authority to award the contract. (Ord. 5866 § 1, 2004; Ord. 4924 § 2, 1997; Ord. 4581 § 2, 1992.)

~~3.12.036~~ 3.12.100 Limited public works ~~process~~ projects.

~~If a work, construction, alteration, repair, or improvement project is estimated to cost less than \$35,000.00, or the current statutory limit in RCW 39.04.155(3), in accordance with RCW 39.04.155, the city may award such a contract using the limited public works process provided under 39.04.155(3) for work, construction alteration, repair, or improvement project(s) estimated to cost less than \$35,000 using the limited public works process.~~

Public works projects awarded under the limited public works process are exempt from the other requirements of the small works process provided under ACC ~~3.12.090~~ 3.12.034.

For limited public works projects, the city shall solicit electronic or written quotations from a minimum of three contractors from the appropriate small works roster and shall award the contract to the ~~contractor submitting the lowest responsible bidder, as defined under RCW 39.04.010, RCW 39.04.350, and ACC 3.12.050;~~ provided, however, that the city reserves its right under applicable law to reject any or all bids, and to waive procedural irregularities. After an award is made, the quotations shall be open to public inspection and available by electronic request.

For limited public works projects, the city may waive the payment and performance bond requirements on chapter 39.08 RCW and the retainage requirements of chapter 60.28 RCW, thereby assuming the liability for the contractor's nonpayment of laborers, mechanics, subcontractors, materialmen, suppliers, and taxes imposed under Title 82 RCW that may be due from the contractor for the limited public works project. However, the city shall have the right of recovery against the contractor for any payments made on the contractor's behalf.

~~The city shall attempt to distribute opportunities for limited public works projects equitably among contractors willing to perform within Auburn.~~

The city shall maintain a list of the contractors contacted and the contracts awarded during the previous 24 months under the limited public works process, including the name of the contractor, the contractor's registration number, the amount of the contract, a brief description of the type of work performed, and the date the contract was awarded. (Ord. 5866 § 1, 2004.)

3.12.110 On Call Contracting

The city may use job order contractor as described in RCW 39.10.420 and following the procedures as identified in RCW 39.10.

~~3.12.038~~ Posting of small works roster awards.

~~When the city utilizes the small works roster procedure as established in ACC 3.12.034 to award contracts for public works projects, the city shall post a list of the contracts awarded under ACC 3.12.034. The list shall contain the name of the contractor awarded the contract, the amount of the contract, a brief description of the~~

~~type of work performed, and the date of the award, and shall be posted on the bulletin board located in the City Hall lobby. (Ord. 4924 § 3, 1997.)~~

~~3.12.05~~3.12.120 ~~Publication, and printing, and notices.~~

The city shall comply with the requirements of state law for publication, printing and notices Chapter 35A.65 RCW entitled "Publication and Printing" as now exists or hereafter amended and relating to all public printing for the city and the publication of legal notices by the city. (Ord. 4581 § 2, 1992.)

Section 2. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 3. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law and on January 1, 2015.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

ATTEST:

NANCY BACKUS, MAYOR

Danielle E. Daskam, City Clerk

Ordinance No. 6545
December 11, 2014
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APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

PUBLISHED: _____



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6546

Date:

December 3, 2014

Department:

City Attorney

Attachments:

[Ord 6546](#)

Budget Impact:

\$0

Administrative Recommendation:

City Council adopt Ordinance No. 6546.

Background Summary:

Because some of the fees that are proposed to be included in the fee schedule (to be amended by resolution number 5114) are currently addressed in the city code, with the inclusion of those fees in the fee schedule, it is appropriate for the code sections that would otherwise have addressed those fees to be amended to reflect movement of fees to the fee schedule. (This ordinance would not need to be adopted if those fees were not included in the fee schedule.)

Reviewed by Council Committees:

Finance, Municipal Services, Planning And Community Development, Public Works

Councilmember: Wales

Staff: Heid

Meeting Date: December 15, 2014

Item Number: ORD.B

ORDINANCE NO. 6 5 4 6

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF AUBURN, WASHINGTON, AMENDING SECTIONS
13.36.040, 13.36.230, 20.04.020, 20.04.120, 20.06.020,
20.06.100, 20.06.130 AND 20.06.180, OF THE AUBURN
CITY CODE RELATING TO THE CITY OF AUBURN FEE
SCHEDULE

WHEREAS, the City of Auburn fees are, generally, set forth in a Fee Schedule ;
and

WHEREAS, postseason the city are set forth in the fee schedule, but several
specific fees are still located in city code sections; and

WHEREAS, it would be prudent and appropriate to take some of the remaining
fees currently set forth in the city code and move those fees to the fee schedule, so that
all fees are generally found in one place; and

WHEREAS, such a change would require an Ordinance to amend the sections of
the City Code where fees were set or identified, if those fees were to be included in the
City of Auburn Fee Schedule.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN,
WASHINGTON, DO ORDAIN as follows:

Section 1. Amendment to City Code. That Section 13.36.040 of the
Auburn City Code be and the same hereby is amended to read as follows:

13.36.040 Franchise – Application requirements.

An applicant for an initial franchise to construct, operate, and maintain a cable
communication system within the city shall file an application in a form prescribed by the
city, accompanied by a nonrefundable franchise application filing fee in the amount to be
determined by the city set forth in the City of Auburn fee Schedule.

Ordinance No. 6546
December 10, 2014
Page 1 of 8

Section 2. Amendment to City Code.

That Section 13.36.230 of the

Auburn City Code be and the same hereby is amended to read as follows:

13.36.230 Franchise fee.

A franchisee shall pay to the city quarterly, on or before the thirtieth day of each January, April, July and October, ~~in a sum equal to five percent or greater of gross revenues as defined herein for the preceding three months as set forth in the Auburn Fee Schedule.~~ Such remittances shall be accompanied by forms furnished by the city to report detailed information as to the sources of such income. (Ord. 4625 § 2, 1993.)

Section 3. Amendment to City Code.

That Section 20.04.020 of the

Auburn City Code be and the same hereby amended to read as follows:

20.04.020 Public way agreement applications.

Any person that desires a public way agreement pursuant to this title shall file an application with the city which shall include the following information:

- A. The identify of the applicant, including all affiliates of the applicant;
- B. A description of the commercial utility or telecommunications services that are or will be offered or provided by the applicant using its facilities;
- C. A description of the transmission medium or transporting means that will be used by the applicant to offer or provide such telecommunications or utility services;
- D. Preliminary engineering plans, specifications and a network map of the facilities to be located within the city all in sufficient detail to identify:
 1. The location and route requested for applicant's proposed facilities;
 2. The location of all overhead and underground public utility, telecommunication, cable, water, sewer drainage and other facilities in the public way along the proposed route;
 3. The location(s), if any, for interconnection with the utility or telecommunications facilities of other utility or telecommunications carriers, operators, and providers; and
 4. The specific trees, structures, improvements, facilities and obstructions, if any, that applicant proposes to temporarily or permanently remove or relocate;
- E. If applicant is proposing to install aboveground and/or overhead facilities:
 1. Evidence that surplus space is available for locating its utility or telecommunications facilities on existing utility poles along the proposed route;
 2. Proof of compliance with city's zoning code; and
 3. Demonstrate compatibility with existing and future street illumination systems;
- F. If applicant is proposing an underground installation in existing ducts or conduits within the public ways, information in sufficient detail to identify:

1. The excess capacity currently available in such ducts or conduits before installation of applicant's utility or telecommunications facilities;
 2. The excess capacity, if any, that will exist in such ducts or conduits after installation of applicant's utility or telecommunications facilities;
 3. Evidence of ownership or a right to use such ducts or conduits;
- G. If applicant is proposing an underground installation within new ducts or conduits to be constructed within the public ways:
1. The location proposed for the new ducts or conduits; and
 2. The excess capacity that will exist in such ducts or conduits after installation of applicant's utility or telecommunications facilities;
- H. A preliminary construction schedule and completion date;
- I. Information to establish that the applicant has obtained all other governmental approvals and permits to construct and operate the facilities, and to offer or provide the utility or telecommunications services, including, but not limited to, evidence that the applicant has registered with the Washington Utilities and Transportation Commission;
- J. All deposits or charges required pursuant to this title;
- K. Proof of ability to meet city's bonding requirements in ACC 12.24.050 when the applicant does not have an existing standing bond on file with the city sufficient to cover the scope of work proposed and proof of ability to meet security requirements in ACC 20.10.240 through 20.10.260;
- L. A copy of an Auburn business license stamped and signed by the business license clerk, as designated by the mayor; and
- M. A nonrefundable application fee ~~in the amount as set forth in the Auburn Fee Schedule of \$500.00.~~ (Ord. 5897 § 22, 2005; Ord. 5271 § 1, 1999; Ord. 5034 § 1, 1998.)

Section 4. Amendment to City Code.

That Section 20.04.120 of the

Auburn City Code be and the same hereby is amended to read as follows:

20.04.120 Renewal of public way agreements.

A provider that desires to renew its public way agreement in effect under this chapter for an additional term not to exceed five years shall, not more than 180 days nor less than 120 days before expiration of the public way agreement in effect, file an application, which is determined as complete in accordance with ACC 20.04.030, with the city for renewal which shall include the following:

- A. The information required pursuant to ACC 20.04.020;
- B. Any information required pursuant to the public way agreement between the city and the grantee;
- C. All deposits or charges required pursuant to this chapter; and
- D. A nonrefundable application fee ~~of \$75.00~~ as set forth in the Auburn Fee Schedule. (Ord. 5271 § 1, 1999; Ord. 5034 § 1, 1998.)

Section 5. Amendment to City Code.

That Section 20.06.020 of the

Auburn City Code be and the same hereby is amended to read as follows:

20.06.020 Franchise applications.

Any person who desires a telecommunications or a commercial utility franchise pursuant to this title shall file an application with the city public works department which, in addition to the information required by ACC 20.04.020, shall include the following:

A. Whether the applicant intends to provide cable service, video dialtone service or other video programming service, and sufficient information to determine whether such service is subject to cable franchising;

B. An accurate map showing the location of any existing utility or telecommunications facilities in the city that applicant intends to use or lease so that the city can keep track of various systems using the public way(s) to prevent interference between the users;

C. A description of the services or facilities that the applicant will offer or make available to the city and other public, educational and governmental institutions, if any;

D. A description of applicant's service, access and line extension policies;

E. The area or areas of the city the applicant desires to serve and an initial schedule for build-out to the entire franchise area;

F. The applicant's intended means and methods of providing service and whether shared use of other utility poles or conduits is envisioned;

G. All fees, deposits or charges required pursuant to this chapter;

H. Such other and further information as permitted by federal and state law as may be requested by the city;

I. Proof of ability to meet city's bonding requirements in ACC 12.24.050 when the applicant does not have an existing standing bond on file with the city sufficient to cover the scope of work proposed and proof of ability to meet security requirements in ACC 20.10.240 through 20.10.260;

J. A copy of an Auburn business license stamped and signed by the business license clerk, as designated by the mayor; and

K. A nonrefundable application fee ~~in the amount of \$2,500~~ as set forth in the Auburn Fee Schedule. (Ord. 5897 § 23, 2005; Ord. 5271 § 1, 1999; Ord. 5034 § 1, 1998.)

Section 6. Amendment to City Code.

That Section 20.06.100 of the

Auburn City Code be and the same hereby is amended to read as follows:

20.06.100 Franchise fees in addition to utility taxes.

Revenue derived directly or indirectly from sources within the city shall be subject to applicable utility taxes as of the time of commencement of such operations. Franchise fees shall be in addition to any utility tax, but shall be collectible only to the extent as then allowed by law, and in no event may the combined utility tax and

franchise fee exceed ~~six percent of gross revenue~~ the amount permitted by law. (Ord. 5271 § 1, 1999; Ord. 5034 § 1, 1998.)

Section 7. Amendment to City Code.

That Section 20.06.130 of the

Auburn City Code be and the same hereby is amended to read as follows:

20.06.130 Renewal of franchise.

A franchisee that desires to renew its franchise under this chapter for an additional five-year term shall, not more than 240 days nor less than 180 days before expiration of the franchise in effect, file an application, which is determined as complete in accordance with ACC 20.06.030, with the city for a renewal of its franchise which shall include the following:

A. The information required pursuant to ACC 20.06.020;

B. Any information required pursuant to the franchise agreement between the city and the franchisee;

C. All deposits or charges required pursuant to this chapter;

D. A nonrefundable application fee in the amount of ~~\$500.00~~ as set forth in the Auburn Fee Schedule. (Ord. 5271 § 1, 1999; Ord. 5034 § 1, 1998.)

Section 8. Amendment to City Code.

That Section 20.06.180 of the

Auburn City Code be and the same hereby is amended to read as follows:

20.06.180 Compensation for use of public ways.

A. The city finds that the public ways to be used by commercial utilities and carriers and operators in the operation of telecommunications systems within the boundaries of the franchise are valuable public properties, acquired and maintained by the city at great expense to its taxpayers, and that the grant of use of said public ways is a valuable property right, without which grantees and franchisees would be required to invest substantial capital in public way costs and acquisitions; therefore, grantees and franchisees shall pay the city as a general compensation for the use of the public way during each year of the term of a franchise a franchise fee as determined by city council, not to exceed six percent of gross revenues for each quarter of each calendar year. Franchisees shall pay the franchise fee mandated by this chapter but the city acknowledges and understands that such amount (and any other fees, assessments, or taxes imposed on franchisees not described in ACC 20.06.180(E)) shall appear as a line item on the bill sent to, and shall be collected from, the subscribers; provided further, that the compensation required from any telecommunications operator or carrier engaged in the "telephone business," as defined in RCW 82.04.065 shall be consistent with RCW 35.21.860.

B. Annual Franchise Fee Adjustments. The initial annual franchise fee percentage shall be the amount permitted by law ~~four and one-half percent~~ of gross revenues unless and until it is further adjusted by city council. Any such adjustment

shall occur at least 60 days before any subsequent annual anniversary date. Any adjustment shall become effective on the subsequent annual anniversary date.

C. Quarterly Payment. Franchisees shall forward by check wire transfer an amount equal to this quarterly payment by the fifteenth day of the second calendar month immediately following the close of the calendar quarter for which the payment is calculated.

D. Late Payment. In the event any quarterly payment is made after noon on the date 10 days after the date due, franchisees shall pay a late payment penalty of the greater of:

1. Twenty-five dollars; or
2. Simple interest at a 12 percent annual percentage rate on the total amount past due.

EC. Fees and Compensation Not a Tax. The fees, charges and fines provided for in this title and any compensation charged and paid for the franchisee's use of the city's public ways, whether "fiduciary or in kind," are separate from, and additional to, any and all federal, state, local and city taxes as may be levied, imposed or due from a commercial utility, telecommunications carrier, operator, or provider, its customers or subscribers or on account of the lease, sale, delivery or transmission of utility or telecommunications services.

ED. Ruling of Unenforceability. The compensation required from any commercial utility, telecommunications carrier, operator, or provider shall be as provided by law. In the event any franchise fee shall be held unenforceable by a court of law which has jurisdiction over the city, franchisees shall pay the equivalent amount paid in franchise fees as a city utility tax which, shall be applied retroactively to time periods during which the franchise fee was determined to be unenforceable.

EE. Quarterly Report. In order to properly determine the gross revenues received by franchisees, the franchisee shall on the same date that each quarterly payment is made, file with the director of finance a sworn copy of a report, in a form acceptable to the city, in sufficient detail to itemize revenues from each of the revenue categories. The city may, if it sees fit and at its own expense, have the books and records of franchisees examined by a representative of said city to ascertain the correctness of the reports agreed to be filed herein. Neither the acceptance of any payment nor any subsequent review shall be deemed an agreement by the city that the correct payment was paid, absent a fully authorized written release by the city on any such payments or on such reports. Any necessary prorations shall be made in the first and last year of each term of the franchise. Any city request for access to books and records shall be allowed by the franchisee at reasonable times and for reasonable purposes. Such information shall be held in strict confidence by the city as allowed by law and used only for the purpose stated herein.

EF. Recalculation at End of Compensation Year. At the end of each calendar year, franchisees shall recalculate the total general compensation actually due. If additional amounts are due the city by franchisee, said amounts shall be paid by the fifteenth day of February following the calendar year during which such amounts were originally due. If amounts are found to be due the franchisees by the city, said amounts

shall be credited by the fifteenth day of February during which such amounts were originally due. Any necessary prorations will be made.

IG. Taxes are Not to Be a Credit. The compensation paid under this franchise shall be exclusive of and in addition to all special assessments and taxes of whatever nature which are applicable to all other persons or entities doing business within the city, including, but not limited to, ad valorem tax, sales tax, corporate or business occupation taxes or other taxes or fees imposed or levied by any governmental entity.

JH. Utility Tax Liability – Franchise Fees. Revenues derived directly or indirectly from sources within the city shall be subject to applicable utility taxes as of the time of commencement of such operations. Franchise fees shall be in addition to any utility tax, but shall be collectible only to the extent as then allowed by law, and in no event may the combined utility tax and franchise fee exceed six percent of gross revenues in accordance with RCW 35.21.870. Franchise fees, if applicable, shall be levied on a nondiscriminatory basis.

KI. Rights of City. Payment of money under any franchise shall not in any way limit or inhibit any of the privileges or rights of the city, except insofar as city's privileges or rights are expressly limited or inhibited by the terms of a franchise.

LJ. Annual Report. Franchisees shall file annually with the director of finance no later than 90 days after the end of franchisee's fiscal year, an unaudited statement of revenues (for that fiscal year just ended) attributable to the operations of the franchisee's telecommunications system, within the city pursuant to the franchise agreement. The statement shall present a detailed breakdown of gross revenues and uncollectible accounts for the year. The city may, if it sees fit, have such report audited by an independent certified public accountant of its choosing. If the audit reveals an underpayment error in payment by franchisees of more than five percent, then franchisees shall pay for the costs of the audit. If the audit reveals an error in payment of five percent or less, the city shall pay the costs of the audit. The report will summarize those accounts reconciled to be within the franchise area by the city's quarterly review.

MK. Circumventing Payments. Any transaction(s) which have the effect of circumventing payment of the required franchise fees and/or evasion of payment of franchise fees or any payments due the city under a franchise by noncollection or nonreporting of gross revenues, bartering, or any other means which evade the actual collection of revenues for business pursued by franchisees are prohibited.

NL. Best Rates. As allowed by applicable law, part of the compensation to the city for the grant of any telecommunications franchise, the city shall be entitled to obtain subscriptions, at the city's discretion, to the communications service at franchisee's lowest comparable rate applicable to any government body or municipality of the state of Washington. In addition, city shall be entitled to franchisee's lowest comparable rate applicable to any governmental body or municipality of the state of Washington for purchase and/or lease, should the city determine to purchase and/or lease, equipment or modems applicable to government bodies or municipalities in the state of Washington for purposes of accessing the communications service. (Ord. 5271 § 1, 1999; Ord. 5034 § 1, 1998.)

Section 9. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 10. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 11. Effective date. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

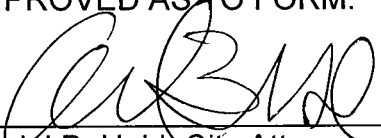
CITY OF AUBURN

ATTEST:

NANCY BACKUS, MAYOR

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

Published: _____

Ordinance No. 6546
December 10, 2014
Page 8 of 8



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6547

Date:

December 3, 2014

Department:

City Attorney

Attachments:

[Ord 6547](#)

Budget Impact:

\$0

Administrative Recommendation:

City Council adopt Ordinance No. 6547.

Background Summary:

The current provisions of the City Code provide for some fees to be identified and treated as indicated in the code. However, there is sometimes a need for flexibility to be provided (to the parks director) so that programs can be presented when they might not otherwise be able to proceed. For instance, if a program has a certain minimum number of participants, and failing to meet that number means the program cannot go forward, it would be advantageous for the city to adjust the costs, if that will work, to bring in more participants so that the program can move forward, so long as the ultimate product is consistent with budgeting parameters and program needs. Additionally, in order for the city to attract events such as a golf tournament, for instance, it may be prudent to adjust some fees so that the program can go forward and the city facilities can be more beneficially utilized.

Reviewed by Council Committees:

Finance, Municipal Services, Planning And Community Development, Public Works

Councilmember: Wales

Staff: Heid

Meeting Date: December 15, 2014

Item Number: ORD.C

ORDINANCE NO. 6 5 4 7

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF AUBURN, WASHINGTON, AMENDING
CHAPTER 3.68 OF THE AUBURN CITY CODE
RELATING TO PARKS AND RECREATION FEES**

WHEREAS, the City Council previously enacted Ordinance 4406, establishing certain Parks and Recreation fees, which Ordinance has been subsequently amended; and,

WHEREAS, the City Council also adopted a Fee Schedule by resolution, which allows for the fees contained therein to be updated in a more timely and efficient manner; and,

WHEREAS, it would provide more clarity to staff and the public if all of the fees were established in one place; i.e., the Fee Schedule; and,

WHEREAS, the Director of Parks and Recreation, with the recommendation of the Parks Board, recommend that the Director be given, within specific policy guidance, the authority to modify fees in order to respond to market conditions.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. Amendment to City Code. That Chapter 3.68 of the Auburn City Code be and the same hereby is amended to read as follows:

**Chapter 3.68
CITY PARKS AND RECREATION FEES**

Sections:

3.68.010 Authorization.

Ordinance No. 6547
December 3, 2014
Page 1 of 7

- | | |
|----------|--|
| 3.68.020 | Advertisement of fees. <u>Special promotional and marketing activities.</u> |
| 3.68.030 | Exclusions <u>Waiver of fees for individuals or groups.</u> |
| 3.68.040 | Standards for setting fees and charges <u>Experimental rates.</u> |

3.68.010 Authorization.

A, The director of parks and recreation is authorized to ~~set reasonable fees and charges for the use of city recreation programs and facilities, including but not limited to, classes, performances, leagues, senior center activities, buildings, picnic shelters and ball fields. Such fees shall be based on policies established by this chapter and such fees shall be approved by the mayor~~charge the fees and charges for the use of city recreation programs and facilities, including but not limited to, classes, performances, leagues, senior center activities, buildings, picnic shelters and ball fields as set forth the City's Fee Schedule or as published by the Department from time to time.

B. The Director is also authorized to waive or reduce such fees, establish experimental rates, and engage in special promotional and marketing activities as conditioned in Sections 3.68.020 through 3.68.040 hereof. (Ord. 4406 § 1, 1990.)

3.68.020 Advertisement of fees—Special promotional and marketing activities.

A. The Director is authorized to undertake special promotional and marketing activities for the use of departmental facilities. A waiver or reduction from the established fees for special promotional or marketing purposes shall comply with the following five (5) criteria:

1. The waiver or reduction of the fee shall accord with sound management practices for municipal facilities of like character. It shall fulfill a declared objective furthering a departmental purpose such as acquainting the public with the facility or the service provided by the department, thereby establishing or broadening public usage; reaching out to people who would not otherwise make use of the facility; or securing advertising, services or other benefits from a sponsor or those attending.

2. The promotion and the fee waiver or reduction shall appear appropriate to the City's facility. It should avoid the appearance of a City endorsement or approval of a private product, service, or activity; the use of public facilities for electoral purposes prohibited by RCW 42.17A.555; or the granting of special privileges to a particular portion of the populace.

3. The promotion and attendance under the waiver or lower charge shall respect the use and enjoyment of the facility by people paying the established fee. In addition, those attending under the promotion should have an opportunity to use and enjoy the facility, without overcrowding.

4. Waivers or reduced fees shall be treated as special or extraordinary occurrences. Their frequency and extent, in aggregate, shall not have the effect

of subverting the established fee schedule through a multiplicity of special rates or by inducing the public to anticipate and defer usage of a facility in order to take advantage of recurrent promotions.

5. The opportunity to sponsor an arrangement shall be made available to individuals, associations, and businesses, similarly situated, on an equal basis, in accord with and subject to the Department's policies and procedures.

B. The circumstances when special promotions and marketing conditions are available shall be defined in the Department's policies and procedures. (Ord. 4406 § 2, 1990.)

3.68.030 Exclusions-Waiver of fees for individuals or groups.

~~The establishment of Auburn Golf Course and Mountain View Cemetery fees are excluded from this chapter.~~ A. The Director may waive or reduce an entry, use or program fee for an organization, association, group of individuals, or an individual, and authorize the supervisor of a facility to do so, irrespective of any special promotion or event whenever:

1. Such a waiver vindicates a constitutional right guaranteed by the First Amendment to the United States Constitution through its Fourteenth Amendment or Article I, Section 3 of the Washington Constitution;

2. The user provides services or assistance to the Department in lieu of the fee that would otherwise apply, or provides in-kind services or leaves improvements to the facility that offset the reduced fee revenue;

3. The user is poor or infirm or is a charitable organization assisting the poor or infirm, and charging the fee would have the effect of depriving the user or its clients of reasonable access to the facility or of opportunity to participate in a public event, and would cause hardship or directly reduce the assistance such organization provides to the poor or infirm;

4. The user is an organization serving the public or the community, lacks its own facility as a result of a calamity or other temporary distress, and the temporary use of the City's facility would allow the organization to continue providing service to the public or community. Such temporary use shall not exceed 90 days without further authorization from the City Council;

5. Another government requests use of the facility for a public purpose; or the use is granted under a reciprocal use of facilities agreement with another municipal government;

6. Free admission to the facility furthers a departmental purpose, e.g., the person is a volunteer for a department-sponsored or co-sponsored event, participates in an athletic event for public spectators, or enters in connection with a work assignment or to assist a concessionaire or as a parent or guardian to assist the Department in the instruction or care of a minor or ward or;

B. In determining whether a fee should be waived or reduced, the Director shall be guided by the benefit to the public and the Department when granting the request, the frequency and amount of usage requested, the effect on and fairness to other users, its consistency with policies underlying the fee schedule

and this chapter, and the consequences of denying the request. (Ord. 4406 § 3, 1990.)

3.68.040 Standards for setting fees and charges Experimental rates.

~~The setting of fees and charges for the use of city parks and recreation facilities and for participation in parks and recreation programs shall be in accordance with the following policies:~~

~~A. Recreation Program Fees.~~

~~1. Program fees for classes, workshops and clinics will cover expenses related to part-time staff, supplies, facility usage, miscellaneous costs and a 35 percent administrative charge. The maximum administrative charge is \$10.00.~~

~~2. Adult and youth athletic leagues which register as a team will be charged an entry fee to cover part-time staff, supplies, facility use, officials/umpires and a 25 percent administrative charge.~~

~~3. A special event fee (a special event is a one-time community activity) will cover, at a minimum, 100 percent of the supply costs.~~

~~B. Senior Center Program Fees.~~

~~1. Senior adult van and car transportation fees will be based on projected mileage and the senior center mileage fee schedule.~~

~~2. Senior adult class and workshop fees shall cover 100 percent of the instructor and/or college fees, material costs, lab fees, and field trip transportation fees. No fees will be charged for drop-in activities at the senior center.~~

~~3. Senior adult trip fees shall cover 100 percent of the direct costs and the established senior center mileage fee schedule.~~

~~4. Hike and sports team travel fees will be charged according to established senior center mileage fee schedule.~~

~~5. Senior adult athletic team fees will cover the cost of league fees and uniforms not covered by team sponsorships.~~

~~6. Senior adult charges for food cooperative items shall, over the course of the year, cover the direct costs for food items, packaging supplies and mileage according to the city's mileage reimbursement policy.~~

~~7. Senior adult special meal ticket fees will, over the course of the year, cover the cost of food and beverage items, supplies and appropriate entertainment fees.~~

~~8. Pop machine fees will cover the cost of pop and machine lease.~~

~~9. Senior adult coffee and movie refreshments will be provided on a "donations accepted" basis with donations designed to cover 100 percent of the cost of coffee and supplies over the course of the year.~~

~~10. "Live Embers" program brochure subscription fees will cover the cost of postage.~~

~~11. Congregate Meals and Home-Delivered Meals on Wheels suggested donations and fees will be established by Senior Services of Seattle/King County, meal providers, according to federal, state and county guidelines.~~

Ordinance No. 6547

December 3, 2014

Page 4 of 7

~~C. Arts and Community Event Fees. The arts commission shall recommend whether or not a fee will be charged based on the type of event, location, sponsorship and grant funding. If a fee is to be charged, the arts commission will recommend a fee to cover the cost of the event expenses based on projected attendance.~~

~~D. Developmentally Disabled Program Fees. The fee charged for participation in developmentally disabled programs will cover at least 100 percent of the supply costs.~~

~~E. Facility/Equipment Rental Fees.~~

~~1. A fee will be charged for the rental and maintenance of facilities and equipment to cover estimated utility, supervisory, maintenance and supply costs.~~

~~2. Department sponsored youth, senior, arts commission performances and developmentally disabled programs will not be charged a facility rental or maintenance fee.~~

~~3. Upon written request and approval of the park board, the Auburn School District, Green River Community College, Auburn Jr. Football, Auburn Soccer Club and other Auburn youth serving organizations as approved by the park board may use athletic fields at no charge for youth or student activities. If maintenance is required, a fee will be charged to cover expenses.~~

~~F. Miscellaneous Fees.~~

~~1. Nonresident Fee. Nonresidents which register for recreation programs will be charged an additional fee. The nonresident fee will be 25 percent of the program fee or \$2.00, whichever is greater. Drop in recreation programs and tournaments are excluded from this fee.~~

~~2. Capital Improvement Fee.~~

~~a. A capital improvement fee will be charged to all adult programs which use city owned athletic facilities; i.e., ball diamonds, soccer fields, football fields, for league or tournament play.~~

~~b. A fee will also be charged to nondepartment sponsored leagues or organizations which use department owned facilities, unless otherwise approved by the park board. The fee will be at the same rate as department sponsored programs.~~

~~c. The capital improvement fee will be five percent to 40 percent of the established registration fee.~~

~~3. Refund Fee. A fee may be charged to individuals requesting refunds for programs or facilities. The fee for refunds will be a minimum of \$2.00 and no more than 100 percent of the fee paid.~~

~~G. Program Sponsorship Fees. Sponsorship may be solicited from individuals, businesses or service organizations to cover a portion or all of an activity expense. The fee charged will depend on the program expense.~~

~~H. Low Income Fee Policy.~~

~~1. General Policies.~~

~~a. The applicant must qualify under the family income guidelines established by the city. The family income guidelines will be determined by the following:~~

~~i. The "United States Department of Agriculture Child Nutrition Program Income Guidelines," as they currently exist or as they may be amended in the future, will be used as the basis for establishing the family income guidelines.~~

~~ii. Funding will be available at 100 percent, 75 percent, 50 percent and 25 percent levels depending on the family gross yearly income, as computed based on the most current quarter.~~

~~iii. The Child Nutrition Program Income Guidelines are established as the 100 percent, 75 percent, 50 percent and 25 percent funding levels qualifying family income levels.~~

~~b. Any individual qualifying for a partial fee funding level shall pay the unfunded portion of the fee prior to participation.~~

~~c. Funding under this policy will only apply to Auburn parks and recreation department sponsored activities.~~

~~d. To be eligible, an applicant must live within the corporate limits of the city of Auburn.~~

~~2. Youth Policies. An applicant age 17 and under may receive a reduction or elimination of fees for a maximum of one activity per quarter. (The reduction or elimination of fees will mean a reduction in park department revenue to the general fund.)~~

~~3. Adult Policies.~~

~~a. An applicant over 17 years of age may receive funding if money becomes available through donations from private sources.~~

~~b. An applicant over 17 years of age may receive funding for one activity a year. Activities exempt from funding include league fees and extended travel. The city will determine the amount of the low income fee reduced fee rate or discount, and the applicant will be required to pay the difference between the activity registration fee and the low income fee reduced fee rate or discount prior to participation. The director is authorized to adjust a fee or charge for any particular facility on a temporary basis of up to one calendar quarter, or for a single season for a particular sport/activity in order to increase public attendance or usage and the resulting revenues. Temporary rates may take the form of special price during a special time. (Ord. 5765 § 1, 2003; Ord. 5056 § 2, 1998; Ord. 4428 § 1, 1990; Ord. 4406 § 4, 1990.)~~

Section 2. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 3. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 4. Effective date. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

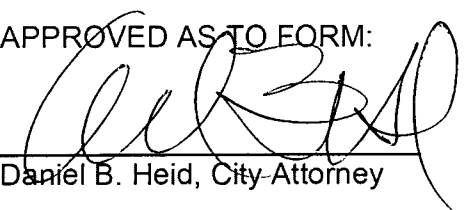
CITY OF AUBURN

ATTEST:

NANCY BACKUS
MAYOR

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

Published: _____

Ordinance No. 6547
December 3, 2014
Page 7 of 7



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5114

Date:

December 3, 2014

Department:

City Attorney

Attachments:

[Res 5114](#)

Budget Impact:

\$0

Administrative Recommendation:

City Council adopt Resolution No. 5114.

Background Summary:

Every year it is appropriate for the City Council to consider adjustment of fees that the city charges for the upcoming year. The fee schedule attached includes the proposed/recommended fee schedule changes submitted for consideration by the department directors of the various departments that are requesting changes to the current fee schedule. The fee schedule also adds some things that had previously not been included in the fee schedule but should be so that there is only one place a person needs to go to look for the schedule of fees for the City of Auburn.

Reviewed by Council Committees:

Finance, Municipal Services, Planning And Community Development, Public Works

Councilmember: Wales

Staff: Heid

Meeting Date: December 15, 2014

Item Number: RES.A

RESOLUTION NO. 5114

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING THE CITY OF AUBURN FEE SCHEDULE TO ADJUST FOR 2015 FEES

WHEREAS, in connection with the municipal functions and operations of the City of Auburn, the City provides various services, a number of which entail fees; and

WHEREAS, the City Council provided for the adoption of a Fee Schedule with the passage of Ordinance 5707; and

WHEREAS, in the course of reviewing City fees, and in keeping with the philosophy of setting City fees in amounts reflective of actual costs, and in further keeping with the intent to make City fees and charges consistently accessible, it is appropriate to review and amend the fees and charges for City applications and activities for which fees are charged to adjust for changes to be effective January 2015.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, HEREBY RESOLVES as follows:

Section 1. The City of Auburn Fee Schedule is hereby amended as set forth in the attached "Exhibit A" and

Section 2. The Mayor is authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

Section 3. That this Resolution shall take effect and be in full force upon passage and signatures hereon and on January 1, 2015.

Dated and Signed this _____ day of _____, 2014.

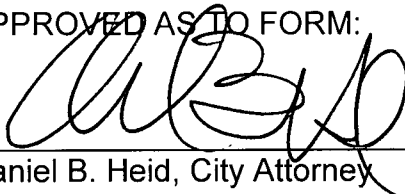
CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

CITY OF AUBURN FEE SCHEDULE
FEES FOR CITY PERMITS, LICENSES, PUBLICATIONS, AND ACTIONS
Effective January 1, 2015

A. PLANNING AND DEVELOPMENT DEPARTMENT FEES (Per Ordinance No. 5707, Ordinance No. 5715, Ordinance No. 5819, Resolution No. 3797, Resolution No. 3953, Resolution No. 4070, Resolution No. 4117, Resolution No. 4143, Ordinance No. 6077, Resolution No. 4272, Resolution No. 4424, Ordinance No. 6276, Resolution No. 4552, Ordinance No. 6295, Resolution No. 4868, Resolution No. 4880, Resolution 4964, Ordinance 6477, and Resolution No. 5016 and Resolution 5114.)

1. Application Fees: Applications for any action identified below shall not be accepted for filing, unless otherwise noted, until the fees per the below schedule have been paid to the City. ¹	
Additional Meeting Fee (beyond the specified number)	\$259 per meeting
Additional Re-submittal Fee (covers one re-submittal for all land use actions)	\$63 per re-submittal
Address Assignment	\$104 per address
Administrative Use Permits (covers 1 meeting with staff after which additional meeting fees apply)	\$880
Appeal of Administrative Decision to Hearing Examiner ^{1, 6}	\$1,000
Binding Site Plan ² (covers 2 meetings with staff after which additional meeting fees apply)	\$1,139 + \$62/lot
Boundary Line Adjustment ¹ :	
Residential	\$518
Non-Residential (includes mixed use projects)	\$854
Boundary Line Elimination ¹	\$500
Comprehensive Plan Map Amendments ³ (covers 2 meetings with staff after which additional meeting fees apply)	\$2,070 (includes rezone application fee)
Comprehensive Plan Text Amendments ³ (covers 2 meetings with staff after which additional meeting fees apply)	\$1,000
Conditional Use Permits ^{1, 6} (covers 2 meetings with staff after which additional meeting fees apply)	
Residential	\$1,000
All Other (includes mixed use projects)	\$2,000
Conditional Use Permits ⁴ – Minor Adjustment (covers 1 meeting with staff after which additional meeting fees apply)	
Residential	\$414
All Other (includes mixed use projects)	\$554
Critical Areas Review:	

¹ Please note that the City of Auburn may collect a review fee on behalf of the Valley Regional Fire Authority for certain land use and/or environmental reviews which fee is collected in addition to the City's required fees.

² Per Auburn City Code, a modification to an approved binding site plan shall be processed in the same manner as the original binding site plan approval. Therefore, the specified fee shall apply to a new or modified binding site plan approval request.

³ Fees for amendments to text or maps of the Comprehensive Plan apply only where an applicant seeks an amendment affecting specific properties rather than the City generally or property within the City generally.

⁴ Per Auburn City Code, a major adjustment to an approved conditional use permit shall be processed in the same manner as the original conditional use permit approval. Therefore, the specified fee shall apply to a new request for conditional use permit approval or a request for a major adjustment to a previously approved conditional use permit approval.

On-site monitoring & reporting (required) of wetlands & other environmentally sensitive areas ⁵	\$300/monitoring event
Critical Areas Reasonable Use Determination	\$259
City review of environmental studies, plans or reports (whether submitted with another city application or not and includes one re-submittal)	\$259/study, plan or report
Critical Areas Variance – administrative	\$259
Critical Areas Variance – hearing examiner ^{1, 6}	\$1000
Current Use Taxation (covers 1 meeting with staff after which additional meeting fees apply)	\$800
Development Agreement – Amendment	\$2,200 + \$60/lot or dwelling unit
Downtown Urban Center Design Review (covers 1 meeting with staff after which additional meeting fees apply)	\$1,139
Environmental Review (covers 1 meeting with staff after which additional meeting fees apply)	
SEPA Checklist review ¹ (includes City issuance of DNS, MDNS, or DS as appropriate)	\$802 + \$259/required study
Revised or Supplemental SEPA Checklist review ¹ (includes City issuance of Addendum, if appropriate)	\$350 + \$259/required study
SEPA 3 rd Party Review	Actual costs
Environmental Impact Statement	\$802 + actual costs for preparation of draft & final statements including labor, materials, mailing & other actual costs relating to the drafting & circulating of the EIS.
Final Plats – Subdivisions (covers 2 meetings with staff after which additional meeting fees apply and 1 re-submittal)	\$1,533 + \$52/lot
Final Plats – Short Plats (covers 1 meeting with staff after which additional meeting fees apply and 1 re-submittal)	\$750 + \$25/lot
Flexible Development Alternatives Application Review (covers 1 meeting with staff after which additional meeting fees apply and 1 re-submittal)	\$1,139
Hearing Examiner – Conduct of Hearing and Preparation of Decision ⁶	Total hourly charge for hearing examiner plus associated expenses to be paid by applicant prior to issuance of final decision
Floodplain Development Permit	\$259

⁵ For monitoring required over multiple years, the total monitoring fee for the required monitoring period shall be paid prior to final plat approval or issuance of Certificate of Occupancy or release of required financial security.

⁶ The total cost for the Hearing Examiner is in addition to the relevant application fee for applications requiring a public hearing before the Hearing Examiner (e.g. conditional use permit).

Floodplain Habitat Impact Assessment Report Review	\$250
Floodplain Habitat Mitigation Plan Review	\$250
Combined Floodplain Habitat Assessment/Mitigation Plan Review	\$500
City Acknowledgement Review of FEMA Flood Map Revision Application	\$100
Mining Permits (covers 3 meetings with staff after which additional meeting fees apply)	\$3,623
Miscellaneous Administrative Decisions (i.g. sign area deviation, written interpretations, administrative variances)	\$500
Multi-Family/Mixed Use Design Standards Compliance Review (application covers 1 meeting with staff after which additional fees apply)	\$1,139
Plan Alteration or Vacation ⁶ (application covers 1 meeting with staff after which additional fees apply)	\$1,000/request
Plat Modification (application covers 1 meeting with staff after which additional fees apply)	\$1,000/request
Preliminary Plats – Subdivisions ^{1, 6} (application covers 3 meetings with staff after which additional fees apply)	\$3,000 + \$120/lot
Preliminary Plats – Short Plats ¹ (application covers 1 meeting with staff after which additional fees apply)	\$1,449 + \$60/lot
Preliminary Site Plan Review (non-PUD) (application covers 1 meeting with staff after which additional fees apply)	\$1,035
Pre-application Meeting (application covers 1 meeting with staff after which additional fees apply)	\$259.00 – fee will be applied towards any related application made w/in 6 months of the date the pre-application meeting was held.
PUD – Major Adjustment ⁷ (application covers 2 meetings with staff after which additional fees apply)	\$2,558
Public Notice Boards: 2' x 4' public notice board	\$80
4' x 4' public notice board	\$136
Rezone (map amendment) ⁸	\$1,760
School Impact Fee Collection: ⁹ Per Single Family Dwelling Unit	\$52
Per Multi-Family Dwelling Unit	\$26
Shoreline (application covers 1 meeting with staff after which additional fees apply): Shoreline Exemption Determination	\$215
Shoreline Conditional Use Permit ⁶	\$1,139
Shoreline Substantial Development Permit ⁶	\$1,139
Shoreline Variance ⁶	\$1,139

⁷ A prior City Code amendment eliminated Planned Unit Developments (PUD). The PUD fees included herein are applicable only to the existing previously approved PUDs.

⁸ Application fee covers 2 meetings with staff after which additional meeting fees apply.

⁹ The City collects an application fee to cover the reasonable cost of administration of the school impact fee program.

Short Plat Modification (application covers 1 meeting with staff after which additional fees apply)	\$259/requested modification
Sign Permit ¹⁰	\$100
Site Plan Approval – PUD, Residential ⁹ (application covers 1 meeting with staff after which additional fees apply)	\$1,139 + \$62/lot or unit
Site Plan Approval - PUD, Non-residential ⁹ (application covers 1 meeting with staff after which additional fees apply)	\$1,139 + \$62/lot or unit
Special Home Occupation Permits	\$259
Three-Party Outside Utility Extension Agreement - Site Specific Review (application covers 1 meeting with staff after which additional fees apply)	\$1,035.00 + plus the City's actual costs in performing under the terms of the agreement as negotiated between the parties
Type I Temporary Use Permit	\$96 + \$48 per extension request
Type II Temporary Use Permit	\$144 + \$48 per extension request
Variance ¹ (inclusive of Special Exceptions): Per each residence on a single family lot All other	\$259 \$575
Water/Sewer Certificate ¹ (outside of city limits for other than single-family)	\$311
Zoning Certification Letter: Residential Non-Residential (includes mixed use development)	\$52 \$104
Zoning Code Text Amendment (application covers 1 meeting with staff after which additional fees apply)	\$1,035
2. BOOKS, MAPS, MATERIALS :¹¹ (pursuant to Resolution No. 3953)	
Comprehensive Plan	Cost of Production
Downtown Plan	Cost of Production
Downtown Plan Appendices	Cost of Production
Copies of Codes and Ordinances	Cost of Production
Maps	Cost of Production
3. LAND CLEARING, GRADING AND FILLING FEES (Per Ordinance No. 6146; Resolution No. 4272 and Resolution No. 4424.)	
Land Clearing: Base Fee (for up to 1 acre) 1 to 5 acres Over 5 acres	\$311 Base Fee + \$114/acre Base Fee + \$83/acre
Grading and Filling Fees: Base Fee (for up to 500 cubic yards) 500 to 250,000 cubic yards Over 250,000 cubic yards	\$311 Base Fee + \$0.12/cubic yard Base Fee + \$0.02/cubic yard

¹⁰ The City collects an application fee to cover the reasonable cost of zoning compliance review in addition to the building permit application fee identified in Table 1-A, below.

¹¹ Prices for printed materials do not include any taxes.

4. PERMIT BUILDING FEES (per Ordinance 5715, Ordinance 5819, Resolution No. 3773, Resolution No. 3797, Resolution No. 3818, Resolution No. 3953, Resolution No. 4143, Ordinance No. 6146, Resolution No. 4272 and Resolution No. 4424.)

- a. Building Permit Fees:** The fee for each International Building Code, International Residential Code, Washington State Energy Code or Washington State Indoor Air Quality Code building permit shall be as set forth in Table 1-A, below.¹²

Table 1-A BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$1 00 to \$500.00	\$32.00
\$501.00 to \$2,000.00	\$32.00 for the first \$500.00 plus \$6.00 for each additional \$100 00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000 00	\$114.00 for the first \$2,000.00 plus \$18.60 for each additional \$1,000 00, or fraction thereof, to and including \$25,000 00
\$25,001.00 to \$50,000.00	\$544 00 for the first \$25,000 00 plus \$14 00 for each additional \$1,000.00, or fraction thereof, to and including \$50,000 00
\$50,001.00 to \$100,000.00	\$903 00 for the first \$50,000.00 plus \$10.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$1,397.00 for the first \$100,000.00 plus \$9.00 for each additional \$1,000 00, or fraction thereof, to and including \$500,000 00
\$500,001.00 to \$1,000,000.00	\$4,912.00 for the first \$500,000.00 plus \$8.00 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000 00
\$1,000,000.00 and up	\$8,769.00 for the first \$1,000,000 00 plus \$6 00 for each additional \$1,000.00 or fraction thereof
Other Inspections and Fees: 1. Inspections outside of normal business hours..... \$63.00 per hour (minimum charge – two hours) 2. Reinspection fees assessed under provisions of Section 109.4.13 \$63 00 per hour 3. Inspections for which no fee is specifically indicated \$63 00 per hour (minimum charge – one half hour) 4. Additional plan review required by changes, additions or revisions to plans \$63 00 per hour (minimum charge – one half hour) 5. For use of outside consultants for plan checking and inspections, or both Actual costs	
FOOTNOTES: ¹ Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved. ² Actual costs include administrative and overhead costs.	

- b. Mechanical Permit Fees:** The fee for each permit issued under provisions of the International Mechanical Code, International Fuel Gas Code, NFPA 54 (National Fuel Gas Code), NFPA 58 (Liquefied Petroleum Gas Code), or the mechanical device provisions of the International Residential Code shall be as set forth in Table 2-A, below. For new single-family dwellings a flat rate permit fee of \$185.00 may be charged in lieu of fees as prescribed in Table 2-A.

Table 2-A MECHANICAL PERMIT FEES

Permit Issuance and Heaters:	
1. For the issuance of each mechanical permit.....	\$26.00
2. For issuing each supplemental permit for which the original permit has not expired, been canceled or finaled	\$9 00
Unit Fee Schedule <i>(Note: The following do not include permit-issuing fee.)</i>	
1. Furnaces:	

¹² Please note that the City of Auburn may collect a review fee for the Valley Regional Fire Authority for certain permit applications that is collected in addition to the City's required fees.

For the installation or relocation of forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance up to and including 100,000 Btu/h (29.3kW).....	\$18.00
For the installation or relocation of forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3kW)	\$22.00
For the installation or relocation of each floor furnace, including vent.....	\$18.00
For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater	\$18.00

2. Appliance Vents:

For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit.....	\$9 00
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3. Repairs or Additions:

For the repair of, the alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code	\$16.00
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4. Boilers, Compressors and Absorption Systems:

For the installation or relocation of each boiler or compressor to and including 3 horsepower (10.6 kW) or each absorption system to and including 100,000 Btu/h (29.3 kW)	\$18.00
For the installation or relocation of each boiler or compressor over 3 horsepower (10.6kW) to and including 15 horsepower (52.7 kW), or each absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.6 kW)	\$31.00
For the installation or relocation of each boiler or compressor over 15 horsepower (52.7kW) to and including 30 horsepower (105.5 kW), or each absorption system over 500,000 Btu/h (146.6kW) to and including 1,000,000 Btu/h (293.1kW)	\$41.00
For the installation or relocation of each boiler or compressor over 30 horsepower (105.5kW) to and including 50 horsepower (176 kW), or each absorption system over 1,000,000 Btu/h (293.1 kW) to and including 1,750,000 Btu/h (512.9 kW)	\$62.00
For the installation or relocation of each boiler or compressor over 50 horsepower (176 kW), or each absorption system over 1,750,000 Btu/h (512.9 kW)	\$102.00

5. Air Handlers:

For each air handling unit to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached thereto	\$12.00
Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling system, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code.	
For each air-handling unit over 10,000 cfm (4719 L/s)	\$22.00

6. Evaporative Coolers:

For each evaporative cooler other than a portable type	\$12.00
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7. Ventilation and Exhaust:

For each ventilation fan connected to a single duct.....	\$9.00
For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit	\$12.00
For the installation of each hood which is served by a mechanical exhaust, including the ducts for each hood	\$12.00

8. Incinerators:

For the installation or relocation of each domestic-type incinerator	\$22.00
For the installation or relocation of each commercial or industrial-type incinerator	\$18.00

9. Miscellaneous:

For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories or for which no other fee is listed in the table	\$12.00
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Other Inspections and Fees:

1 Inspections outside of normal business hours, per hour (minimum charge -- two hours)	\$63.00
2. Reinspection fees assessed under provisions of Section 109 4 13 \$61.003. Inspections for which no fee is specifically indicated, per hour (minimum charge -- one-half hour)	\$63 00
3. Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge -- one-half hour) ...	\$63 00

* Or the total cost to the jurisdiction, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

c. Plumbing Code Permit Fees: For new single-family dwellings a flat rate permit fee of \$185.00 may be charged in lieu of fees as prescribed in Table 3-A.

Table 3-A PLUMBING PERMIT FEES

Permit Issuance:

- | | |
|---|---------|
| 1. For issuing each permit | \$24.00 |
| 2. For issuing each supplemental permit | \$12.00 |

Unit Fee Schedule (in addition to items 1 and 2 above):

- | | |
|---|---------|
| 1. For each additional plumbing fixture on one trap or a set of fixtures on one trap (including water, drainage piping and backflow protection therefore) | \$9.00 |
| 2. For each building sewer and each trailer park sewer | \$19.00 |
| 3. Rainwater systems - per drain (inside building) | \$9.00 |
| 4. For each water heater and/or vent | \$9.00 |
| 5. For each industrial waste pretreatment interceptor including its trap and vent, except kitchen-type grease interceptors functioning as fixture traps | \$9.00 |
| 6. For each installation, alteration or repair of water piping and/or water treatment, each | \$9.00 |
| 7. For each repair or alteration of a drainage or vent piping, each fixture | \$9.00 |
| 8. For each lawn sprinkler system on any one meter including backflow protection devices therefore | \$9.00 |
| 9. For atmospheric-type vacuum breakers not included in item 12. | |
| 1 to 5 | \$6.00 |
| over 5, each | \$2.00 |
| 10. For each backflow protective device other than atmospheric type vacuum breakers: | |
| 2 inch (51 mm) diameter and smaller | \$9.00 |
| over 2 inch (51 mm) diameter | \$17.00 |
| 11. For initial installation and testing for a reclaimed water system | \$35.00 |
| 12. For each annual cross-connection testing of a reclaimed water system (excluding initial test) | \$35.00 |
| 13. For each medical gas piping system serving one to five inlet(s)/outlet(s) for a specific gas | \$57.00 |
| 14. For each additional medical gas inlet(s)/outlet(s) | \$6.00 |

Other Inspections and Fees:

- | | |
|--|---------|
| 1. Inspections outside of normal business hours | \$63.00 |
| 2. Reinspection fee | \$63.00 |
| 3. Inspections for which no fee is specifically indicated | \$63.00 |
| 4. Additional plan review required by changes, additions or revisions to approved plans (minimum charge - one-half hour) | \$63.00 |

*Per hour for each hour worked or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of all the employees involved.

Fees: Permit fees shall be assessed in accordance with this section. Fees specified shall be adjusted for inflation each year based upon the Seattle Consumer Price Index. Fees shall be rounded down to nearest whole dollar.

Appeal Fees: The fee for appeals of codes adopted pursuant to ACC Chapter 15 shall be \$110.00 plus total hearing examiner costs.

Plan Review Fees: When submitted documents are required by Section 106.3 of the Construction Administrative Code, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be 65 percent of the building permit fee as shown in Table 1-A. The plan review fees specified in this section are separate fees from the permit fees and in addition to permit fees.

Temporary Certificate of Occupancy Fees: There shall be a fee equal to ten percent of the building permit fee for issuance of a temporary certificate of occupancy.

5. ADMINISTRATIVE PROCEDURES AND MISCELLANEOUS INSPECTIONS: In addition to any other fees specified in this chapter, there shall be a fee schedule for certain administrative procedures not otherwise included as set forth in the following schedule of fees:

Adult Family Home Inspection	\$160
Demolition, permit and inspections	Per Table 1-A
Relocation (pre-inspection)	Per Table 1-A
Housing Inspection	Actual City Cost, minimum \$21
Change of Use	Per Table 1-A
Sign Permits	Unless except by Ch. 18.56 ACC, the fee shall accompany

	each application for a sign permit. The amount of the fee shall be based upon the value of the sign pursuant to Table 1-A.
6. RENTAL HOUSING BUSINESS LICENSE FEES (Per Resolution No. 4601, Ordinance No. 5882, Resolution No. 4272, Resolution No. 4424 and Ordinance 6477)	
a. The fee for a license to operate rental housing businesses in the City, as defined in Chapter 5.22 of the Auburn City Code (ACC) shall be based on the total number of units as follows: One to four dwelling units Five to 24 dwelling units Twenty-five or more dwelling units Communal residence	\$53/year \$106/year \$212/year \$150/year
b. The fee for a license to operate rental housing businesses in the city shall be for the license year from January 1 to December 31, and each applicant must pay the full fee for the current license year or any portion thereof during which the applicant has engaged in the operation of rental housing businesses.	
c. The rental housing business license fee required by this chapter is in lieu of, and not in addition to, the general business license fee required by Chapters 5.05 and 5.10 of the Auburn City Code (ACC); provided, however, that any person required to obtain a rental housing business license must also obtain a general business license, at no cost, pursuant to Chapters 5.05 and 5.10 of the Auburn City Code (ACC).	
d. Notwithstanding the provisions of sub-section (1) of this section, the fee for operating rental housing facilities for any single individual, partnership, corporation or entity shall not exceed \$424.00 per license period.	
For the 2010 calendar year only, rental housing business license renewals shall be valid for the period July 1, 2010 to December 31, 2010 subject to the payment of one-half of the specified fee. For the 2011 calendar year and subsequent calendar years, rental housing business license renewals shall be for the period January 1 through December 31.	

B. ENGINEERING AND PUBLIC WORKS DEPARTMENT FEES

1. Transportation Impact Fee Rate Schedule: (Per Ordinance No. 5763 as amended by Resolution No. 3953, Ordinance No. 6005, Resolution No. 4103, Resolution No. 4424, and Resolution 4964 and Resolution No. 5114.)					
Land Use	ITE Land Use Code	Independent Variable	Trip Rate	Non-Downtown Fee Rate	Downtown Fee Rate
Industrial					
General Light Industrial	110	sf/gfa	0.97	\$6.436.03	-
General Heavy Industrial	120	sf/gfa	0.68	\$5.054.74	-
Industrial Park	130	sf/gfa	0.85	\$5.645.29	-
Manufacturing	140	sf/gfa	0.73	\$4.844.54	-
Mini-Warehouse/Storage	151	sf/gfa	0.26	\$1.591.49	-

Land Use	ITE Land Use Code	Independent Variable	Trip Rate	Non-Downtown Fee Rate	Downtown Fee Rate
Residential					
Single-Family (detached)	210	du	1.00	\$3,641.36 <u>3,413.48</u>	\$2,949.50 <u>2,764.92</u>
Multi-Family	220-233	du	0.62	\$2,386.65 <u>2,237.30</u>	\$1,933.19 <u>1,812.21</u>
Mobile Home	240	du	0.59	\$1,718.72 <u>1,611.17</u>	\$637.09 <u>597.22</u>
Senior Housing	251, 252	du	0.27	\$786.53 <u>737.31</u>	-
Lodging					
Hotel	310	room	0.60	\$2,496.93 <u>2,340.68</u>	\$2,022.52 <u>1,895.95</u>
Motel	320	room	0.47	\$1,955.93 <u>1,833.53</u>	-
Recreational					
Movie Theater	444, 445	seat	0.08	\$462.72 <u>152.53</u>	\$120.41 <u>112.88</u>
Health Club	492, 493	sf/gfa	3.53	\$8.54 <u>8.01</u>	\$6.32 <u>5.92</u>
Institutional					
Elementary School	520	student	0.15	\$212.24 <u>198.96</u>	\$157.06 <u>147.23</u>
Middle School/Jr. High	522	student	0.16	\$359.56 <u>337.06</u>	\$266.07 <u>249.42</u>
High School	530	student	0.13	\$400.34 <u>375.29</u>	\$296.25 <u>277.71</u>
Church	560	sf/gfa	0.55	\$2.12 <u>1.99</u>	\$1.57 <u>1.47</u>
Day Care Center	565	sf/gfa	12.34	\$19.26 <u>18.05</u>	\$14.25 <u>13.36</u>
Library	590	sf/gfa	7.30	\$9.68 <u>9.08</u>	\$7.17 <u>6.72</u>
Medical					
Hospital	610	sf/gfa	0.93	\$3.87 <u>3.63</u>	\$3.14 <u>2.94</u>
Asst. Living, Nursing Home	254, 620	bed	0.22	\$640.88 <u>600.77</u>	-
Office					
General Office	710, 715, 750	sf/gfa	1.49	\$7.12 <u>6.67</u>	\$4.84 <u>4.54</u>
Medical Office	720	sf/gfa	3.57	\$13.37 <u>12.54</u>	\$9.09 <u>8.52</u>
Post Office	732	sf/gfa	11.22	\$14.88 <u>13.95</u>	\$10.12 <u>9.49</u>
Retail					
Free Standing Discount Superstore	813	sf/gla	4.35	\$6.84 <u>6.42</u>	\$5.06 <u>4.75</u>
Free Standing Discount Store	815	sf/gla	4.98	\$9.03 <u>8.47</u>	\$6.68 <u>6.26</u>
Hardware/Paint Store	816	sf/gla	4.84	\$6.34 <u>5.94</u>	\$4.69 <u>4.39</u>
Shopping Center	820	sf/gla	3.71	\$5.35 <u>5.02</u>	\$3.96 <u>3.71</u>
Car Sales – New	841	sf/gla	2.59	\$9.92 <u>9.30</u>	\$7.34 <u>6.88</u>

Car Sales – Used	N/A	space	0.28	\$1,072.021,004.93	\$793.29743.65
Automobile Parts Sales	843	sf/gla	5.98	\$6.035.65	\$4.464.18
Tire Store	848	sf/gla	4.15	\$6.846.41	\$5.064.74
Supermarket	850	sf/gla	9.48	\$13.2612.43	\$9.819.20
Land Use	ITE Land Use Code	Independent Variable	Trip Rate	Non-Downtown Fee Rate	Downtown Fee Rate
Convenience Market	851	sf/gla	52.41	\$27.6525.92	\$20.4619.18
Home Improvement Store	862	sf/gla	2.33	\$2.652.48	\$1.961.84
Drugstore w/o Drive-Through	880	sf/gla	8.40	\$6.986.55	\$5.174.84
Drugstore w/ Drive-Through	881	sf/gla	9.91	\$8.948.38	\$6.626.20
Furniture Store	890	sf/gla	0.45	\$0.380.35	\$0.280.26
Services					
Drive-in Bank	912	sf/gfa	24.30	\$20.1018.84	\$14.8713.94
Quality Restaurant	931	sf/gfa	7.49	\$14.8413.91	\$10.9810.29
High Turnover Restaurant	932	sf/gfa	9.85	\$13.4412.60	\$9.949.32
Fast Food Restaurant w/o Drive-Through	933	sf/gfa	26.15	\$27.7526.01	\$20.5419.25
Fast Food Restaurant w/ Drive-Through	934	sf/gfa	32.65	\$34.6532.48	\$25.6424.04
Espresso Stand w/ Drive-Through	938	sf/gfa	75.00	\$26.5324.87	\$19.6318.40
Auto Care Center	942	sf/gfa	3.11	\$4.984.67	\$3.693.46
Service Station	944	vfp	13.87	\$14,228.1613,337.77	\$10,528.849,869.95
Service Station w/ Mini-Mart	945	vfp	13.51	\$10,513.629,855.68	\$7,780.087,293.21
Notes: A. Basic trip rates are based on the ITE Trip Generation Manual, 9th Edition. B. Impact fee rate calculation is based upon the following methodology: – Basic Trip Rate = PM Peak Hour Trip Generation (per unit of measure) – Basic Trip Rate x Percent of New Trips x Trip Length Adjustment x Per Trip Fee/(divide by) 1,000 for rate per square foot (where applicable) = Impact Fee Rate (per unit of measure) C. For land uses not specifically identified here, trip generation rates could be derived from ITE or a special study by the applicant. D. sf/GFA= Square feet Gross Floor Area; sf/GLA= Square Feet Gross Leasable Area; VFP=Vehicle Fueling Position. E. Projects eligible for the Downtown Fee Rate are those located entirely within the boundary identified on Figure 1.					

2. Truck-Dependant Land Use Supplementary Transportation Impact Fee Rate Schedule:
(Per Resolution No. 4122 and Resolution No. 4424.)

Land Use	ITE Land Use Code	Independent Variable	Truck Trip Rate	Impact Fee Rate (per sf)
Industrial				
Light Industry/Manufacturing	110, 130, 140	sf/gfa	\$0.06	\$0.11
Heavy Industry	120	sf/gfa	\$0.04	\$0.09
Retail				
Shopping Center	820	sf/gla	\$0.01	\$0.01
Land Use	ITE Land Use Code	Independent Variable	Truck Trip Rate	Impact Fee Rate (per sf)
Car Sales	841	sf/gfa	\$0.09	\$0.16
Supermarket	850	sf/gfa	\$0.33	\$0.64
Free-Standing Discount Store	813, 815, 861, 863, 864	sf/gfa	\$0.10	\$0.19
Home Improvement Store	862	sf/gfa	\$0.37	\$0.70
Services				
Restaurant	931, 932	sf/gfa	0.63	\$1.20
Fast Food Restaurant	933, 934	sf/gfa	2.87	\$5.51

Notes:

- A. ITE Land Use Code based on ITE Trip Generation, 9th Edition
- B. Impact fee rate calculation is based upon the following methodology:
 - Truck Trip Rate = Daily Truck Trip Generation (per unit of measure)
 - Truck Trip Rate x Per Trip Fee = Impact Fee Rate (per unit of measure)
- C. For land uses not specifically identified in the table, trip generation rates could be derived from a special study by the applicant.
- D. sf /gfa=square feet of gross floor area

3. Impact Fees By Land Use – Revenue Credit = 20% (Per Ordinance No. 5977, Resolution 3953, and Resolution No. 4022)

Land Use	Total Fire & EMS Cost per Unit of Development	Adjustment (Revenue Credit) at 20%	Fire and EMS Impact Fee per Unit of Development
Residential – All calculations below are per dwelling unit – Total x Number of Units			
Single Family, Duplex, Mobile Home	\$362.66	\$72.53	\$290.13
Multi-Family	\$383.09	\$76.62	\$306.47
Non-Residential – All calculations below are per square foot - Total x Square Feet			
Hotel/Motel	\$0.53	\$0.11	\$0.42
Hospital/Clinic	\$1.05	\$0.21	\$0.84
Group Living	\$2.63	\$0.53	\$2.10
Office	\$0.29	\$0.06	\$0.23
Retail	\$0.62	\$0.12	\$0.50
Restaurant/Bar/Lounge	\$1.62	\$0.32	\$1.30
Industrial/Manufacturing	\$0.11	\$0.02	\$0.09
Leisure/Outdoors	\$1.08	\$0.22	\$0.86

Agriculture	\$0.71	\$0.14	\$0.57
Church	\$0.38	\$0.08	\$0.30
Schools/Colleges	\$1.07	\$0.21	\$0.86
Government/Public Buildings	\$1.81	\$0.36	\$0.86
Casino	\$3.78	\$0.77	\$3.01
Jails	\$21.99	\$4.40	\$17.59

4. Facility Extension Fees: (Per Ordinance No. 5791 and amended by Ordinance No. 5819, Resolution No. 3953, Resolution No. 4272, and Resolution No. 4424 and Resolution No. 5114.)

The Facility Extension Application Fee is \$552.00, plus \$167.00 for each Facility (Water, Sanitary Sewer, Storm Drainage, Street, private street and private storm systems within private streets).

Facility Extension Fees are the summation of the following categories (a+b+c+d), or \$1,660.00, whichever is greater.

- a. For the combined linear footage of water, sewer, storm drainage and private storm drainage within private streets:

The first 0 lineal feet (LF) to 1000 LF is charged at \$5.50 per LF plus,
The next 1001 LF to 2500 LF is charged at \$2.80 per LF plus,
Any additional over 2500 LF is charged at \$1.65 per LF.

- b. For the linear footage of streets and private streets:

The first 0 LF to 500 LF will be charged at \$6.90 per LF plus,
The next 501 LF to 1000 LF will be charged at \$4.10 per LF plus,
Any additional over 1000 LF will be charged at \$1.10 per LF.

- c. For non-linear extensions such as pump stations or traffic signals, the extension fee will be determined by the City Engineer based on an estimate of the City's labor Cost associated with the plan review, inspection, and administration of the application.

- d. For that portion of the water or sewer facility located outside City Limits, but within existing County (King or Pierce) right-of-way, an additional fee of \$444.00 plus \$5.00 per LF of the combined water and sewer extension located in the existing County right-of-way applies.

Facility Extension Fees will be paid as follows:

- a. Forty percent (40%) at the time of execution of the facility extension agreement.
b. Sixty percent (60%) upon the City's approval of the construction drawings and prior to the start of construction.

Additional Review:

Each additional plan reviews beyond a 3rd review prior to plan approval will require an additional fee of \$512.00 be paid at the time of the additional review submittal. If the review requires more than 8 hours of staff time to complete an additional fee of \$64.00 per hour will be charged and must be paid prior to plan approval.

Additional plan review required by changes, additions or revisions to plans during construction will require an additional fee of \$256.00 be paid at the time the additional review is submitted and prior to any review being completed. If the review requires more than 4 hours of staff time to complete an additional fee of \$64.00 per hour will be charged and must be paid prior to plan approval.

5. Right-of-Way Use Permit Fees: (Per Ordinance No. 6125)	
Type A – Banner	\$30.00
Type B – Short Term	\$60.00
Type C – Long Term	\$100 for the 1 st year / \$30 for each additional year
Type D – Hauling	\$100.00 + estimated staff time @ \$50 per hour
Street Closure – Type B or C	\$90.00
Sidewalk Closure – Type B or C	\$60.00
Parking Closure – Type B or C	\$60.00
6. Franchise Agreements: (Per Ordinance No. 6545 and Resolution No. 5114)	
Application/Renewal Application Fee (ACC 13.36.040, ACC 20.06.120, ACC 20.06.130)	\$5,000.00 Nonrefundable Initial Fee + plus the City's actual costs incurred in excess of \$5,000.00 Initial Fee is due at time of application any additional costs beyond the initial fee is due prior to the effective date of the agreement.
Annual Administration Fee (ACC 20.04.170)	Actual City Costs
Annual CATV Franchise Fee (ACC 13.36.230)	5% of Gross Revenue for the prior three months.
Other Annual Franchise Fee (ACC 20.06.100)	Statutorily Permissible Percent of Gross Revenue
7. Public Way Agreements: (Per Ordinance No. 6545, Resolution No. 5114)	
Application/Renewal Application Fee (ACC 20.04.020, ACC 20.04.120)	\$5,000.00 nonrefundable Initial Fee + plus the City's actual costs incurred in excess of \$5,000.00. Initial Fee is due at time of application any additional costs beyond the initial fee is due prior to the effective date of the agreement.
Annual Fee (ACC 20.04.170)	Actual City Costs
68. Street and Alley Right-of-Way Vacations: (Per Resolution No. 4143 and Resolution No. 5114.)	
Street and Alley Vacation Application Fee	\$7501,500.00
Land Value Compensation	Per ACC 12.48.085
79. Utility System Development Fees: (Per Ordinance No. 5819 and amended by Resolution No. 3797, Resolution No. 3953, Resolution No. 4272, and Resolution No. 4424 and Resolution No. 5114.) For all utilities, a charge in lieu of assessment or payback charges may be applicable for the proportional share of the utility line being connected to.	

a. Water Utility: Connection fees are comprised of a Water Service Installation Permit Fee and the System Development Charge as follows:

Meter Size (In Inches)	Water Service Installation Permit Fee			System Development Charge (SDC)
	Existing Water Service & Meter Box*	Water Service & Meter Box Installed by City**		
		Paved Street	Unpaved Street	
¾ or less	\$212.00 <u>290.00</u>	\$2,175.00 <u>2,250.00</u> [#]	<u>Actual</u> Cost <u>\$1,170.00</u>	\$2,424.00
1	\$280.00 <u>350.00</u>	\$2,380.00 <u>2,450.00</u> [#]	<u>Actual</u> Cost <u>\$1,475.00</u>	\$4,048.00
1-1/2	\$450.00 <u>550.00</u>	\$3,210.00 <u>3,350.00</u> [#]	<u>Actual</u> Cost <u>\$2,305.00</u>	\$8,072.00
2	\$560.00 <u>680.00</u>	\$3,488.00 <u>3,600.00</u> [#]	<u>Actual</u> Cost <u>\$2,588.00</u>	\$12,920.00
3	Actual Cost	Actual Cost	Actual Cost	\$24,240.00
4	Actual Cost	Actual Cost	Actual Cost	\$40,408.00
6	Actual Cost	Actual Cost	Actual Cost	\$80,792.00
8	Actual Cost	Actual Cost	Actual Cost	\$129,280.00
10	Actual Cost	Actual Cost	Actual Cost	\$135,971.00

*Installation of a water meter done by the City and the service either already exists or has been installed by the developer.

**Installation of the entire water service is done by the City.

[#]If meter installation or retrofit involves installation of a fire sprinkler line, fee is Actual Cost.

b. Sanitary Sewer Utility: Connection fees are comprised of a Permit Fee and the System Development Charge as follows:

Type	Permit Fee		System Development Charge (SDC)*
	Existing Sewer Stub	New Service Line Required	
Single Family Parcel	\$88.00	\$155.00	\$850.00 Per Parcel
Other Parcels	\$88.00	\$155.00	\$850.00 Per RCE**
Side sewer repair on private property	\$62.00		
Side sewer repair in right-of-way	\$105.00		

*Except that for multifamily residential units with separate water meters for each family unit, the sewer utility systems development charge will be calculated as one RCE per family unit.

** RCE, Residential Customer Equivalent - an RCE shall be as defined by the King County Department of Natural Resources.

In addition to City sanitary sewer connection fees, there shall be a sanitary sewer connection fee (King County Capacity Charge) imposed by King County to pay Capital Improvement fees to King County per the King County Rate Schedule.

c. Storm Drainage Utility: (Per Resolution No. 4566)

Connection fees are comprised of a Permit Fee and the System Development Charge as follows:

SYSTEM DEVELOPMENT CHARGE (SDC)

Type	System Development Charge (SDC)
Single Family Residence & Duplexes (on Individual Parcels)	\$1,162.00 per Parcel
Other Parcels	\$1,162.00 per ESU*

***ESU, Equivalent Service Unit - A configuration of development of impervious surfaces estimated to contribute an amount of runoff to the City's storm drainage system which is approximately equal to that created by the average single family residential parcel. One ESU is considered equal to 2,600 square feet of parcel coverage by impervious surfaces. Per ACC 13.48.010.**

When calculating the total SDC, a credit will be applied for the existing impervious area (New total SDC minus calculated SDC for existing impervious area using the new definition of impervious surface as given in ACC 13.41.010).

STORM PERMIT FEE

Permit Level**	Permit Fee
Level 1	\$210.00
Level 2	\$400.00
Level 3	Base Fee + the Cumulative Additional Fees as indicated below: Base Fee = \$1,440.00 for up to 10,000 SF of disturbed area Cumulative Additional Fee #1 = Base Fee + \$400.00 for 10,001 SF up to 43,560 SF (1 Acre) of disturbed area Cumulative Additional Fee #2 = Cumulative Additional Fee #1 + \$100.00 per Acre for each additional disturbed Acre over 1 Acre

**Permit levels are determined as follows:

- Level 1 permits are for all projects that are not located in a Critical Area and add or replace less than 2,000 square feet of impervious surface area; and/or disturb less than 7,000 square feet of land.
- Level 2 permits are for all projects that add or replace 2,000 to 4,999 square feet of impervious surface area; or disturb 7,000 square feet or more of land.
- Level 3 permits are for all projects that add 5,000 square feet or more of impervious surface area, or convert $\frac{3}{4}$ acres or more of native vegetation to lawn/landscaped area, or convert 2.5 acres or more of native vegetation to pasture, or the new plus replaced impervious surface area is 5,000 square feet or more and the value of improvements exceeds 50% of the assessed value of existing improvements.

810. Other Utility Fees: (Per Ordinance No. 5819, Ordinance No. 5944, Resolution No. 3797, Resolution No. 3953, and Resolution No. 4424 and Resolution No. 5114.)

Fire Service Line Permit ($\leq$ 3-inch fire service line)	\$135.00
Hydrant Meter Permit and Inspection Fee	\$238.00
Hydrant Meter Monthly Rate	\$31.0044.85
Hydrant Weekly Rate	\$31.00
Fire Hydrant Meter Wrench – Refundable Deposit	\$26.0038.00
Deposit – Hydrant Meter with RPBGA, Valve, and Wrench and Valve	\$1,449.001,965.00
Water Main Extension Purity Test Fee	\$181.00
Water Meter Test Fee, 2" or less	\$217.00
Water Meter Test Fee, greater than 2"	At Actual Cost
Storm Drainage Repair Permit – Private System on Private Property	\$31.00
Storm Drainage Repair Permit – System in Public Right-of-Way/Easement	\$57.00
Payback Administration Fees: (per Ordinance No. 5954)	
Application Fee	\$500.00
Processing Fee	\$1,000.00
Area of Special Benefit Analysis	\$500.00

Transaction/Collection Fee		\$300.00
Outside Professional Services		Time & Materials
911. Construction Permits: (Per Ordinance No. 5817, Resolution No. 3953, Resolution No. 4272, and Resolution No. 4424.)		
Basic Fee (BF)		\$150.00
Hourly Inspection Rate (HIR):		
Normal Business Hours		\$52.00
After Hours (includes weeknights, weekends, and holidays and will be charged at the after hours HIR x the duration of the work)		\$80.00
For Excavation Type Work:		Additional Fee (AF)
Length of Excavation (feet)		\$52.00
31 – 100 feet of excavation length		\$155.00
101 – 250 feet of excavation length		\$259.00
251 – 500 feet of excavation length		\$362.00
501 – 750 feet of excavation length		\$466.00
751 – 1000 feet of excavation length		
Fee Calculation:		
Permit Fee = BF + AF (for the appropriate length of excavation)		
If the excavation exceeds 1,000 linear feet		
Permit Fee = BF + \$466.00 + (HIR x (length of excavation – 1000/100))		
For Non-Excavation Type Work: This work includes any work in the public right-of-way that is not covered by any other permits and includes such things as overhead utility work, geotechnical borings, horizontal directional drilling and vault installation.		
Permit Fee = BF + (HIR x Permit Duration in Days)		
In Lieu of Fee: In lieu of the above standard rates, the city engineer or his/her designee may calculate the fee based upon current labor rates for administrative and inspection staff after developing an estimate of staff effort involved. For projects that are expected to involve significantly more than 1,000 feet of street excavation or when the scope or duration cannot be accurately estimated, the city engineer may establish a deposit account to manage permittee deposits in advance of permit issuance for reimbursing actual labor costs of administering the permit. Such deposit accounts will not be interest bearing and will be closed at the end of the permitted work when a final accounting of the permit administration cost shall be calculated and a final bill or credit issued to the permittee.		
4012. Memorial Sign Program: (Per Ordinance No. 6137, and Ordinance No. 6149)		
Memorial Sign		\$150.00
4113. Special Permits: (Per Ordinance No. 5817 and amended by Resolution No. 3953, Resolution No. 4272 and Resolution No. 4424.)		
Permit Type	Base Fee	Additional Per Linear Foot
Sidewalk	\$54.00	\$1.10/foot for each foot over 25 linear feet
Residential Driveway	\$54.00	\$1.65/foot for each foot over 20 linear feet*
Commercial Driveway	\$107.00	\$2.20/foot for each foot over 48 linear feet*
*Driveway widths are based on the width of the driveway apron in the right-of-way.		

1214. Street Payback Agreements: (Per Ordinance No. 6319 and Resolution No. 4624)	
Application Fee	\$500.00
Processing Fee	\$1,000.00
Assessment Reimbursement Area Analysis	\$1,000.00
Transaction/Collection Fee	\$300.00
Outside Professional Services (when needed)	Time and Materials

C. ANIMAL LICENSING FEES AND PENALTIES (Per Resolution No. 4868):

1. Animal License Fees		
Type	Comments	Cost
Juvenile	8 weeks to 6 months of age	\$15
Altered	Proof of spay/neuter required	\$30
Unaltered		\$60
Senior	Proof that pet is altered and proof that owner is 62 years of age or older consistent with ACC 13.24 is required.	\$15
Disabled	Proof that pet is altered and proof of disability required	\$15
Service Animal	With a signed statement, on the City Form, indicating that the owner of the animal has a disability and that the animal is a service animal, no license fee shall be charged by the City.	\$0
Replacement Tag		\$5
2. Late Payment Penalty		
Days Past Expiration	Type	Additional Cost
45-90	Late Fee	\$15
91-135	Late Fee	\$20
136-364	Late Fee	\$30
365 or more	Late Fee	\$30 + prior year's license fee

D. AUBURN MUNICIPAL AIRPORT FEES (Per Ordinance No. 5707, amended by Ordinance No. 5715 and Ordinance No. 5819, and amended by Resolution No. 3784, Resolution 3797, Resolution No. 3841, Resolution No. 3953, Resolution No. 4117, Resolution No. 4270, Resolution No. 4414, Resolution 4734, Resolution No. 4880, and Resolution No. 5016, and Resolution No. 5114)

1. Lease Fees	
Lease Type:	
Open Single	\$186.24192.00
Open Twin	
Closed R-2	\$217.42222.00
Closed R-9 & 10	\$289.51304.00
Outside Tiedowns	\$408.59417.00
Storage Rows 3-8	\$63.9668.00
Storage Units (185 sq. ft. – Buildings 9,10)	
Storage Units (298 sq. ft.)	\$108.85112.00
Storage Units (380 sq. ft. – Buildings 9,10)	\$96.8999.00
	\$116.77120.00
	\$148.96152.00
The West End Hangars located on Hangar rows 9 and 10 have an additional 298 square feet	

each. There shall be an additional ~~\$100.00~~110.00 per month surcharge for the additional space.

A security surcharge of \$5.00 per month is charged, in addition to the base monthly rental fees provided in this section, for each tie-down, each hangar door and each storage rental area, which security surcharge fees are to be used for the provision of increased security at the Auburn Municipal Airport (approved by Ordinance No. 5500 on January 16, 2001). For the purposes hereof, each tie-down consists of the structures/facilities necessary to accommodate one (1) regular sized light aircraft. Furthermore, the hangar doors to which the security surcharge applies includes all hangars located at the Auburn Municipal Airport, including those hangars built on land owned by the City but leased to private parties, and those hangars owned in a condominium type ownership.

The above lease and security surcharge amounts are subject to applicable leasehold taxes, which shall be paid by the tenant. The total charges, including the above lease rates plus lease hold tax and surcharge shall be reflected in monthly billing rates. Tenants shall be given notice as required by Ordinance or lease agreements. The Airport Lease rates shall be effective January 1, 2014.

Payments. Payments are due on the first of each month, past due as of the 5th and late as of the 15th. Payments not received by the 15th incur a \$10.00 late fee. Payments not received after 30 days from the due date incur an additional \$25.00 delinquency fee.

Automatic gate electronic cards. One automatic gate electronic card will be issued to each City rental tenant free of charge. Any additional electronic cards requested by a tenant are subject to a \$25.00 ~~non-refundable fee~~. A \$15.00 fee refund applies to all serviceable returned cards. An additional \$25.00 replacement fee will be assessed against the tenant for all lost or damaged electronic cards. All electronic cards must be returned to the airport at the time of lease expiration.

Each lease shall include an initial payment of first and last months' rent plus a damage deposit in the amount of two times the monthly base rate. Each lease agreement shall also include terms that authorize the city to apply the damage deposit to outstanding charges on termination.

2. Daily Transient Parking (overnight)

Tie Down	\$5
Open "T"	\$25
Enclosed Hangar	\$35

3. Base Parking Fee – Designated Spaces

A base vehicle parking fee of ~~\$52.50~~54.00 per month per designated space is charged. There are ten designated spaces available on a first come basis for pilots to park or store a vehicle for an extended period of time. All airport rules and regulations apply. A Vehicle Storage Permit must be completed and appropriate fees paid. The storage of vehicles is for convenience for the users of the Auburn Airport and is month-to-month.

4. Base Parking Fee – Tie Down Area Spaces

~~A base fee of \$100 per month is charged for use of vacant tie down area spaces for line controlled hobby aircraft. A designated area will be determined by the Airport Manager and a Memorandum of Understanding will be completed and signed by authorized individuals. This is a monthly fee charged from time to time for hobby club use.~~

5. Additional Airport Fees

Gate Cards (each lease gets one card at no charge. Additional cards cost \$25.00, non-refundable <u>A \$15.00 refund applies to all serviceable returned cards.</u>)	\$25
Aeronautical Business License (<i>includes listing of your business on airport</i>)	\$250

signs and airport webpage.)	
Hangar Waitlist Fee	\$50

E. POLICE DEPARTMENT FEES (Per Ordinance No. 5715 amended by Ordinance No. 6216, 5819, Resolution No. 3797, Resolution No. 3953, Resolution No. 4117, Resolution No. 4272, Resolution No. 4424, Ordinance 6216, Ordinance 6276, Resolution No. 4552, ~~and~~ Resolution No. 5016, ~~and~~ Resolution No. 5114. False Alarm fees per Ordinance No. 6216 amended by Ordinance Nos. 6252 and 6345.))

Type	Fees
Police Report/Collision Report (fee not charged where requested by victim or party involved)	\$13.25
Visa Letter	\$510.00
Fingerprinting Fees (fee not charged where taking of fingerprints is required by city)	\$15/card
Laminated Concealed Pistol License	\$3.50
Annual Alarm Registration Fees:	
Residential	\$24
Commercial	\$24
Residential Low Income Senior Citizen/Disabled Citizen	\$12
Late Registration Fee	\$25
Auburn Security Alarm License	\$10/each registered alarm user to a maximum of \$100 annually
Late License Fee	\$25
Reinstatement Fee	\$100 plus \$10/permitted user
False Alarm Service Fees	
Burglar False Alarm Service Fee*	\$100
Robbery, Panic and Burglary Crime in Progress False Alarm Fee*	\$200
Supplemental Fee for Non-permitted Alarm System, each alarm	\$200
Fee for false alarm caused by Monitoring Company or Alarm Installation Company employee	\$100
First Dispatch Report during time of suspension	\$100
Each dispatch thereafter	\$25
Late Fee	\$25
Appeals	\$25
*The alarm administrator will waive the first false alarm fee following the installation of an alarm system at a particular address.	

F. CITY CLERK FEES (Per Ordinance No. 5715, Ordinance No. 5819, Resolution No. 3797, Resolution No. 4244, and Resolution No. 5016, and Resolution No. 5114.)

Type	Fees
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Fees for public records – collection

Non-certified copies of public records	\$0.15 per page <u>plus postage</u>
Non-certified color copies (letter and legal sized)	\$0.55 per page
Non-certified color copies (11x17)	\$1.10 per page
Certified copies of public records	\$4.00-5.00 per page plus copying fees
Non-certified copies of public records where a search or documentation is required	\$4.00 for 1st page and \$2.00 each additional page
Scanning paper copies to PDF	\$0.15 per page
CD duplication	\$5.00 per disk
DVD duplication	\$10.00 per disk

Fees for Auburn City Code book and supplements

Copy of Auburn City Code book (with latest supplement)	\$100 per code book
Supplements to the Auburn City Code book	\$11 per copy

G. CITY CEMETERY FEES (Per Ordinance 5715, Resolution No. 3797, Resolution No. 3953, Resolution No. 4027, Resolution No. 4103, Resolution No. 4117, Resolution No. 4272 Resolution No. 4424, Resolution No. 4552, Resolution No. 4675, Resolution 4778 and, Resolution No. 4880, and Resolution 5114.)

Type	Fees
Graves	
Section 9A and 9B	\$2,395
All other adult graves	\$2,495 <u>\$2,595</u>
Child's Place	\$1,995
Double Depth (includes 2 burial spaces / 2 liners)	\$2,195 <u>\$2,295</u>
Section 9A and 9B (Quads and Upright monument plots)	\$300
Section 9B (Dry river bed area — Block 41A Plaza Estates)	\$4,390 <u>\$4,490</u>
	\$3,995 <u>\$4,995</u> each
	\$4,995 <u>\$9,995</u> each
Ground Cremation Plots	
Centennial Um Garden (single)	\$695 — <u>\$995</u>
Centennial Um Garden (double)	\$1,295 <u>\$1,895</u>
Section 9 Upright Section Um Plots (up to 4 urns)	\$3,195
Niches	
Mausoleum (top rows available only) — single	\$695
Centennial Columbarium II (1 or 2 urns) — Row 1 Top	SOLD OUT
Centennial Columbarium II (1 or 2 urns) — Row 2 Middle	SOLD OUT
Centennial Columbarium II (1 or 2 urns) — Row 3 Middle	\$1,795
Centennial Columbarium II (1 or 2 urns) — Row 4 Bottom	\$1,895 <u>\$1,995</u>
	\$1,695 — <u>\$1,795</u>
Chapel of Memories — Interior Niches* <u>Range From</u>	
12 x 12 Single	\$2,195 - \$3,595
12 x 18 Double	\$3,295 - \$5,995
12 x 24 Family (up to 3 urns)	\$6,895 - \$8,295
*The above niche prices include one bud vase per niche. Inurnment will be \$395.00 — \$495.00 <u>\$595.00</u> per occasion. See guidelines for additional pertinent information. A single inscription on the glass front is \$175.00 — \$195.00 <u>\$225.00</u> plus tax. Urn's to be purchased separately.	
Chapel of Memories — Exterior Niches*	
Rows 4, 5, & 6	\$2,695
Rows 2 & 3	\$2,295
Rows 1, 7, & 8	\$1,895
*If the niche (external) is to be used as a double niche, the inurnment, inscription and tax will be due when a second urn is placed. (Row 1 is the bottom row)	
OVERTIME WILL BE CHARGED AT \$150.00 — <u>\$175.00</u> PER HOUR AFTER 4:30 P.M., MONDAY THROUGH FRIDAY. THE SATURDAY SERVICE CHARGE IS \$595.00 — \$695.00 <u>\$795.00</u> FOR FULL INTERMENT AND \$325.00 — <u>\$395.00</u> FOR CREMATION SERVICES.	
Extended Land Use	\$495
Memorial Plaque - \$175 additional for inscription + tax	\$295
Services	
"Chapel of Memories" rental for services	\$195 <u>\$245</u>

Opening and Closing – Ground Burials	
Liner/Vault	\$1,195 –\$1,295
Children's Place	\$295
Opening and Closing – Cremation	
ForestWalk	
Cremation Plot	\$495 – \$595 <u>\$695</u>
Niche – \$175 – \$195 for additional inscription + tax	\$495 – \$595
Opening and Closing – Entombment - \$175 – \$195	\$395 <u>\$895</u>
Inscription + tax	<u>\$225</u>
Vault Installation + tax	\$395 <u>\$595</u>
Marker Services	
Flat Grass:	
Setting Fee + tax	\$295
Resetting Fee + tax	\$150
New Inspection Fee for outside sales	\$150 <u>\$175</u>
Upright	
Setting Fee + tax	\$425 <u>\$475</u>
Resetting Fee	\$325
Vase Setting Fee + tax	\$45
Recording Fee	\$100
Overtime Charge – per hour	\$175
Saturday Service Fee	
Full Interment	\$595 – \$695 <u>\$795</u>
Cremation	\$325 – \$395
Materials	
Flower Vases: (prices include vase setting fee)	
Standard	\$125 <u>\$150</u>
Deluxe Cast Zinc (gray or bronze zinc)	\$175 <u>\$195</u>
Deluxe Wall (brass)	\$175 <u>\$195</u>
Linens: Concrete Liner + tax	\$595 – \$695
Mountain View Vault (+ installation fee & tax)	\$795 – \$995 <u>\$1,295</u>
Double Depth + tax	\$895
Infant + tax	**as required
Urn Encasement + tax	\$195 <u>\$225</u>
Vault Installation + tax	\$395 – \$495
Forestwalk Informal Cremation Garden	
Single 3' Single Ground Plot	\$695 – \$995 <u>\$1,295</u>
Feature Site 4' Double Ground Plot	SOLD OUT
Double 4' Double Ground Plot	\$2,195 - \$3,995
Wishing Well Scattering	\$295
Biodegradable Urn	\$125 + tax
Add for 2 nd Inurnment	\$495 <u>\$595</u>
Granite Memorials Start At	\$295 <u>\$395</u> + tax
Add for 2 nd Marker Inscription	\$195 <u>\$225</u> + tax

H. PARKS AND RECREATION (Per Resolution No. 3797 and amended by Resolution No. 3953, Resolution No. 4117, Resolution No. 4272, Resolution No. 4424, Ordinance No. 6276, Resolution No. 4552, Resolution No. 4880, and Resolution No. 5016.)

Les Gove Building	Resident	Non-Resident
3 hour minimum Seven days a week 9 a.m. - 11 p.m.	\$20/hour	\$25/hour
Parks, Arts & Recreation Administration Building	Resident	Non-Resident
3 hour minimum Friday 5:30 - 11 p.m.; Saturday and Sunday 9 a.m. - 11 p.m.	\$40/hour	\$50/hour
Basic Kitchen	\$25	\$25
Gymnasium (athletics practice, birthday parties, etc.)	\$30/hour + Hourly Facility Attendant Fee When Required	\$40/hour + Hourly Facility Attendant Fee When Required
Gymnasium (tournaments, trade shows, fairs, etc.)	\$60/hour + Hourly Facility Attendant Fee When Required	\$75/hour + Hourly Facility Attendant Fee When Required
Damage Deposit	\$300	\$300
Optional Cleaning Fee	\$275	\$275
Senior Activity Center	Resident	Non-Resident
Full Facility (includes basic kitchen use) Available Friday evenings, Saturday and Sunday. Tables and chairs for up to 200 people max. 3 hr. minimum, 5:30-11 p.m. (Friday eve.); 5 hr. minimum, 9 a.m.-11 p.m.(weekend) Additional cleanup time is available after 11 p.m.	\$80/hour	\$100/hour
Rental Package Friday night & Saturday: 4 hours Friday and up to 12 hours of active use on Saturday	\$1,200	\$1,500
Rental Package Full Day Saturday or Full Day Sunday: up to 12 hours of active use on either day	\$1,000	\$1,300
Millennium Rooms Friday only, 3 hour minimum, 5:30 - 11 p.m., 63 people per room maximum, 3 rooms available; weekend options available within 30 days or less	\$30/hour + Hourly Facility Attendant Fee When Required	\$40/hour + Hourly Facility Attendant Fee When Required
Weese & Rotary Rooms Monday – Friday, 2 hour minimum, 5:30 - 11 p.m., 40 people per room maximum; weekend options available within 30 days or less	\$20/hour + Hourly Facility Attendant Fee When Required	\$25/hour + Hourly Facility Attendant Fee When Required
*Additional Cleanup time available 11:00 p.m. – midnight	\$80	\$100
Damage & Cleaning Deposit (for Full Facility and Millennium room rentals) without alcohol	\$300	\$300
Damage & Cleaning Deposit (for Full Facility and Millennium room rentals) with alcohol (\$1,000,000 excess liability insurance required)	\$500	\$500
Optional cleaning fee (fee required with use of alcohol in facility)	\$275	\$275
Commercial kitchen and/or use of dishes, tableware, pots, etc.	\$50	\$50

Basic Kitchen	\$25	\$25		
William C. Warren Building	Resident	Non-Resident		
3 hour minimum Seven days a week 9 a.m. - 11 p.m.	\$40/hour	\$50/hour		
Baseball/Softball/Grass Fields (Reservations made in 1.5 hour increments)	Resident	Non-Resident		
Youth	\$10/1.5 hour	\$13/1.5 hour		
Adult	\$23/1.5 hour	\$30/1.5 hour		
Field Lights	\$30/1.5 hour	\$30/1.5 hour		
Field Maintenance	\$30 per field	\$30 per field		
Baseball/Softball/ Fastpitch Tournaments (Reservations made for 1 or 2 day tournaments)	1 Day	2 Day		
Youth	\$700	\$1,000		
Adult	\$900	\$1,300		
Field Lights	\$30/1.5 hour	\$30/1.5 hour		
Synthetic Turf Fields (Reservations made in 1.5 hour increments)	Resident	Non-Resident		
Youth	\$45/1.5 hour	\$60/1.5 hour		
Adult	\$60/1.5 hour	\$75/1.5 hour		
Field Lights	\$30/1.5 hour	\$30/1.5 hour		
Game Farm Wilderness Park Campgrounds	Resident	Non-Resident		
Daily, Open year round 7 nights maximum	\$25/night	\$25/night		
Game Farm Wilderness Park Day Camp Area	Resident	Non-Resident		
Daylight hours, April 1 - October 15 Minimum Rental: 1 day	\$75/day	\$50 Non Profit		
Picnic Shelters	Auburn residents		Non-residents	
Game Farm Park	Half Day*	Full Day*	Half Day*	Full Day*
Single quadrant (max: 25)				
Monday – Friday	\$30	\$50	\$40	\$65
Saturday - Sunday	N/A	N/A	N/A	N/A
Full day				
Mon-Sun (Full Shelter) 1-99	\$120	\$200	\$150	\$250
Mon-Sun (Full Shelter) 100-199	\$180	\$300	\$225	\$375
Mon-Sun (Full Shelter) 200+ (must also rent amphitheater)	N/A	\$375	N/A	\$475
Amphitheater	\$75	\$125	\$100	\$175
Isaac Evans Park	\$60	\$100	\$75	\$125
Lea Hill Park	\$60	\$100	\$75	\$125
Roegner Park	\$60	\$100	\$75	\$125
Game Farm Wilderness Park	\$60	\$100	\$75	\$125
Les Gove Park	\$60	\$100	\$75	\$125
Sunset Park				
Mon-Sun Single Quadrant (max: 25)	\$30	\$50	\$40	\$65
Mon-Sun (Full Shelter) 1-99	\$120	\$200	\$150	\$250
Mon-Sun (Full Shelter) 100-199	\$180	\$300	\$225	\$375
Mon-Sun (Full Shelter) 200+	NA	\$375	NA	\$475
Rental Rate Schedule for Auburn Ave Theater	Resident		Non-Resident	

Weekdays Mon-Thur	\$170.00	\$200.00 215.00
Weekend Days (Fri., Sat., and Sun.)	\$270.00	\$320.00 340.00
Damage deposit. The terms and conditions for full or partial refund of deposit apply to approval of Check-Out List, including theater, equipment plot restoration.	\$300.00	\$300.00
Hourly commercial rate for meetings 2 hour min. for "4-wal" only of lobby, auditorium, and stage	\$35/hr	\$35 45/hr
Equipment not included: Use of any theatrical equipment additional charge	\$30/hr	\$30 40/hr
\$1,000,000 excess liability insurance required	Upon request	Upon request
Cleaning Fee	\$100.00 130.00	\$100.00 130.00
Rental Rate Schedule for Commercial Filming	Resident	Non-Resident
Permit Fee	\$50	
Still Photography/Training and Industrial Films, etc	\$50 per 1/2 day	\$100 per day
Broadcast, Film, TV, Commercial, etc.	\$75 per 1/2 day	\$150 per day
Electricity/Water Access, Park Maintenance Staff, Vehicle Access	Hourly staff cost	
Damage Deposit	\$100	
Impact Fees:		
Park Impact Fees	\$3,500.00 per residential dwelling unit	

I. MULTIMEDIA DUPLICATION *(Per Resolution No. 3953 and Resolution No. 4552.)*

Product	Cost
DVD Copy	\$10.00 per disk
CD Copy	\$5.00 per disk

J. INFORMATION SERVICES AND GIS¹³ *(Per Resolution No. 4272, Ordinance 6276, Resolution No. 4552, and Resolution No. 4593.)* Much of the City's geographic data is available for sale per the prices below plus Washington State sales tax. A signed public records request form is required. Most public records requests can be completed within seven to ten business days and will be delivered in ESRI Shapefile format without Metadata.

Product	Cost
Maps	
Existing Map	\$5.00 + tax
Custom Maps (any non-existing map)	\$50.00 per hour ¹⁴ + tax
Data	
Digital Data Requests	\$50.00 per hour ¹⁵ + tax
Miscellaneous	
CD-Rom	\$5.00 + tax
All other requests for data or information not specifically listed	\$50.00 per hour + tax

¹³ Hourly charge to complete any of the below (one hour minimum charge).

¹⁴ Hourly charge includes the cost of processing and providing custom map requests.

¹⁵ Hourly charge includes the cost of processing and providing digital data requests.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5115

Date:

December 8, 2014

Department:

Administration

Attachments:

[Agenda Bill notes](#)

[Res 5115 and Attachment](#)

Budget Impact:

\$0

Administrative Recommendation:

Approve Resolution No. 5115

Background Summary:

See attached sheet

Reviewed by Council Committees:

Councilmember: Holman

Staff: Heid

Meeting Date: December 15, 2014

Item Number: RES.B

The current provisions of the City Council Rules of Procedure identify the sequence of order for items on meeting agendas. Those agenda items are placed in order of the classification and category, e.g., all ordinances are placed together and all resolutions are placed together, with resolutions following ordinances. The Rules of Procedure currently allow for and accommodate changes to the agenda to add or subtract items (agenda modifications), and even accommodate moving items from within their category or classification (changing the sequence of action where, for instance, one resolution will be moved up on the agenda to be considered in advance of other resolutions). There is also some flexibility that is allowed to place one item at a different place if it can fall within multiple categories or classifications, e.g., moving an item to “new business” rather than considering it under “resolutions.” However, there may be occasions when it would be advantageous to take items out of their order and consider them at an earlier or later time, depending upon the circumstances or parties in attendance at the meeting. The proposed language (below) would accommodate movement of items when convenient or appropriate to do so, regardless of their category, classification or relationship to other items.

3.4 Amendment to Agenda - The sequence of handling items on the agenda of a particular Regular Council Meeting may be amended from order listed on the printed/approved agenda as follows:

- A. Motion to Suspend the Rules. Any member of the City Council may move to suspend the rules so as to provide that an item on the agenda may be taken out of order - considered at a different order or placement in the agenda. Such motion shall require a second, and upon approval by a majority of Councilmembers in attendance at the meeting, the item shall be considered at the point in the agenda as indicated in the approved motion.
- B. Adjustment of Agenda by Mayor. If the Mayor, as the presiding official, determines that an item on the agenda of a Regular Council Meeting should be taken out of order - considered at a different order or placement in the agenda as set forth in the agenda - to accommodate members of the City Council or others at the Council Meeting, the Mayor may call for the amendment of the agenda to accomplish such adjustment. Such action by the Mayor does not require a motion or vote by the City Council; provided that if the City Council does not wish to have the item moved - agenda adjusted - as directed by the Mayor, the City Council may, by motion duly made, seconded and approved by a majority of Councilmembers in attendance at the meeting keep the agenda unchanged.

NOTE: The *un-highlighted* language of Section 3.4 is consistent with *Robert's Rules of Order* and would not be required to be stated as such. However, the “authority” for the Mayor to make such amendment to the agenda - **the highlighted text** - is not currently included in the applicable rules of procedure - Robert's Rules of Order or the City Council Rules of Procedure. But with the

inclusion of the **highlighted text**, the *un-highlighted* text should be included to avoid confusion or inconsistent results.

ALSO NOTE: The current provisions of Council Rules of Procedure do accommodate adding new items and even moving them around and changing the order, but only with respect to adding or moving items within their classification or category in the agenda. See, for example, Section 5.4 (F) of the Council Rules of Procedure (below). This Rule would not accommodate taking an item out of order and, for instance, having a resolution considered before the ordinances. There may be instances when it would be advantageous to make such a move. This amendment to the Rules would allow for that. Also, there may be times when an item sought to be moved bears no close relationship to another item (as addressed by Section 5.4 (F)). This amendment to the Rules would give added flexibility to the order of items on the agenda and allow such a change in order – when it makes sense to do so.

5.4. F. When matters on the agenda are placed, or are able to be placed under more than one classification or category, as defined by the Order of Business, and the matters involve or are closely related to other subject matter, then the Presiding Officer may, in the Presiding Officer's discretion, present such matters before the Council, for discussion, consider and vote, at a different place in the agenda without the necessity of any vote thereon, notwithstanding their initial different placement on the written agenda.

RESOLUTION NO. 5 1 1 5

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
AUBURN, WASHINGTON, AMENDING THE CITY COUNCIL
RULES OF PROCEDURE AS ADOPTED BY ORDINANCE
NO. 5802 AND AMENDED BY RESOLUTION NOS. 4282,
4429, 4467, 4615, 4686, 4740, 4813, 4909, 5105 AND 5112

WHEREAS, on February 2, 2004, the Auburn City Council adopted Ordinance No. 5802 approving the Rules of Procedure of the City Council; and

WHEREAS, Ordinance No. 5802 also provided that future amendments or modifications to the Council Rules of Procedure could be accomplished by Resolution properly introduced and passed by the City Council; and

WHEREAS, on December 12, 2007, December 15, 2008, April 6, 2009, July 6, 2010, February 22, 2011, August 15, 2011, May 21, 2012, February 19, 2013, November 3, 2014 and December 1, 2014, the City Council passed Resolution Numbers 4282, 4429, 4467, 4615, 4686, 4740, 4813, 4909, 5105 and 5112, respectively, which Resolutions adopted certain modifications to the Council Rules of Procedure; and

WHEREAS, the current provisions of the Council Rules of Procedure identify the order of items on meeting agendas, and their placement based upon their category and classification; and

WHEREAS, while there are some provisions that would accommodate adding or removing agenda items (agenda modifications) and accommodate movement of agenda items within their categories and classifications, there may be occasions when it would be beneficial to take an item out of order and out of the sequence of the agenda item's category or classification; and

Resolution No. 5115
December 5, 2014
Page 1 of 3

WHEREAS, in order to accommodate such agenda item movement, it is appropriate to amend the Council Rules of Procedure.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, IN A REGULAR MEETING DULY ASSEMBLED, HEREWITH RESOLVES AS FOLLOWS:

Section 1. The Rules of Procedure of the City Council, as adopted by Ordinance No. 5802 on February 2, 2004, amended by Resolution No. 4282 on December 12, 2007, Resolution No. 4429 on December 15, 2008, Resolution No. 4467 on April 6, 2009, Resolution No. 4615 on July 6, 2010, Resolution No. 4686 on February 22, 2011, Resolution No. 4740 on August 15, 2011, Resolution No. 4813 on May 21, 2012, Resolution No. 4909 on February 19, 2013, Resolution No. 5105 on November 3, 2014, and Resolution No. 5112 on December 1, 2014, are hereby amended as set forth in Exhibit "A", attached hereto and incorporated herein.

Section 2. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

Section 3. This Resolution shall take effect and be in full force and effect upon passage and signature hereon, and on January 1, 2015.

DATED and SIGNED this ____ day of _____, 2014.

CITY OF AUBURN

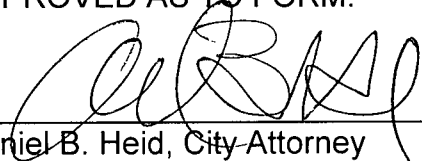
ATTEST:

NANCY BACKUS, MAYOR

Danielle E. Daskam, City Clerk

Resolution No. 5115
December 5, 2014
Page 2 of 3

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

**RULES OF PROCEDURE OF THE CITY COUNCIL OF
THE CITY OF AUBURN, WASHINGTON**

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**RULES OF PROCEDURE OF THE CITY COUNCIL OF
THE CITY OF AUBURN, WASHINGTON**

SECTION 1 - AUTHORITY

The Auburn City Council hereby establishes the following rules for the conduct of Council meetings, proceedings and business. These rules shall be in effect upon adoption by resolution of Council and until such time as they are amended or new rules are adopted in the manner provided by these rules.

SECTION 2 - COUNCIL MEETINGS

All meetings of the City Council shall be open to the public and all persons shall be permitted to attend any meeting of this body, except as provided in RCW Chapter 42.30.

The City Clerk shall be responsible for preparing agendas for all City Council meetings pursuant to the authority of Section 2.03.100 of the City Code¹.

The City Clerk shall cause to be prepared action minutes of all of the Council meetings, which minutes shall contain an account of all official actions of the Council. Council meetings shall be electronically recorded and retained for the period of time as provided by State law.

- 2.1 **Regular Meetings** - In accordance with Sections 2.06.010(A) and 2.06.020 of the City Code, the regular meetings of the City Council shall held on the first and third Mondays of every month in the City Hall Council Chambers located at 25 West Main Street, Auburn, Washington. The regular meeting location may be changed by a majority vote of the City Council.

Regular Council meetings will begin at the hour of 7:00 p.m.

A quorum shall constitute four or more Councilmembers for the transaction of business.

In the event that a scheduled Regular Council meeting falls on a legal holiday, the meeting shall be held at 7:00 p.m. on the first business day following the holiday.

The Presiding Officer shall be as set forth in Section 5.1 herein.

The Presiding Officer shall be seated at the center of the dais, and the Deputy Mayor shall be seated to the Presiding Officer's immediate left. When the Deputy Mayor is acting as the Presiding Officer, in the absence of the Mayor, the Deputy Mayor shall be seated in the center of the dais. The seating arrangement for the other members of the Council shall be as directed by the City Council pursuant to a motion duly made and seconded and approved by a majority of the City Council, following the recommendation of an ad hoc committee of three Councilmembers called for that purpose.

¹ 2.03.100 Meeting coordination duties.

The mayor or the mayor's designee shall be responsible for the preparation of agendas for the meetings of the council and of the various boards, commissions and committees of the city, and for including in those agendas the items and issues forwarded by the city council and/or or by the ad hoc committees designated to act on behalf of the city council, and for including in those agendas the items and issues proposed by the mayor and city administration, for consideration by the council. The mayor or the mayor's designee shall also be responsible for publishing notices for meetings and for public hearings for the meetings of the council and the various boards, commissions and committees of the city, and for setting the dates and times for said public hearings, except in those instances when setting dates and times for public hearings is required by statute to be done through council resolution. (Ord. 6405 § 1, 2012; Ord. 5761 § 1, 2003.)

[See ACC 2.06.010 (Ord. 3916 § 1, 1983; 1957 code § 1.04.010); ACC 2.06.020 (Ord. 3759 § 1, 1982; 1957 code § 1.04.020); ACC 2.06.030 (1957 code § 1.04.060); ACC 2.06.080 (1957 code § 1.04.090).]

2.2 **Study Sessions** - In accordance with Sections 2.06.010(B) and 2.06.020 of the City Code, Study Sessions of the City Council shall held on the second, fourth and fifth Mondays of every month in the City Hall Council Chambers located at 25 West Main Street, Auburn, Washington. The regular meeting location of Study Sessions may be changed by a majority vote of the City Council. Study Sessions shall be subject to the following:

- A. The Deputy Mayor shall preside over Study Sessions.
- B. Study Sessions will begin at the hour of 5:30 p.m.
- C. A quorum shall constitute four or more Councilmembers for the transaction of business.
- D. In the event that a scheduled Study Session falls on a legal holiday, the meeting shall be held at 5:30 p.m. on the first business day following the holiday.
- E. No particular seating arrangement shall be required for the Deputy Mayor or other members of the Council, or for the Mayor or any other persons invited to sit at the table of Study Sessions.

2.3 **Regular Meeting Times:**²

The regularly scheduled meetings of the City Council shall be held at the following times, unless re-scheduled and/or reset to different times:

- A. First Monday of the month - Regular Council Meeting - - 7:00 PM
- B. Second Monday of the month - Council Study Session - - 5:30 PM
- C. Third Monday of the month - Regular Council Meeting - - 7:00 PM.
- D. Fourth Monday of the month - Council Study Session - - 5:30 PM
- E. Fifth Monday of the month - Council Study Session - - 5:30 PM.

2.4 **Special Meetings** - In accordance with Section 2.06.040 of the City Code and Section 35A.12.110 RCW, a special meeting of the City Council may be called by the Mayor or any three members of the Council by written notice delivered to

² Any of these regularly scheduled meetings may be cancelled if not needed.

each member of the Council at least 24 hours before the time specified for the proposed meeting; provided, however, that no ordinance or resolution shall be passed, or contract let or entered into, or bill for the payment of money allowed, at any special meeting unless public notice of such meeting has been given by such notice to the local press, radio and television as will be reasonably calculated to inform the city's inhabitants of the meeting.

[See ACC 2.06.040 (1957 code § 1.04.070).]

- 2.5 **Emergency Meetings** - Emergency meetings may be called by the Mayor, in accordance with Section 42.30.070 RCW, when by reason of fire, flood, earthquake, or other emergency, there is a need for expedited action by the City Council to meet the emergency, in which case, the meeting site notice requirements otherwise applicable shall not apply.

- 2.6 **Executive Sessions** - A Council meeting that is closed except to the Council, the Mayor, City Attorney and authorized staff members and/or consultants authorized by the Mayor. The public is restricted from attendance.

Executive sessions may be held during Regular and Special meetings of the City Council, and will be announced by the Presiding Officer. Executive session subjects are limited to considering such matters as permitted by State law.

[See former ACC 2.06.070 (1957 code § 1.04.080).]

- 2.7 **Cancellation of Meetings** - Meetings may be canceled by a majority vote of the Council and proper notice given by the City Clerk.

SECTION 3 - ORDER OF BUSINESS OF REGULAR COUNCIL MEETING AGENDA

All items to be included on the Council's agenda for consideration should be submitted to the City Clerk, in full by 12:00 Noon on the Tuesday preceding each regular Council meeting. The City Clerk shall then prepare a proposed agenda according to the order of business, for approval by the Mayor, or his/her designee. A final agenda will then be prepared by the City Clerk and distributed to Councilmembers as the official agenda for the meeting.

In connection with the action of the City Council at Regular Council Meetings, certain items of business shall be subject to First and Second Readings prior to final approval by the City Council.

- 3.1 The protocol for First and Second Readings shall be as follows:

A. First and second readings apply to Ordinances only.

- B. Resolutions/consent items/contract awards, etc. would still be acted on at only one Regular Council Meeting.
- C. Ordinance action, especially those resulting in changes to City codes – to which First and Second Readings would apply – may take more consideration and discussion than other types of action.
- D. First and Second Readings would be beneficial to a transparent public process.
- E. First Reading — discussion only at one Regular Council Meeting.
- F. Second Reading — action at the next Regular Council Meeting or could be a future subsequent Council meeting depending on Council's discussion and any needed staff follow-up.
- G. Provides Council with opportunity to ask questions and get information at First Reading.

3.2 The agenda format of the Regular City Council meeting shall be as follows:

- A. Call to order.

The Presiding Officer shall call the meeting to order.

- B. Pledge of Allegiance.

The Presiding Officer, Councilmembers and, at times, invited guests will lead the Pledge of Allegiance.

- C. Roll call.

The City Clerk will call the roll. Councilmembers may request to be excused from a meeting by requesting the same of the Mayor in advance of the meeting. The reason for the request shall be given at the time of the request.

- D. Announcements, Proclamations and Presentations

A proclamation is defined as an official announcement made by the Presiding Officer or the City Council regarding a non-controversial event, activity or special interest group which has a major city-wide impact.

- E. Appointments

Appointing individuals to various committees, boards and commissions. Confirmation of appointments, where confirmation is called for, may be preceded by discussion in executive session, where appropriate.

F. Agenda modifications

Changes to the Council's published agenda are announced at this time.

G. Public Hearings and Appeals

Individuals may comment on public hearing and appeal items, provided that when an appeal is a closed record appeal, the matter shall be considered based on information, evidence and documents in the record. Argument on the appeal shall refer only to matters, information, documents and evidence presented at the underlying hearing from which the appeal is taken, and no new information, evidence or documents may be added, and argument on the appeal may only deal with information, evidence and documents in the record. The Presiding Officer will state the public hearing and/or appeal procedures before each hearing.

H. Audience Participation

Members of the audience may comment on items relating to any matter related to City business under the Audience Participation period. Comments are limited to three (3) minutes per person, and a total of fifteen (15) minutes per topic. Groups who have a designated speaker may have a total of ten (10) minutes to speak. Public comments sign-up forms will be available at the City Clerk's desk at each meeting for use of those citizens wishing to address the Council. The City Clerk shall serve as timekeeper. The Presiding Officer may make exceptions to the audience participation time restrictions when warranted, in the discretion of the Presiding Officer.

Citizens may also speak on individual agenda items on the printed agenda at the time they are considered by the Council as requested by the Presiding Officer.

I. Correspondence

J Council Ad Hoc Committee Reports

Council ad hoc Committee Chairs may report on the status of their ad hoc Council Committees' progress on assigned tasks and may give their recommendations to the City Council, if any.

K. Consent Agenda

Approval of the Consent Agenda, including items considered to be routine and non-controversial, may be approved by one motion. Items on the Consent Agenda include but are not limited to the following. Any Councilmember may remove any item from the Consent Agenda for separate discussion and action.

1. Approval of minutes.
2. Fixing dates for public hearings and appeals.
3. Approval of claims and vouchers, bid awards and contracts.
4. Approval of surplus property.
5. Other items designated by the City Council.

L. Unfinished Business

Unfinished business of a general nature and that it was removed from the Consent Agenda for separate discussion and action.

M. New Business

Business, other than ordinances and resolutions, that has not been previously before the City Council.

N. Ordinances

1. All ordinances shall be in writing, and the titles thereof shall be read aloud by the City Attorney prior to a vote being called on their adoption, provided that any councilmember may upon request, have a full reading of the text of a proposed ordinance prior to the vote on its adoption. It shall not require a second to the request for a full reading of an ordinance. It is further provided, however, that the requirement for a reading of the title of the proposed ordinance, or a full reading of the text of the proposed ordinance may be waived upon a motion duly made, seconded and approved by a majority of the councilmembers in attendance at the council meeting.
2. First & Second Reading

Prior to the vote on a motion to adopt or otherwise address an Ordinance, each Ordinance shall be submitted to the City Council for its consideration at a First and Second Reading, as follows:

- a. First Reading. The First Reading of an Ordinance shall take place at a Regular City Council Meeting.
 1. The Ordinance shall be included on the Meeting Agenda under Ordinances and shall include the indication of "First Reading."
 2. The Ordinance shall be read by the City Attorney, in accordance with Section 3.2, Paragraph M, of these Rules.
 3. The Ordinance shall be placed before the City Council by a motion to adopt or approve the Ordinance, which motion shall be seconded.
 - a) After the motion is seconded, Councilmembers may discuss the merits of or issues related to the Ordinance.
 - b) If there is no second to the motion, the motion dies.
 - c) Discussion on the motion shall be in accordance with Section 7 of these Rules.
 - d) There shall be no vote on the motion until after the Second Reading, unless the Second Reading is waived as provided for below.
- b. Waiver of Second Reading. The City Council may choose to waive the Second Reading of an Ordinance if it feels the need for expedience in adopting or acting on the Ordinance.
 1. Waiver of Second Reading shall be made by a motion to waive the Second Reading, duly seconded and approved by a super-majority [a majority plus one] of Councilmembers present.
 2. If the Second Reading is waived, the City Council may approve or act on the Ordinance at the point in the agenda following the approval of the motion to waive Second Reading.

c. Second Reading. The Second Reading of an Ordinance shall take place at the Regular City Council Meeting next following the date of the Regular City Council Meeting of the First Reading of the Ordinance.

2. The Ordinance shall be included on the Meeting Agenda under Ordinances and shall include the indication of "Second Reading."

3. The Ordinance shall be read by the City Attorney, in accordance with Section 3.2, Paragraph M, of these Rules.

4. No new motion is necessary to place the Ordinance before the City Council if a motion to adopt or approve the Ordinance was duly made and seconded on the date of the meeting of the First Reading. Councilmembers may discuss the merits of or issues related to the Ordinance.

a) Discussion on the motion shall be in accordance with Section 7 of these Rules.

b) Following discussion on the motion, the City Council may vote on the motion or take such other action as is appropriate under these Rules of Procedure or other appropriate rules of parliamentary procedure.

After a motion to adopt an ordinance has been made and seconded, the Councilmember making the motion is encouraged to give a very brief description of the issues involved with the ordinance, without simply repeating the ordinance title as read by the City Attorney and may choose to comment on any results of Council discussion or action regarding the issue.

Discussion and debate by the City Council on ordinances will be held prior to the vote on an ordinance. Councilmembers shall decide whether or not to amend the ordinance, or direct staff to further review the proposed ordinance.

An ordinance shall be adopted by a majority vote of a quorum of the City Council, provided that adoption of any ordinance that grants or revokes a franchise or license shall require the affirmative vote of at least a majority of the whole membership of the Council, and provided that public emergency ordinances require a vote of a majority plus one of the whole Council membership. A public emergency ordinance is one designated to protect public health and safety, public property, or public peace.

O. Resolutions

All resolutions shall be in writing, and the titles thereof shall be read aloud by the City Attorney prior to a vote being called on their passage, provided that any councilmember may upon request, have a full reading of the text of a proposed resolution prior to the vote on its passage. It shall not require a second to the request for a full reading of a resolution. It is further provided, however, that the requirement for a reading of the title of the proposed resolution, or a full reading of the text of the proposed resolution may be waived upon a motion duly made, seconded and approved by a majority of the councilmembers in attendance at the council meeting.

After a motion to pass a resolution has been made and seconded, the Councilmember making the motion is encouraged to give a very brief description of the issues involved with the resolution without simply repeating the resolution title as read by the City Attorney, and the councilmember may choose to comment on any results of Council discussion or action regarding the issue.

Discussion and debate by the City Council on resolutions will be held prior to the vote on a resolution. Councilmembers shall decide whether or not to amend the resolution, or direct staff to further review the proposed resolution.

A resolution shall be passed by a majority vote of a quorum of the Council, Provided that passage of any resolution for the payment of money shall require the affirmative vote of at least a majority of the whole membership of the Council.

P. Mayor and Councilmember Reports

The Mayor and Councilmembers may report on their significant City-related activities since the last regular meeting. The Mayor and Councilmembers shall limit their reports to not more than three (3) minutes, with sensitivity to avoiding duplicate reporting.

Q. Adjournment

- 3.3. Recess - The foregoing agenda may be interrupted for a stated time as called by the Presiding Officer to recess for any reason, including executive sessions.

3.4 Amendment to Agenda - The sequence of handling items on the agenda of a particular Regular Council Meeting may be amended from order listed on the printed/approved agenda as follows:

- A. Motion to Suspend the Rules. Any member of the City Council may move to suspend the rules so as to provide that an item on the agenda may be taken out of order - considered at a different order or placement in the agenda. Such motion shall require a second, and upon approval by a majority of Councilmembers in attendance at the meeting, the item shall be considered at the point in the agenda as indicated in the approved motion.
- B. Adjustment of Agenda by Mayor. If the Mayor, as the presiding official, determines that an item on the agenda of a Regular Council Meeting should be taken out of order - considered at a different order or placement in the agenda as set forth in the agenda - to accommodate members of the City Council or others at the Council Meeting, the Mayor may call for the amendment of the agenda to accomplish such adjustment. Such action by the Mayor does not require a motion or vote by the City Council; provided that if the City Council does not wish to have the item moved - agenda adjusted - as directed by the Mayor, the City Council may, by motion duly made, seconded and approved by a majority of Councilmembers in attendance at the meeting keep the agenda unchanged.

[See former ACC 2.06.110 (Ord. 5687 § 1, 2002; Ord. 4166 § 2, 1986); ACC 2.06.120 (1957 code § 1.04.120.); ACC 2.06.140 (1957 code § 1.04.140.); ACC 2.06.170 (1957 code § 1.04.190.); ACC 2.06.180 (Ord. 5635 § 2, 2002; 1957 code § 1.04.200).]

SECTION 4 - COUNCILMEMBER ATTENDANCE AT MEETINGS

- 4.1 Councilmembers shall attend Regular Council meetings and Study Sessions. Councilmembers shall inform the Mayor or the City Clerk if they are unable to attend any Regular Council meeting or Study Session, or if they knowingly will be late to any such meetings. If a Councilmember has informed the Mayor or City Clerk that he or she is unable to attend such meeting, the minutes for that meeting will show the Councilmember as having an excused absence for that meeting. Provided that excessive, continued or prolonged absences may be addressed by the City Council on a case by case basis.

[See ACC 2.06.050 and RCW 35A.12.060]

- 4.2 Councilmembers are expected to attend the meetings of the Ad Hoc Council Committees to which they are assigned. Councilmembers should inform the Chair of such Ad Hoc Council Committees or the City Clerk if they are unable to

attend any meetings of such Ad Hoc Council Committees, and should inform the Chair or City Clerk if they expect to be late to any such Ad Hoc Council Committee meeting. If a Councilmember has informed the Chair or City Clerk that he or she is unable to attend such Ad Hoc Committee meeting, the minutes for that meeting, if minutes are required and/or taken, shall show the Councilmember as having an excused absence for that meeting. Provided that excessive, continued or prolonged absences may be addressed by the City Council on a case by case basis.

- 4.3 Councilmembers shall attend the Special Meetings of the City Council. Councilmembers, shall inform the Mayor or the City Clerk if they are unable to attend any such meetings, or shall so inform the Mayor or City Clerk if they expect to be late to any such Special meeting. If a Councilmember has informed the Mayor or City Clerk that he or she is unable to attend such Special meeting, the minutes for that meeting shall show the Councilmember as having an excused absence for that meeting. Provided that excessive, continued or prolonged absences may be addressed by the City Council on a case by case basis.
- 4.4 Attendance at Ad Hoc Council Committee meetings and Special meetings will not be considered “regular meetings” for the purposes of RCW 35A.12.060, applicable to Regular City Council meetings. However, in addition to the application of RCW 35A.12.060 to Regular City Council meetings, unexcused absences from any Regular or Special meetings, or Ad Hoc Committee meetings, shall constitute a violation of these Rules of Procedure.

SECTION 5 - PRESIDING OFFICER - DUTIES

5.1 Conduct of Meetings

The Presiding Officer at all Regular Meetings of the Council shall be the Mayor and in the absence of the Mayor, the Deputy Mayor will act in that capacity. If both the Mayor and Deputy Mayor are absent and a quorum is present, the Council shall elect one of its members to serve as Presiding Officer until the return of the Mayor or Deputy Mayor. Additionally, the Deputy Mayor shall serve as the presiding officer for Council Study Sessions. It is further provided that, though not the Presiding Officer of Study Sessions, the Mayor is encouraged to attend Study Sessions.

[See former ACC 2.06.090 (1957 code § 1.04.100).]

5.2 The Presiding Officer:

- A. Shall preserve order and decorum at all meetings of the Council and cause the removal of any person from any meeting for disorderly conduct;

- B. Shall observe and enforce all rules adopted by the Council;
- C. Shall decide all questions on order, in accordance with these rules, subject to appeal by any Councilmember;
- D. Shall recognize Councilmembers in the order in which they request the floor, giving every councilmember who wishes an opportunity to speak, provided that the mover of a motion shall be permitted to debate it first, and provided that the Presiding Officer may also allow discussion of an issue prior to the stating of a motion when such discussion would facilitate wording of a motion;
- E. May affix approximate time limit for each agenda item;
- F. When matters on the agenda are placed, or are able to be placed under more than one classification or category, as defined by the Order of Business, and the matters involve or are closely related to other subject matter, then the Presiding Officer may, in the Presiding Officer's discretion, present such matters before the Council, for discussion, consider and vote, at a different place in the agenda without the necessity of any vote thereon, notwithstanding their initial different placement on the written agenda.

[See former ACC 2.06.100 (1957 code § 1.04.170.); ACC 2.06.190 (1957 code § 1.04.210).]

SECTION 6 - COUNCILMEMBERS

- 6.1 Remarks. - Councilmembers desiring to speak shall address the presiding officer, and when recognized, shall confine himself/herself to the question under debate.
- 6.2 Questioning. - Any member of the Council, including the Presiding Officer, shall have the right to question any individual, including members of the staff, on matters germane to the issue properly before the Council for discussion. Under no circumstances shall such questioning be conducted in a manner to the extent that such would constitute a cross-examination of or an attempt to ridicule or degrade the individual being interrogated.
- 6.3 Obligation to the Public Agency. - Notwithstanding the right of Councilmembers to express their independent opinions and exercise their freedom of speech, Councilmembers should act in a way that reflects positively on the reputation of the City and of the community. Councilmembers shall also interact with other

members of the City Council and City staff in ways that promote effective local government.

- 6.4 Council Training. - Councilmembers are expected to participate in training offered by individuals, agencies, entities and organizations including but not limited to the Association of Washington Cities and the State of Washington, so as to afford the Councilmembers the opportunity to better understand their roles as City Councilmembers.
- 6.5 Participation in Committees, Agencies and Organizations. - To better represent the interests of the City of Auburn, Councilmembers are encouraged to participate in assignments to local, regional, state and national committees, agencies and organizations.

[See former ACC 2.06.130 (1957 code § 1.04.130).]

SECTION 7 - DEBATES

- 7.1 Speaking to the Motion. - No member of the Council, including the Presiding Officer, shall speak more than twice on the same motion except by consent of the Presiding Officer or a majority of the Councilmembers present at the time the motion is before the Council.
- 7.2 Interruption. - No member of the Council, including the Presiding Officer, shall interrupt or argue with any other member while such member has the floor, other than the Presiding Officer's duty to preserve order during meetings as provided in Section 5.2.A of these rules.
- 7.3 Courtesy. - All speakers, including members of the Council, which includes the Presiding Officer, in the discussion, comments, or debate of any matter or issue shall address their remarks to the Presiding Officer, be courteous in their language and deportment, and shall not engage in or discuss or comment on personalities, or indulge in derogatory remarks or insinuations in respect to any other member of the Council, or any member of the staff or the public, but shall at all times confine their remarks to those facts which are germane and relevant to the question or matter under discussion.
- 7.4 Transgression. - If a member of the Council shall transgress these rules on debates, the Presiding Officer shall call such member to order, in which case such member shall be silent except to explain or continue in order. If the Presiding Officer shall transgress these rules on debate or fail to call such member to order, any other member of the Council may, under a point of order, call the Presiding Officer or such other member to order, in which case the Presiding Officer or such member, as the case may be, shall be silent except to explain or continue in order.

- 7.5 Challenge to Ruling. - Any member of the Council, including the Presiding Officer, shall have the right to challenge any action or ruling of the Presiding Officer, or member, as the case may be, in which case the decision of the majority of the members of the Council present, including the Presiding Officer, shall govern.

[See former ACC 2.06.130 (1957 code § 1.04.130).]

SECTION 8 - PARLIAMENTARY PROCEDURES AND MOTIONS

- 8.1 All City Council meeting discussions shall be governed by *ROBERTS RULES OF ORDER, NEWLY REVISED* (latest edition).
- 8.2 If a motion does not receive a second, it dies. Matters that do not constitute a motion include nominations, withdrawal of motion by the person making the motion, request for a roll call vote, and point of order or privilege; therefore a second is not needed.
- 8.3 A motion that receives a tie vote is deemed to have failed, provided that except where prohibited by law, the Mayor, as Presiding Official, shall be allowed to vote to break a tie vote.
- 8.4 When making motions, Councilmembers shall be clear and concise and not include arguments for the motion within the motion.
- 8.5 After a motion has been made and seconded, the Councilmembers may discuss their opinions on the issue prior to the vote.
- 8.6 If any Councilmember wishes to abstain, from a vote on the motion pursuant to the provisions of Section 9 hereof, that Councilmember shall so advise the City Council, and shall remove and absent himself/herself from the deliberations and considerations of the motion, and shall have no further participation in the matter. Such advice shall be given prior to any discussion or participation on the subject matter or as soon thereafter as the Councilmember perceives a need to abstain, provided that, prior to the time that a Councilmember gives advice of an intent to abstain from an issue, the Councilmember shall confer with the City Attorney to determine if the basis for the Councilmember's intended abstention conforms to the requirements of Section 9. If the intended abstention can be anticipated in advance, the conference with the City Attorney should occur prior to the meeting at which the subject matter would be coming before the City Council. If that cannot be done, the Councilmember should advise the City Council that he/she has an "abstention question" that he/she would want to review with the City Attorney, in which case, a brief recess would be afforded the Councilmember for that purpose.

- 8.7 A motion may be withdrawn by the maker of the motion at any time without the consent of the Council.
- 8.8 A motion to table is nondebatable and shall preclude all amendments or debates of the issue under consideration. A motion to table is to be used in instances where circumstances or situations arise which necessitate the interruption of the Councilmembers' consideration of the matter then before them. A motion to table, if passed, shall cause the subject matter to be tabled until the interrupting circumstances or situations have been resolved, or until a time certain, if specified in the motion to table. To remove an item from the table in advance of the time certain requires a two-thirds' majority vote.
- 8.9 A motion to postpone to a certain time is debatable, is amendable and may be reconsidered at the same meeting. The question being postponed must be considered at a later time at the same meeting, or to a time certain at a future Regular or Special City Council meeting.
- 8.10 A motion to postpone indefinitely is debatable, is not amendable, and may be reconsidered at the same meeting only if it received an affirmative vote.
- 8.11 A motion to call for the question shall close debate on the main motion and is not debatable. This motion must receive a second and fails without a two-thirds' vote; debate is reopened if the motion fails.
- 8.12 A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out, striking out and inserting, or substituting.
- 8.13 Motions that cannot be amended include: Motion to adjourn, lay on the table (table), roll call vote, point of order, reconsideration and take from the table.
- 8.14 Amendments are voted on first, then the main motion as amended (if the amendment received an affirmative vote).
- 8.15 Debate of the motion only occurs after the motion has been moved and seconded.
- 8.16 The Presiding Officer, City Attorney or City Clerk should repeat the motion prior to voting.
- 8.17 The City Clerk will take a roll call vote, if requested by the Presiding Officer, a Councilmember, or as required by law.

- 8.18 When a question has been decided, any Councilmember who voted in the majority may move for reconsideration. In order to afford Councilmembers who voted in the majority the potential basis for a motion for reconsideration, Councilmembers who voted in the majority may inquire of Councilmembers who voted with the minority as to the reasons for their minority vote, if not stated during debate prior to the vote.
- 8.19 The City Attorney shall act as the Council's parliamentarian and shall decide all questions of interpretations of these rules which may arise at a Council meeting.
- 8.20 These rules may be amended, or new rules adopted, by a majority vote of the full Council.

[See former ACC 2.06.160 (1957 code § 1.04.180.); ACC 2.06.170 (1957 code § 1.04.190.); ACC 2.06.200 (1957 code § 1.04.220.); ACC 2.06.210 (1957 code § 1.04.230).]

SECTION 9 - VOTING

- 9.1 Voice vote - A generalized verbal indication by the Council as a whole of "yea or nay" vote on a matter, the outcome of which vote shall be recorded in the official minutes of the Council. Silence of a Councilmember during a voice vote shall be recorded as a vote with the prevailing side, except where such a Councilmember abstains because of a stated conflict of interest or appearance of fairness.
- 9.2 Roll call vote - A roll call vote may be requested by the Presiding Officer or by any Councilmember.
- 9.3 Abstentions - It is the responsibility of each Councilmember to vote when requested on a matter before the full Council. However, a Councilmember may abstain from discussion and voting on a question because of a stated conflict of interest or appearance of fairness.
- 9.4 Votes by Mayor - Except where prohibited by law, the Mayor, as Presiding Official, shall be allowed to vote to break a tie vote.

[See former ACC 2.06.150 (1957 code § 1.04.150).]

SECTION 10 - COMMENTS, CONCERNS AND TESTIMONY TO COUNCIL

- 10.1 Persons addressing the Council, who are not specifically scheduled on the agenda, will be requested to step up to the podium, give their name and address for the record, and limit their remarks to three (3) minutes, in addition to filling out the speaker sign-in sheet available at the City Clerk's desk. All remarks will be addressed to the Council as a whole. The City Clerk shall serve as timekeeper.

The Presiding Officer may make exceptions to the time restrictions of persons addressing the Council when warranted, in the discretion of the Presiding Officer.

- 10.2 Any person making personal, impertinent or slanderous remarks while addressing the Council shall be barred from further audience participation by the Presiding Officer, unless permission to continue is granted by a majority vote of the Council.

[See former ACC 2.06.130 (1957 code § 1.04.130).]

SECTION 11 - PUBLIC HEARINGS AND APPEALS

- 11.1 Quasi-judicial hearings require a decision be made by the Council using a certain process, which may include a record of evidence considered and specific findings made. The following procedure shall apply:

- A. The Department Director of the department (most) affected by the subject matter of the hearing, or said Director's designee, will present the City's position and findings. Staff will be available to respond to Council questions.
- B. The proponent spokesperson shall speak first and be allowed (10) minutes. Council may ask questions.
- C. The opponent spokesperson shall be allowed ten (10) minutes for presentation and Council may ask questions.
- D. Each side shall then be allowed five (5) minutes for rebuttal, with the proponent spokesperson speaking first, followed by the opponent spokesperson.
- E. The City Clerk shall serve as timekeeper during these hearings.
- F. After each proponent and opponent spokesperson have used their speaking time, Council may ask further questions of the speakers, who shall be entitled to respond but limit their response to the question asked.

- 11.2 Public hearings where a general audience is in attendance to present arguments for or against a public issue:

- A. The Department Director or designee shall present the issue to the Council and respond to questions.
- B. A person may speak for three (3) minutes. No one may speak for a second time until everyone who wishes to speak has had an opportunity to

speaking. The Presiding Officer may make exceptions to the time restrictions of persons speaking at a public hearing when warranted, in the discretion of the Presiding Officer.

- C. The City Clerk shall serve as timekeeper during these hearings.
- D. After the speaker has used their allotted time, Council may ask questions of the speaker and the speaker may respond, but may not engage in further debate.
- E. The hearing will then be closed to public participation and open for discussion among Councilmembers.
- F. The Presiding Officer may exercise changes in the procedures at a particular meeting or hearing, but the decision to do so may be overruled by a majority vote of the Council.

SECTION 12 - DEPUTY MAYOR

- 12.1 Annually or more often as deemed appropriate, the members of the City Council, by majority vote, shall designate one of their members as Deputy Mayor for such period as the Council may specify.
- A. Any member of the City Council may be nominated for the position of Deputy Mayor by having that Councilmember's name placed in nomination by a Councilmember. [The nomination of a councilmember for this position does not require a second, and a councilmember may nominate him or herself.]
 - B. The Councilmember receiving a majority of the votes cast by the members of the City Council shall be elected Deputy Mayor. A Councilmember may vote for him or herself.
 - C. The names of all nominees for the position of Deputy Mayor shall be included in the vote.
 - D. If no single Councilmember received a majority of the votes cast, a second vote/ballot, between the two nominees who received the largest number of votes, would be needed. In the second vote/ballot, whichever of these two nominees received the larger number of votes would be elected to the position of Deputy Mayor.³

³ It may be that if there were a larger number of nominees in the initial election, there would not be (only) two councilmembers who received the largest number of votes. For instance, if one nominee received three votes a second nominee received two votes and a third nominee also received two votes, it might be appropriate to have an

[See RCW 35A.12.065.]

12.2 The Deputy Mayor shall perform the following duties:

A. Intra-Council Relations

1. Serve as the Chair of the Council Study Sessions
2. Serve as an ex-officio member of all other ad hoc committees of the City Council
3. Assist in new councilmember training
4. Support cooperative and interactive relationships among council members
5. Work with Administration to prepare agendas for Council Study Sessions

B. Mayor-Council Relations

1. Help maintain a positive and cooperative relationship between the Mayor and the City Council
2. Act as conduit between the Mayor and the City Council on issues or concerns relating to their duties

C. Intergovernmental and Community Relations

1. Act in absence of Mayor as requested and/or as required
2. Be aware of all City regional and intergovernmental policies and activities in order to be prepared to step into the role of Mayor if necessary
3. Serve as the Chair of the City's Emergency Management Compensation Board

[See former ACC 2.06.090 (1957 code § 1.04.100).]

initial run off between the second and the third nominees to determine who would be included in the final run-off against the first nominee.

SECTION 13 - COUNCIL POSITION VACANCY OR ABSENCE

- 13.1 In the event that an unexpired Council position becomes vacant, the City Council has ninety (90) days from the occurrence of the vacancy to appoint, by majority vote of a quorum of the Council, a qualified person to fill the vacancy pursuant to State law. The Council may make such appointment at its next regular meeting, or at a special meeting called for that purpose. If the Council does not appoint a person within the ninety (90) day period, the Mayor may make the appointment from among the persons nominated by members of the Council.
- 13.2 In the event of extended excused absences or disability of a Councilmember, the remaining members by majority vote may appoint a Councilmember Pro Tempore to serve during the absence or disability.

SECTION 14 - COUNCIL MEETING STAFFING

- 14.1 Department Directors shall attend all meetings of the Council unless excused.
- 14.2 The City Attorney shall attend all meetings of the Council unless excused, and shall upon request, give an opinion, either written or oral, on legal questions. The City Attorney shall act as the Council's parliamentarian. The Assistant City Attorney shall attend meetings when the City Attorney has been excused.

[See former ACC 2.06.060 (1957 code § 1.04.160).]

SECTION 15 - COUNCIL RELATIONS WITH STAFF

- 15.1 There will be mutual courtesy and respect from both City staff and Councilmembers toward each other and of their respective roles and responsibilities.
- 15.2 City staff will acknowledge the Council as policy makers, and the Councilmembers will acknowledge City staff as administering the Council's policies.
- 15.3 It is the intent of Council that all pertinent information asked for by individual Council members shall be made available to the full Council.
- 15.4 Individual Councilmembers shall not attempt to coerce or influence City staff in the selection of personnel, the awarding of contracts, the selection of consultants, the processing of development applications or the granting of City licenses or permits. Councilmembers may, at the request of the Mayor, participate in discussions and decisions related to these matters.

- 15.5 Other than through legislative action taken by the Council as a whole, individual Councilmembers shall not interfere with the operating rules and practices of any City department.
- 15.6 No individual Councilmember shall direct the Mayor to initiate any action or prepare any report that is significant in nature, or initiate any project or study without the consent of a majority of the Council. This provision, however, does not prohibit individual Councilmembers from discussing issues with the Mayor or making individual requests or suggestions to the Mayor. The Mayor shall endeavor to advise and update the Councilmember(s) on the status or follow-up of such issues.
- 15.7 All councilmember requests for information, other than requests for legal advice from the City Attorney's Office, shall be directed through the Mayor in order to assign the task to the proper staff. The Deputy Mayor may work with the Mayor's designated staff to prepare Study Session agendas and facilitate Study Session work.
- 15.8 Any written communication with staff shall also include the Mayor as a recipient.

**SECTION 16 - COUNCIL STUDY SESSIONS, COMMITTEES
AND CITIZEN ADVISORY BOARDS**

- 16.1 In addition to the regularly scheduled City Council meetings (Regular Council Meetings) scheduled on the first and third Mondays of the month, City Council shall regularly schedule Council Study Sessions on the second, fourth and fifth Mondays of the month for review of matters that would come back before the City Council at Regular Council Meetings. Different than the format for Regular Council Meetings (identified in Section 3 hereof), Study Sessions shall be less formal than Regular Council Meetings and shall give the City Council the opportunity to discuss and debate issues coming before it for action at Regular Council meetings. The format for these meetings shall be as follows:
 - A. Meeting Times:

Study Sessions shall be scheduled as set forth in Section 2.3, above.
 - B. Study Sessions should conform to the following:
 - 1. Meeting facilitation - the Deputy Mayor shall preside over/conduct Study Sessions.
 - 2. Four or more Councilmembers shall constitute a quorum for Study Sessions.

3. Two and one half hours maximum timeframe (goal).
4. Maximum of five agenda items (goal).
5. Timeframe per agenda item - up to 30 to 40 minutes.
6. Agenda items should relate to future policy-making, strategic planning or key state or federal issues affecting current or future city operations.
7. Agenda items should be substantive only (e.g., traffic impact fee increase proposals, comprehensive plan updates, rather than day-to-day operational issues. [Non-substantive items (e.g., accepting a grant, authorizing contract bidding, etc.) should go directly to the Regular City Council meeting.

C. Study Session Meeting Format⁴

1. Call to Order

The Presiding Officer shall call the meeting to order.

2. Roll call

The City Clerk will call the roll. Councilmembers may request to be excused from a meeting by requesting the same of the Mayor or City Clerk in advance of the meeting. The reason for the request shall be given at the time of the request.

3. Announcements, Reports and Presentations

The Presiding Officer shall provide any announcements, reports or presentations that need to be shared with the City Council in advance of the agenda discussion items. After that these announcements, reports or presentations, City Council members may have questions or wish to discuss the issues at this time or request that they be put on a future Study Session agenda for further discussion.

4. Agenda items for Council Discussion.

⁴ It is the intention of the City Council that Study Sessions shall be televised on the City's public access channel if reasonably possible.

The Presiding Officer shall announce each of the various items that are on the agenda for Council discussion, and, as warranted, request a preliminary report from staff or a consultant or other individual(s) involved in the issue. The Presiding Officer shall endeavor to call upon the members of the City Council in the order of their requests to discuss the Agenda Item.

After such report(s), if any, the Presiding Officer shall open the floor for Council discussion on the agenda items in their order on the agenda, unless a different order is approved by a majority of the Councilmembers present.

Council discussion shall be in conformity with the provisions of Section 7 of these rules, other than the requirement that there be a motion before Council discussion.

At the conclusion of the discussion, or at the point the Council feels its questions have been answered and discussion vetted, the Presiding Officer shall move the attention of the Council to the next discussion item on the agenda; provided that if, after a lengthy discussion on a particular agenda item, the Presiding Officer concludes that discussion should be continued to a later date, the Presiding Officer may conclude discussion on that agenda item and schedule the matter for a later Study Session.

With the support of a consensus of Councilmembers, the Deputy Mayor shall call for Study Session agenda items requiring formal Council action to be included in agendas for upcoming Regular Council Meetings.

5. Other Discussion Items

The Presiding Officer and/or members of the City Council may bring up other discussion items to be discussed at this time or to be scheduled for discussion at a future Study Session; provided that if the Presiding Officer concludes that there is not sufficient time to discuss or continue discussing the topic, the Presiding Officer may defer discussion or continued discussion to a future Study Session.

6. Adjournment

The Presiding Officer shall adjourn the Study Session after conclusion of discussion on the agenda items.

- 16.2 The Mayor or a majority of the City Council may establish such ad hoc committees as may be appropriate to consider special matters that require special approach or emphasis. Such ad hoc committees may be established and matters referred to them at study sessions, without the requirement that such establishment or referral take place at a regular City Council meeting. The Mayor shall appoint Council representatives to intergovernmental councils, boards and committees, provided that the Deputy Mayor shall appoint Councilmembers to Council ad hoc committees. It is further provided that the Mayor shall appoint members to Council ad hoc committees if the Deputy Mayor is disabled or precluded from acting in that capacity. Councilmember appointments to intergovernmental councils, boards and committees, including ad hoc committees, shall be periodically reviewed to determine which councilmembers could best be able to represent the City on such councils, boards and committees.
- 16.3 Ad hoc council committees shall consider all matters referred to them. The chair of such ad hoc committee shall report to the City Council the findings of the committee. Committees may refer items to the Council with a committee recommendation or with no committee recommendation.
- 16.4 Advisory Boards, Committees and Commissions established by ordinance, consisting of citizens appointed pursuant to the establishing Ordinance and serving in the capacity and for the purposes indicated in the Ordinance, shall act as an advisory committee to the City Council.
- 16.5 Committee Chairpersons shall have broad discretion in conducting their meetings. They will generally follow Roberts Rules of Order, Newly Revised.
- 16.6 Unless otherwise expressly provided for an ad hoc committee of the City Council, such committees shall not receive public testimony or allow audience participation in connection with or related to the agenda item being discussed by the Committee,. Unless otherwise expressly provided for such ad hoc committee, it is the intention of the City Council that such ad hoc committees function informally and not in any way that takes action in lieu of or on behalf of the full City Council. The purpose and function of such ad hoc committees shall be to review matters in advance of their consideration by the full City Council, and perhaps record and make recommendations to the full City Council. With that, it is the intention that these committees operate informally, without the need for compliance with the Open Public Meetings Act (Chapter 42.30. RCW).
- 16.7 Committee Chairpersons shall approve all agenda items and may, at their discretion, remove or add agenda items during the course of the meeting.

SECTION 17 - COUNCIL REPRESENTATION & INTERNAL COMMUNICATION

- 17.1 If a Councilmember meets with, attends a meeting or otherwise appears on before individuals, another governmental agency, a community organization, or a private entity or organization, including individuals, agencies, or organizations with whom or with which the City has a business relationship, and makes statements directly or through the media, commenting on an issue that does or could affect the City, the Councilmember shall state the majority position of the City Council, if known, on such issue. Personal opinions and comments which differ from those of the Council majority may be expressed if the Councilmember clarifies that these statements do not represent the City Council's position, and the statements are those of the Councilmember as an individual. Additionally, before a Councilmember discusses anything that does or could relate to City liability, the Councilmember should talk to the City Attorney or the City's Risk Manager, so that the Councilmember would have a better understanding of what may be said or how the discussion should go to control or minimize the City's liability risk and exposure.
- 17.2 Councilmembers need to have other Councilmember's concurrence before representing another Councilmember's view or position with the media, another government agency or community organization.
- 17.3 Councilmembers shall not knowingly communicate with an opposing party or with an opposing attorney in connection with any pending or threatened litigation in which the City is a party or in connection with any disputed claim involving the City without the prior approval of the City Attorney, unless the Councilmember is individually a party to the litigation or is involved in the disputed claim separate from the Councilmember's role as a City official.
- 17.4 Communication among Councilmembers shall conform to the following parameters:
- A. Except in connection with Council members meeting, informally, in committees not subject to the Open Public Meetings Act, to assure that communication on agenda items occurs to the greatest extent possible at the public meetings, and to avoid even the perception that email is being used in a way that could constitute a public meeting, e.g., successive communications on City Council topics that involve a quorum of the Councilmembers. Councilmembers should refrain from emailing Councilmembers about such agenda items. Councilmembers should be prepared to communicate about matters that are on upcoming Council agendas at the public meetings. If Councilmembers wish to share information with other councilmembers about matters that are on upcoming agendas, the councilmembers should forward that information to the Mayor for distribution in the council meeting packets.

- B. Councilmembers may communicate via email to other Councilmembers, including to a quorum of the full City Council about matters within the scope of the City Council's authority or related to City business, but not yet scheduled on upcoming Council agendas, to indicate a desire that certain items be included on upcoming meeting agendas; provided that Councilmembers shall never ask for responses from the other Councilmembers in that communication.
- C. Email communication among Councilmembers relating to City operations should also include the Mayor as a recipient/addressee.
- D. Councilmembers may email the Mayor about City business without limitations or restrictions.

17.5 Internet & Electronic Resources/Equipment Use.

- A. Policy. It is the policy of the City Council that Internet and electronic resources equipment use shall conform to and be consistent with the requirements of City of Auburn Administrative Policy and Procedure 500-03, "Internet & Electronic Resources/Equipment Use – Elected Officials" adopted hereby and incorporated herein by this reference.

It is important to note that all letters, memoranda, and interactive computer communication involving City Councilmembers and members of advisory boards and commissions, the subject of which relates to the conduct of government or the performance of any governmental function, with exceptions stated by the Public Records Act (RCW 42.56), are public records.

- B. Electronic Communications.
 - 1. Informal messages with no retention value and that do not relate to the functional responsibility of the recipient or sender as a public official, such as meeting notices, reminders, telephone messages and informal notes, do not constitute a public record. Users should delete these messages once their administrative purpose is served.
 - 2. All other messages that relate to the functional responsibility of the recipient or sender as a public official constitute a public record. Such records are subject to public inspection and copying.
 - 3. Electronic communications that are intended to be shared among a quorum of the City Council or of an ad hoc Council Committee, whether concurrently or serially, must be considered in light of the

Open Public Meetings Act, if applicable. If the intended purpose of the electronic communication is to have a discussion that should be held at an open meeting, the electronic discussion shall not occur. Further, the use of electronic communication to form a collective decision of the Council shall not occur.

4. Electronic communication should be used cautiously when seeking legal advice or to discuss matters of pending litigation or other confidential City business. In general, electronic communication is discoverable in litigation, and even deleted electronic communication is not necessarily removed from the system. Confidential electronic communications should not be shared with individuals other than the intended recipients, or the attorney-client privilege protecting the document from disclosure may be waived.
 5. Electronic communication between Councilmembers and between Councilmembers and staff shall not be transmitted to the public or news media without the filing of a public disclosure request with the City Clerk.
 6. As a cautionary note, if an elected public official uses his or her personal home computer to send electronic communications dealing with City business, the electronic communications and electronic records may be subject to discovery demands and public disclosure requests. That possibility amplifies the need for caution in how one uses electronic communication for City business.
- 17.6 Different than where a City Councilmember is appointed by the City Council or the Mayor to serve as a member of a board, commission, committee, task force or any other advisory body, the City Council may appoint a Councilmember to serve as a non-member Liaison to a board, commission, committee, task force or any other advisory body. Anytime a Councilmember is appointed as such a Liaison, the position or role of Liaison is subordinate to that of Councilmember, and the Councilmember's responsibility is first and foremost to the City and to the City Council. The role and responsibility of the Councilmember-Liaison is to keep the City Council apprised of the activities, positions and actions of the entity or organization to which the Councilmember has been appointed Liaison, and not to communicate to the board, commission, committee, task force or other advisory body a statement as the position of the City Council, except as authorized or directed by the City Council.
- 17.7 Whenever a member of the City Council attends any meeting of any other entity or organization, he or she should endeavor to be prudent in what he or she says or does at such meeting. Further, the Councilmember should avoid attending

such meeting if that attendance would impose an interference with the meeting or the operations of the other entity or organization, or of the operations of the City.

SECTION 18 - TRAVEL AUTHORIZATION

- 18.1 In accordance with the City of Auburn travel policy, approvals or expenditure of travel related costs and/or approval of specific travel events or activities by Councilmembers beyond the authority provided in the travel policy and budget shall be as follows: the requesting Councilmember shall submit his/her request to expend travel related costs and/or request for authorization for specific travel purposes to the Mayor to be included on an upcoming Council meeting agenda in advance of the date(s) of such expenditure or travel. The City Council may pursuant to a motion, approve the request by a majority vote of a quorum of the City Council at the meeting in which the matter is considered.

SECTION 19 - CONFIDENTIALITY

- 19.1 Councilmembers shall keep confidential all written materials and verbal information provided to them during Executive Sessions, to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of Executive Sessions when the information is considered by the exempt from disclosure under exemptions set forth in the Revised Code of Washington.

SECTION 20 – ENFORCEMENT OF RULES OF PROCEDURE

- 20.1 Councilmembers shall conform their conduct to the requirements, standards and expectations set forth in these Rules of Procedure. In addition to and notwithstanding whatever other enforcement mechanisms may exist for legal, ethical or practical obligations on Councilmember performance or conduct, violations of these Rules of Procedure by Councilmembers may be enforced by action of the City Council through sanctions such as votes of censure or letters of reprimand, and such other action as may be permitted by law.

City Council Rules of Procedure:

Adopted: February 2, 2004

Ordinance No. 5802

Amended by Resolution No. 4282, December 17, 2007

Amended by Resolution No. 4429, December 15, 2008

Amended by Resolution No. 4467, April 6, 2009

Amended by Resolution No. 4615, July 6, 2010

Amended by Resolution No. 4686, February 22, 2011

Amended by Resolution No. 4740, August 15, 2011

Amended by Resolution No. 4813, May 21, 2012

Amended by Resolution No. 4909, February 19, 2013

Amended by Resolution No. 5105, November 3, 2014

Amended by Resolution No. 5112, December 1, 2014