

**City Council Meeting
December 5, 2016 - 7:00 PM
Auburn Community and Event
Center
MINUTES**

I. CALL TO ORDER

A. Pledge of Allegiance

Mayor Nancy Backus called the meeting to order at 7:00 p.m. in the Auburn Community and Event Center located at 910 9th Street SE in Auburn. Mayor Backus led those in attendance in the Pledge of Allegiance.

B. Roll Call

City Councilmembers present: Deputy Mayor Largo Wales, Bob Baggett, Claude DaCorsi, John Holman, Bill Peloza, Yolanda Trout-Manuel and Rich Wagner.

Mayor Nancy Backus was in attendance, and the following department directors and staff members were present: Innovation and Technology Director Paul Haugan, Human Resources and Risk Management Director Rob Roscoe, Parks, Arts and Recreation Director Daryl Faber, Community Development and Public Works Director Kevin Snyder, Finance Director Shelley Coleman, Assistant Director of Community Development Services Jeff Tate, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Assistant Police Chief William Pierson, Police Commander Jamie Sidell, and City Clerk Danielle Daskam.

II. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

There was no announcement, proclamation or presentation.

III. APPOINTMENTS

There was no appointment for consideration.

IV. AGENDA MODIFICATIONS

A New Business item relating to the Council Committees and Study Sessions was added to the agenda.

V. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE

A. Public Hearings

1. **Public Hearing - Moratorium Extension (Heid)**
City Council to conduct a public hearing on the proposed six-month extension of the moratorium established by Resolution No. 5187 on residential land uses in the Light Commercial (C-1) zoning designation.

Assistant Director of Community Development Services Jeff Tate presented the staff report for the request to extend the moratorium on residential uses in the Light Commercial, C1 Zone, established by Resolution No. 5187 on December 7, 2015. Resolution No. 5258 would extend the moratorium for an additional six months.

The Planning Commission has gone through the process of conducting a public hearing and evaluating the proposed code amendments and formulated a recommendation. However, the City received a privately initiated code amendment regarding mixed uses that are allowed within the C1 Zone. Staff believes it is prudent to allow the Planning Commission to consider the new privately initiated code amendment and forward a consolidated recommendation to the City Council.

Assistant Director Tate pointed out Resolution No. 5258, not only extends the moratorium an additional six months, but amends the moratorium to specifically exempt from the moratorium existing legally established Supportive Housing located in the C1 Zone from their ability to expand, redevelop, or alter their existing use provided any applications submitted for expansion, redevelopment or alteration must also be accompanied by a Development Agreement.

Mayor Backus opened the public hearing at 7:05 p.m.

Sylvia Fuerstenberg, Executive Director of Auburn Youth Resources

Ms. Fuerstenberg spoke on behalf of Auburn Youth Resources and in favor of lifting the moratorium for Supportive Housing and Resolution No. 5258.

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.

Virginia Haugen, 2503 R Street SE, Auburn

Ms. Haugen spoke regarding a senior facility that is currently being constructed in her neighborhood.

Maggie Kenison, 1929 63rd Street SE, Auburn

Ms. Kenison stated she is a recent graduate of the Auburn Civics Academy. Ms. Kenison questioned the reason to change from a study session format to committee meetings and expressed concern with the cost of the change and the ability of the public to participate in Committee meetings.

Adam Braun, 5207 Quincy Avenue SE, Auburn
Mr. Braun commented on a proposed rezone of property in the vicinity of 182nd Avenue and Lake Tapps Parkway from residential to commercial. Mr. Braun expressed concern with any rezone to commercial due to its location at the edge of the urban growth area and lack of transit access.

C. Correspondence

There was no correspondence for Council review.

VI. 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.

Councilmember Baggett reported on behalf of the Finance ad hoc committee that reviews claims and payroll vouchers. Councilmember Baggett reported he and Councilmember Wagner reviewed the claims and payroll vouchers as presented and described on this evening's agenda and recommend City Council approval of the vouchers.

Councilmember Wagner reported on behalf of the ad hoc committee established to review proposed new standards for access tracts. Councilmember Wagner reported the ad hoc committee met this week and finalized their recommendation to the Community Development and Public Works Department. Access tracts and accessory dwellings will be discussed further at the next Council study session.

VII. 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 21, 2016 City Council Meeting
- B. Claims Vouchers (Coleman)
Claims voucher numbers 441597 through 441769 in the amount of \$2,851,341.36 and five wire transfers in the amount of \$599,938.00 and dated December 5, 2016.
- C. Payroll Vouchers (Coleman)
Payroll check numbers 536878 through 536964 in the amount of \$806,080.91 and electronic deposit transmissions in the amount of

\$1,512,763.93 for a grand total of \$2,318,844.84 for the period covering November 17, 2016 to November 30, 2016.

Deputy Mayor Wales moved and Councilmember Trout-Manuel seconded to approve the Consent Agenda.

The Consent Agenda includes minutes, claims vouchers and payroll vouchers.

MOTION CARRIED UNANIMOUSLY. 7-0

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. NEW BUSINESS

Councilmember Pelosa moved for the adoption of the hybrid study session/Council committee operations as outlined by the chart attached to the agenda modification on this date, and request the City Attorney create the required ordinances for Council adoption on December 19, 2016 and implementation on January 3, 2017. Councilmember Wagner seconded.

Mayor Backus reported that Department Directors are prepared to provide information on the impact to staff relating to the change from Council study session to Council committees.

Councilmember Holman inquired regarding the version of the attachment to the agenda modification that is part of the motion. He noted the chart attached to the agenda modification distributed this evening is dated November 29, 2016, but he also received a copy of a similar chart in his mailbox dated November 30, 2016.

Councilmember Holman also questioned whether the Council has dismissed Councilmember DaCorsi's proposal presented at the last study session.

Councilmembers Wagner and Pelosa confirmed that the motion on the floor relates to the chart attached to the agenda modification and dated November 29, 2016.

City Attorney Heid commented regarding the tight time line to prepare an ordinance in preparation for the December 19, 2016 Council meeting agenda.

City Attorney Heid stated the change from Council study sessions to a committee structure as proposed at the last study session would have impacts to the Legal Department and would add another 36 to 48 meetings a year, which would trigger certain open public meeting notice

requirements, agenda compilation and preparation, and records requests and retention. City Attorney Heid stated the additional clerical work would require two additional clerical positions. There are other costs to the Legal Department related to City Attorney or Assistant City Attorney attendance at additional meetings that would take away from other tasks.

City Attorney Heid also expounded on his December 5, 2016 correspondence regarding legislative versus administrative roles and responsibilities.

City Attorney Heid proposed an alternative to the proposed Council committee structure. He suggested a General Study Session chaired by the Deputy Mayor followed by a Special Focus Area Study Session chaired by that Councilmember designated as the chair. The advantage of his proposal identifies or accommodates those Councilmembers that are interested in certain areas of responsibility and the opportunity to chair the meeting without additional meetings.

Councilmember Holman stated he is not prepared to debate or speak to the motion. Councilmember Holman inquired how the committee assignments that appear on the chart that is the subject of the motion were developed. Deputy Mayor Wales reported that a committee of three Councilmembers (Councilmembers Wagner and Pelloza and Deputy Mayor Wales) developed the committee assignments.

Councilmember Wagner stated the Council passed a motion some time ago that directed the 2014 Council Operations Committee members to work on issues such as the action before the Council.

Councilmember Wagner stated he neglected to attach a spreadsheet to his memo distributed earlier today that analyzed the previous Council committee system, study sessions and the proposed hybrid arrangement. Under the previous committee system, City Council members had 110 meetings a year that equated to 2.7 FTE of staff at a cost of approximately \$270,000.00. Under the study session format, the Council had 30 meetings at a cost of \$155,000.00 in staff time. Under the hybrid system, Councilmember Wagner estimated 74 meetings a year, which would cost about \$250,000.00 annually. Councilmember Wagner stated he believes the cost is a good investment.

Councilmember Wagner stated he believes the time line in the motion on the floor is too fast and additional time is needed to review the impacts of changing the system.

There was additional discussion by Councilmember Wagner and City Attorney Heid regarding the differences in legislative and administrative responsibilities under the law.

Councilmember Wagner stated there is a grey area between Council legislation and a strong Mayor management. Councilmember Wagner stated the Council has not had as much oversight of plans nor the ability to propose new plans through the study session system under the current administration as opposed to the previous committee system.

Councilmember Wagner stated he believes there is value in moving towards a hybrid system, but unless the implementation timing is changed, he will vote against the existing motion.

Deputy Mayor Wales expressed agreement with a hybrid plan to afford the ability to obtain more information and provide more leadership opportunities in areas of interest and skill. Deputy Mayor Wales also spoke in favor of being more flexible in the implementation date for the change in the study session/committee system. She suggested that the Council only act on the change from Council study sessions to a hybrid system and allow the City Attorney to recommend a time line for implementation.

Councilmember Pelosa suggested amending the motion to allow the City Attorney to provide a time line for implementation.

City Attorney Heid recommended separating the issues of approving the hybrid study session/Council committee operations system and that of the time line for implementation.

Councilmember Holman spoke in favor of defeating the motion on the floor and spoke against the proposed hybrid of the study session and council committee system. Councilmember Holman suggested that the proposed system would slow down the business of the City and create more bureaucracy. Councilmember Holman also questioned the committee assignments and the proposed meeting time of 3:00 p.m. Councilmember Holman suggested using the existing Council ad hoc committee system rather than the proposed hybrid study session and committee system.

Councilmember Baggett stated he is on record opposing the hybrid study session/Council committee operations and fully trusts staff to provide sufficient information at study sessions that allows Council to make good decisions. Additionally, Councilmember Baggett expressed support for the ad hoc committee system. Councilmember Baggett expressed opposition to more meetings and stated the current system provides for full transparency. Councilmember Baggett stated there may be some middle ground that he can advocate for, but he encouraged the Council to give the proposal sufficient time for review for the benefit of the City.

Councilmember Trout-Manuel spoke in favor of the proposed hybrid study session/Council committee structure. Councilmember Trout-Manuel stated that as a Committee member in her first year on the City Council, she did not vote at all times while in Committee meetings because she was new.

Councilmember DaCorsi stated he is not in favor of reverting to the Council Committee structure. He pointed out the proposal provides for five standing committees that will meet at 3:00 in the afternoon and could prove difficult for public participation or future Councilmembers to participate. Councilmember DaCorsi stated any transition will require more consideration and discussion. Councilmember DaCorsi stated reverting back to a committee structure is regressive and not progressive. Councilmember DaCorsi stated the proposed committees should be ad hoc committees and expressed opposition to the proposed designation of committee chairs and vice chairs. Councilmember DaCorsi recommended further study of the proposal.

Deputy Mayor Wales moved to amend the motion to accept the hybrid study session/Council committee operations dated November 29, 2016 with the appointed chairs and vice chairs and members, with a plan for implementation from the City Attorney. Motion was seconded by Councilmember Wagner.

Councilmember Wagner commented that the General Study Session and Special Focus Area Study Session format proposed by City Attorney Heid may have merit and deserves further study.

Councilmember DaCorsi stated study sessions may need to be longer, and if business is not concluded, the Council could call for another study session.

Deputy Mayor Wales questioned the productivity of lengthy study sessions for both the City Council and staff members. Deputy Mayor Wales stated the 3:00 p.m. meeting time was suggested to accommodate staff. Deputy Mayor Wales pointed out that few people attend a meeting at 7:00 p.m.

Deputy Mayor Wales moved to amend to accept the dated November 29, 2016 removing meeting times and any names for the appointed chairs and vice chairs and members, and instruct the City Attorney to prepare the necessary ordinances and a plan for implementation. Motion was seconded by Councilmember Peloza.

Deputy Mayor Wales spoke in favor of the motion as it provides for the drafting of a document for further debate.

Councilmember Holman proposed defeating the motions on the floor and

refer the matter to a study session.

Councilmember Pelosa spoke in favor of the hybrid study session/Council committee operations system.

Deputy Mayor Wales moved for the question to terminate debate.

MOTION FAILED. 2-5 Deputy Mayor Wales and Councilmember Trout-Manuel voted in favor.

Councilmember Wagner stated City Attorney Heid's proposal for special focus areas as part of expanded study sessions deserves more review.

Councilmember Holman concurred with Councilmember Wagner.

Deputy Mayor Wales suggested that other Councilmembers provide their thoughts on the proposed study session/committee structure in writing. Deputy Mayor Wales stated it is extremely difficult to get items on agendas. It is hoped committees, focus groups, and study sessions that are alternating between the Mayor and Deputy Mayor will bring items forward in a faster fashion.

Councilmember Baggett recommended voting against the motions on the floor and allow further discussion in a study session.

Deputy Mayor Wales stated she is willing to vote against motions on the floor if the study session/committee structure proposal is on the next study session agenda.

Councilmember Wagner volunteered to incorporate focus areas in study sessions with separate chairs for inclusion in the next study session agenda. Councilmember Holman suggested an ad hoc committee for the purpose and offered to work with Councilmember Wagner on the proposal. Councilmember DaCorsi offered to work with the ad hoc committee.

Motion on the second amendment failed. 0-7

Motion on the first amendment failed. 0-7

Motion for the adoption of the hybrid study session/Council Committee operations as outlined by the chart attached to the agenda modification on this date, and request the City Attorney create the required ordinances for Council adoption on December 19, 2016 and implementation on January 3, 2017, failed. 0-7

Councilmember Holman moved and Councilmember DaCorsi seconded to approve the formation of an ad hoc committee composed of

Councilmember Wagner, Councilmember DaCorsi and Councilmember Holman and chaired by Councilmember Wagner to produce a hybrid study session system with the assistance of City Attorney Heid.

MOTION CARRIED UNANIMOUSLY. 7-0

X. ORDINANCES

- A. Ordinance No. 6627 (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

Deputy Mayor Wales moved and Councilmember Baggett seconded to adopt Ordinance No. 6627.

MOTION CARRIED UNANIMOUSLY. 7-0

- B. Ordinance No. 6630 (Coleman)
An Ordinance of the City Council of the City of Auburn, Washington, amending Section 13.06.360 of the Auburn City Code relating to utility rates

Deputy Mayor Wales moved and Councilmember Peloza seconded to adopt Ordinance No. 6630.

MOTION CARRIED UNANIMOUSLY. 7-0

- C. Ordinance No. 6632 (Snyder)
An Ordinance of the City Council of the City of Auburn, Washington, adopting 2016 Annual Comprehensive Plan Map and Text Amendments pursuant to the provisions of RCW Chapter 36.70A

Councilmember Peloza moved and Councilmember DaCorsi seconded to adopt Ordinance No. 6632.

MOTION CARRIED UNANIMOUSLY. 7-0

- D. Ordinance No. 6633 (Snyder)
An Ordinance of the City Council of the City of Auburn, Washington, amending Sections 9.90.020 and 10.36.190 of the Auburn City Code, creating a permit for truck parking on city streets and restricting the movement of large vehicles in the downtown urban center

Deputy Mayor Wales moved and Councilmember Baggett seconded to adopt Ordinance No. 6633.

MOTION CARRIED UNANIMOUSLY. 7-0

XI. RESOLUTIONS

- A. Resolution No. 5255 (Heid)
A Resolution of the City Council of the City of Auburn, Washington, amending the City of Auburn Fee Schedule to adjust for 2017 fees
Councilmember Peloza moved and Councilmember Trout-Manuel seconded to adopt Resolution No. 5255.

MOTION CARRIED UNANIMOUSLY. 7-0

- B. Resolution No. 5258 (Heid)
A Resolution of the City Council of the City of Auburn, Washington, amending and extending, for an additional six months, the moratorium established by Resolution No. 5187 on acceptance or processing of applications and other licenses, permits and approvals for residential uses in property within the C-1, Light Commercial Zone

Councilmember Peloza moved and Councilmember DaCorsi seconded to adopt Resolution No. 5258.

Councilmember Holman inquired regarding the reason to extend the moratorium.

Assistant Director Tate reported the City has received a request to further amend the C1 designation, which affects mixed use and residential uses allowed in the C1 Zone. The extension is needed so that the Planning Commission recommendation and the private initiated request can be presented at the same time.

The proposed resolution also amends the moratorium so that supportive housing is not subject to the moratorium.

MOTION CARRIED UNANIMOUSLY. 7-0

XII. MAYOR AND COUNCILMEMBER REPORTS

At this time the Mayor and City Council may report on their significant City-related activities since the last regular Council meeting.

A. From the Council

Deputy Mayor Wales reminded all to support the local agencies that assist children and families during the holiday season.

B. From the Mayor

Mayor Backus congratulated Finance Director Coleman on being awarded the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting Program (CAFR Program) for 2015.

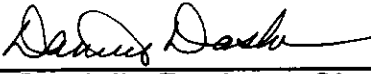
XIII. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 9:06 p.m.

APPROVED this 19th day of December, 2016.



NANCY BACKUS, MAYOR



Danielle Daskam, City Clerk