

	City Council Meeting November 19, 2018 - 7:00 PM City Hall Council Chambers AGENDA Watch the meeting LIVE! Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. CALL TO ORDER

- A. **Pledge of Allegiance**
- B. **Roll Call**

II. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

- A. Proclamation - DECA Month (Auburn High School)
Mayor Backus to proclaim November 2018 as "DECA Month" in the city of Auburn.
- B. Proclamation - Global Entrepreneurship Week (Auburn High School)
Mayor Backus to proclaim November 11-17, 2018 as "Global Entrepreneurship Week" in the city of Auburn.
- C. Proclamation - Entrepreneurship Week (Auburn Mountainview High School)
Mayor Backus to proclaim November 19 - 23, 2018 as "Entrepreneurship Week" in the city of Auburn.
- D. Proclamation - Small Business Saturday
Mayor Backus to proclaim Saturday, November 24, 2018 as "Small Business Saturday" in the city of Auburn.

III. APPOINTMENTS

IV. AGENDA MODIFICATIONS

V. CITIZEN INPUT, PUBLIC HEARINGS AND 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.)**

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 recommendation to the City Council, if any.

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 February 13, 2017, February 27, 2017, March 27, 2017 and October 22, 2018 Council Study Session
- B. Minutes of the November 5, 2018 Regular Council Meeting
- C. Claims Vouchers (Coleman)
Claims voucher 451442 through 451601 in the amount of \$6,463,378.57 and four wire transfers in the amount of \$1,138,505.47 and dated November 19, 2018.
- D. Payroll Vouchers (Coleman)
Payroll check numbers 538163 through 538180 in the amount of \$232,981.48, electronic deposit transmissions in the amount of \$1,966,587.99 for a grand total of \$2,199,569.47 for the period covering November 1, 2018 to November 14, 2018.
- E. Artwork Donation (Faber)
Council consideration of artwork to be donated to the City of Auburn's Public Art Collection
- F. Call for Public Hearing on 2019-2020 Preliminary Biennial Budget (Coleman)
- G. Public Works Project No. CP1521 (Gaub)
City Council to approve Change Order No. 01 in the amount not to exceed \$575,000.00 to Contract No. 18-03 for work on Project No. CP1521, 15th Street NE/NW Preservation

(RECOMMENDED ACTION: Move to approve the Consent Agenda.)

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

X. ORDINANCES

- A. Ordinance No. 6688 (Tate)
An Ordinance of the City Council of the City of Auburn, Washington related to land use regulation, creating a new definition for youth community support facilities, as a permitted use in the C-1, Light Commercial Zoning District, adding an additional specific land use standard for the siting of youth community support facilities, and amending Chapter 18.04, Table 18.23.030, and Section 18.23.030, and Section 18.57.040, of the City Code

(RECOMMENDED ACTION: Move to adopt Ordinance No. 6688.)

B. Ordinance No. 6701 (Tate)

An Ordinance of the City Council of the City of Auburn, Washington, approving the rezone of Parcel No. 1921059037 from R-7, Residential Zone – seven dwelling units per acre to P-1, Public Use District

(RECOMMENDED ACTION: Move to adopt Ordinance No. 6701.)

C. Ordinance No. 6702 (Coleman)

An Ordinance of the City Council of the City Of Auburn, Washington, establishing the levy for regular property taxes by the City of Auburn for collection in 2019 for general City operational purposes in the amount of \$22,007,247.00

(RECOMMENDED ACTION: Move to adopt Ordinance No. 6702.)

D. Ordinance No. 6704 (Gaub)

City of Auburn, Washington, amending Sections 13.20.010, 13.20.040, 13.20.080, 13.20.090, 13.20.095, 13.20.120, 13.20.182, 13.20.200 And 13.20.230 of the Auburn City Code relating to maintenance and repair responsibilities for public and private portions of the sewage collection system; and removing inapplicable code requirements

(RECOMMENDED ACTION: Move to adopt Ordinance No. 6704.)

E. Ordinance No. 6705 (Gaub)

An Ordinance of the City Council of the City of Auburn, Washington amending Chapter 12.64A of the Auburn City Code related to Public Right-Of-Way Improvements

(RECOMMENDED ACTION: Move to adopt Ordinance No. 6705.)

F. Ordinance No. 6706 (Gross)

An Ordinance of the City Council of the City of Auburn, Washington related to insufficient check fees; making those fees consistent with the City's adopted fee schedule and amending sections 6.01.210, 13.06.511, and 13.52.040 of the Auburn City Code

(RECOMMENDED ACTION: Move to adopt Ordinance No. 6706.)

XI. RESOLUTIONS

A. Resolution No. 5388 (Gross)

A Resolution of the City Council of the City of Auburn, Washington, amending the City of Auburn fee schedule to adjust for 2019 fees

(RECOMMENDED ACTION: Move to adopt Resolution No. 5388.)

XII. MAYOR AND COUNCILMEMBER 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**

XIII. 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.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes of the February 13, 2017, February 27, 2017, March 27, 2017 and October 22, 2018 Council Study Session

Date:

November 8, 2018

Department:

Administration

Attachments:

[02-13-2017 Study Session Minutes](#)

[02-27-2017 Study Session Minutes](#)

[03-27-2017 Study Session Minutes](#)

[10-22-2018 Study Session Minutes](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

Background Summary:

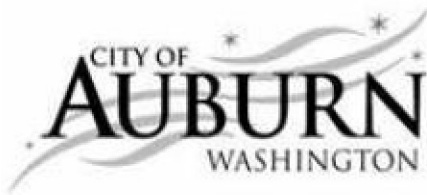
Reviewed by Council Committees:

Councilmember:

Staff:

Meeting Date: November 19, 2018

Item Number: CA.A



City Council Study Session
February 13, 2017 - 5:30 PM
Auburn City Hall
MINUTES

I. CALL TO ORDER

Deputy Mayor Wales called the meeting to order at 5:30 p.m. in the Council Chambers of Auburn City Hall, 25 West Main Street in Auburn.

A. Roll Call

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

Mayor Nancy Backus and the following department directors and staff members were present: City Attorney Daniel B. Heid, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Storm Drainage Engineer Tim Carlaw, Water Quality Program Coordinator Chris Thorn, Utilities Engineering Manager Lisa Tobin, Director of Community Development and Public Works Kevin Snyder, Innovation and Technology Director Paul Haugan, Human Resources and Risk Management Director Rob Roscoe, Parks, Arts and Recreation Director Daryl Faber, Chief of Police Bob Lee, Finance Director Shelley Coleman; Assistant Director of Community Development Services Jeff Tate, Assistant City Attorney Doug Ruth, and City Clerk Danielle Daskam.

B. Announcements

There was no announcement.

C. Agenda Modifications

An item relating to Downtown Permit Parking Lots was added to the agenda as Item I.

II. CONSENT AGENDA

There was no Consent Agenda item.

III. DISCUSSION ITEMS

**A. 2016 NPDES Annual Report and 2017 Stormwater Management Program Plan (10 Minutes)
(Snyder)**

Storm Drainage Engineer Carlaw and Water Quality Program Coordinator Thorn presented the 2016 Annual Report and 2017 Stormwater Management Program Plan.

The National Pollutant Discharge Elimination System (NPDES) permit is a five year permit issued by the State Department of Ecology. The permit authorizes discharges of stormwater to surface waters and ground waters of the state.

The 2016 Annual Report highlights include: updated the city code and adopted the 2012 Ecology storm water management manual to implement low impact development storm drainage management; hired two full-time GIS inventory technicians to work on storm asset inventory, and implemented new inspection software to streamline private system inspections.

The 2017 Stormwater Management Program Plan contains the following significant actions: low impact development storm water management outreach and education to the public and staff, complete inspection of all public catch basins by August 1, implement low impact development maintenance standards, levels of service and inspection.

Council reviewed the schedule for the Stormwater Management Program Plan. A public hearing on the plan is scheduled for March 6, 2017, a resolution adopting the Plan is scheduled for March 20, 2017, and the deadline for submitting the Plan to Ecology with the 2016 Annual Report is March 31, 2017.

Councilmembers also discussed public education and outreach, illicit discharges, the Environmental Park, and pervious pavement.

Councilmember Peloza inquired about hot line calls and asked for an example. Coordinator Thorn explained many of the hot line calls and discharges are from automobile accidents and some result from discharges from construction sites.

Coordinator Thorn also described methods for outreach, including the natural yard care program, water festival for 4th and 5th grade classes, articles in the Auburn magazine and flyers, targeted neighborhood mailings, and use of Channel 21.

Engineer Carlaw noted the City has over 10,000 catch basins. The last NPDES permit allowed cleaning catch basins every four years. The latest permit requires cleaning every two years.

B. Ordinance No. 6636 (10 Minutes) (Coleman)

An Ordinance of the City Council of the City of Auburn, Washington, establishing the Local Sales and Use Tax rate for local revitalization financing for 2017

Finance Director Coleman presented Ordinance No. 6636. The ordinance levies a .0207 percent sales tax credit against the state sales tax for local revitalization financing. The City first applied for the use of local revitalization financing in August 2009. The City's application was approved by the State authorizing up to \$250,000 per year for the local revitalization program for the Promenade capital improvements. The tax credit is available to the City for up to 25 years. In order for the City to continue receiving the tax credit, the City must request it each year. This is the eighth year the City has requested the tax credit.

Finance Director Coleman explained that the local revitalization funding pays for about half of the debt service on the \$7.24 million in 2010 Bonds used for funding the capital improvements for the Promenade. Funds from EDA grants, combined with REET2 funds and interest earnings are used to pay for the annual debt service costs.

The ordinance will appear on the next regular meeting agenda for approval.

C. Resolution No. 5278 (10 Minutes) (Coleman)

A Resolution of the City Council of the City of Auburn, Washington, authorizing the City of Auburn to impose a Sales and Use Tax as authorized by RCW 82.14.415 as a credit against State Sales and Use Tax, relating to annexations

Finance Director Coleman presented Resolution No. 5278, which levies the 0.1 percent sales tax credit against the state sales tax for annexation of the Lea Hill area. The tax credit began July 1, 2008 and will sunset June 30, 2018. It is anticipated the sales tax credit will generate \$2 million this year.

The resolution will appear on the next regular Council agenda for adoption.

D. Ordinance No. 6638 (5 Minutes) (Snyder)

An Ordinance of the City Council of the City of Auburn, Washington, amending the City of Auburn Downtown Urban Center Design Standards Pedestrian Street Map adopted by Section 18.29.070 of the City Code

Assistant Director of Community Development Services Tate presented Ordinance No. 6638 and the recommendation from the Planning Commission to approve Zoning Amendment Application ZAA16-006. ZAA16-006 was submitted by Auburn Professional Plaza LLC for a modification to the pedestrian street designation that is located on a portion of the west side of Auburn Avenue between Main Street and 1st Street NE. The existing designation is Pedestrian I, and the request is to change the designation to Pedestrian II.

Ground floor commercial uses located along Pedestrian I streets are limited to retail, restaurant or personal service uses. Ground floor commercial uses located along Pedestrian II streets allow the same uses as Pedestrian I plus office and residential uses. The effect of granting the requested change is to allow ground floor office uses on the property where the vacant Key Bank building is located across the street from the Auburn Avenue Theater.

The Planning Commission held a hearing on the request on February 8, 2017, and recommended approval of the map change.

The ordinance will appear before the Council on February 21, 2017, for consideration.

E. Resolution No. 5270 (5 Minutes) (Snyder)

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor and City Clerk to execute a contract between the City of Auburn and the City of Algona for decant facilities usage and street sweeping services

Assistant Director of Engineering Services/City Engineer Gaub presented Resolution No. 5270, approving a new contract with the City of Algona for use of City of Auburn's decant facilities and street sweeping services. The new three-year contract can be renewed for an additional three-year term.

Council discussed the City's street sweeping service schedule and capacity of the decant facility.

F. Council Rules of Procedure (30 Minutes) (Heid)

City Attorney Heid presented Resolution No. 5283, adopting the amendments to the City Council Rules of Procedures that would incorporate the Special Focus Areas and Council travel policy discussed at previous study sessions.

City Attorney Heid stated the amendments also make the presiding officer more generic throughout the document and identify the responsibilities of the special focus areas.

Councilmember Wagner suggested making it clearer that public comment is only allowed at regular City Council meetings.

Councilmembers suggested striking items 4 and 5 on page 23 of the document, which would have limited agendas to five agenda items and 30-40 minutes per item maximum.

Councilmembers discussed the changes to Section 18, Travel Authorization. It was recommended that under Receipts and Travel Documentation the words "10 business" be inserted to require that Councilmembers submit their travel receipts and documentation within 10 business days upon return from travel.

Councilmember Holman suggested Council receive quarterly reports on travel costs.

G. Council Involvement in Regional, State and Local Committees (20 Minutes)

Deputy Mayor Wales presented a chart of Council representation on regional, state, local and other organizations, which was started a couple years ago. She asked Councilmembers to review and identify areas of involvement by priority.

Upon further discussion, it was determined that the Mayor makes most of the appointments depending on interest and subject matter. Mayor Backus offered to complete the chart and distribute it back to Council for review.

Deputy Mayor Wales stated the chart will come back to another study session for further discussion.

H. Council Harassment Training (15 Minutes)

Deputy Mayor Wales acknowledged that Councilmembers recently attended the employee training on harassment in the workplace. Deputy Mayor Wales brought forth the question of what steps each Councilmember should take when they believe they are being harassed.

At 7:29 p.m. Deputy Mayor Wales recessed the meeting for a 10 minute intermission. The meeting was reconvened at 7:36.

Deputy Mayor Wales questioned the procedure for when harassment is focused at the Council.

Human Resources and Risk Management Director Roscoe stated the laws are designed to protect employees. The employer is required to provide a hostile free workplace for its employees.

Even though the policies are not written to protect Councilmembers, Director Roscoe recommended that if a Councilmember has a problem with an employee, the Councilmember should contact Human Resources. If a Councilmember has a problem with another Councilmember or other source, he recommended the Councilmember inform the City Attorney. City Attorney Heid agreed.

I. Downtown Permit Parking

Director of Community Development and Public Works Snyder presented a handout providing visuals for new permit parking locations.

Director Snyder stated the City will be offering additional permit parking spaces in the downtown area. The first area is near Gustaves Manor and is currently three hour parking but will be converted to permit parking available to Auburn residents and businesses. The second area is adjacent to the old public health building on Auburn Avenue and consists of 19 spaces that will be converted to permit parking with two spaces reserved for employee parking.

Director Snyder reviewed the current fee structure for permit parking. The fee structure offers reduction in price for low income and also discounts for six month and 12 month purchases.

Director Snyder briefly reviewed the history of the City's downtown permit parking program.

IV. EXECUTIVE SESSION

At 8:00 p.m., Deputy Mayor Wales recessed the meeting to executive session to discuss pending/potential litigation pursuant to RCW 42.30.110(1)(i). City Attorney Heid, Finance Director Coleman, and Assistant City Attorney Ruth attended the executive session. No action was anticipated following the executive session.

The meeting reconvened at 8:11 p.m.

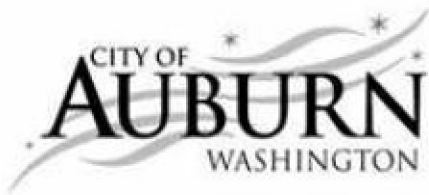
V. ADJOURNMENT

There being no further discussion, the meeting adjourned at 8:11 p.m.

APPROVED THIS _____ DAY OF _____, 2018

BOB BAGGETT, DEPUTY MAYOR

Shawn Campbell, City Clerk



City Council Study Session
February 27, 2017 - 5:30 PM
Auburn City Hall
MINUTES

I. CALL TO ORDER

Deputy Mayor Wales called the meeting to order at 5:30 p.m. in the Council Chambers of Auburn City Hall, 25 West Main Street in Auburn.

A. Roll Call

Councilmembers present: Deputy Mayor Largo Wales, Bob Baggett, Claude DaCorsi, John Holman, Bill Peloza, and Yolanda Trout-Manuel. Councilmember Rich Wagner arrived at 5:58 p.m. during discussion of the Arts and Culture Center.

Department directors and staff members present included: City Attorney Daniel B. Heid, Parks, Arts and Recreation Director Daryl Faber, Arts and Events Manager Julie Krueger, Director of Community Development and Public Works Kevin Snyder, Planning Services Manager Jeff Dixon, Director of Administration Dana Hinman, and Deputy City Clerk Shawn Campbell.

B. Announcements

There was no announcement.

C. Agenda Modifications

Deputy Mayor Wales added the following items to the agenda: City Slogan, IT Modification for Council Reports, and City Committee and Board Appointments.

II. CONSENT AGENDA

There was no Consent Agenda item for Council review.

III. DISCUSSION ITEMS

A. Arts & Culture Center Update (30 Minutes) (Faber)

Parks, Arts and Recreation Director Faber provided a briefing on the community engagement, funding strategies and opportunities, project timelines, initial design schematics and next steps for the Arts and Culture Center at the old post office/ public health building.

The City purchased the Auburn historic post office building in August 2016. City staff reached out to the community for public input related to transitioning the building to an Arts and Culture Center. The City has been actively working with PARC Resources and Johnston Architects on cost estimates, fundraising strategies, and initial design schematics for the Arts and Culture Center to accompany grant writing and fundraising activities.

The public outreach included information sharing via social media, the City's website, press releases, newspaper articles, Auburn magazine, outreach video and email. Also, a series of open houses and group conversations at the Arts and Culture Center, an online survey, and community presentations were held.

The City engaged PARC Resources and Johnston Architects for a consultant study. The study provides an outline for funding opportunities and strategies, initial cost estimates and phasing options,

initial design schematics, and all pieces required for future grant applications.

Ray Johnston, Principal with Johnston Architects PLLC, reviewed the two phases of the project. Phase one is the remodeling of the first floor and includes lobby and gathering area, gallery spaces, classroom space, visiting artist studio, cafe/concession, bathroom, office area, and building-wide mechanical/electrical systems. The estimate cost for phase one is \$1,523,284. Phase two is the remodeling of the basement and includes flexible space for art-making activities, rehearsal space and classroom areas. The estimated cost of phase two is \$1,420,931. The total funding goal is \$3 million.

Stan Foster, President of PARC Resources, noted the building has very good structure.

Funding opportunities include grants from government, large and small foundations, corporate funding, and energy incentives. Other funding includes: City funding, direct appropriations, and in-kind donations.

Director Faber shared possible programming options: gallery exhibitions, public programming and studio space, visiting artist studio, gift shop/store, venue rental, organizational partnerships, food/beverage vendors, support for Auburn Avenue Theater, and alleyway connection.

B. Human Services Overview (Hinman)

Director of Administration Hinman and Human Services Manager Azcueta presented the Human Services funding overview.

Director Hinman reviewed the funding the City provides for human services via General Fund, Community Development Block Grant funding, and other indirect human services funding.

Director Hinman stated human services is not a centralized function, and many departments within the City provide human service activities.

Deputy Mayor Wales inquired about funding for the food bank. Deputy Mayor Wales noted \$200,000 set aside for the salad bar and the YMCA. Director Hinman stated it has been past practice to fund the salad bar and the YMCA, but she welcomed the Council re-examine the programs. Director Hinman directed the Council to Finance Director Coleman on how the one percent for human services funding is calculated.

Councilmember Peloza requested more data to determine how a program is performing.

Deputy Mayor Wales suggested the Council review the parameters for human services funding in the next cycle. She recommended creating an ad hoc committee to look at the parameters and focus for human services funding.

In response to Councilmember comments, Director Hinman agreed to restructure the chart to reflect hard costs for human services funding versus soft costs or indirect costs.

There was also discussion on how to realistically measure the number of residents served versus funding levels.

Deputy Mayor Wales asked for volunteers to serve on an ad hoc committee to examine the human services funding parameters.

Councilmember Holman stated he believes the discussion should take place in an open Council study session.

Councilmember DaCorsi suggested the new special focus group for Human Services look at the issue first.

Councilmember Baggett warned against redoing the work of the Human Services Committee.

C. Ordinance No. 6639 - Rezone REZ15-0001 (5 Minutes) (Snyder)

An Ordinance of the City Council of the City of Auburn, Washington, approving the request of Kana B, LLC for rezoning of four parcels totaling approximately 5.87 acres located east of East Valley Highway from C1, Light Commercial and C3, Heavy Commercial, to M1, Light Industrial to implement the Comprehensive Plan and amending the City's zoning maps

Planning Services Manager Dixon presented Ordinance No. 6639, which would approve the Kana B, LLC zoning map amendment (REZ15-0001) as recommended by the Hearing Examiner.

The ordinance would rezone four parcels, two parcels totaling approximately 3.65 acres from C1, Light Commercial, to M1, Light Industrial and rezoning of two parcels totaling approximately 2.22 acres from C3, Heavy Commercial, to M1, Light Industrial. The proposal consists of parcels on the east side of East Valley Highway (A Street SE) in the 5400 to 5600 block (between Lakeland Hills Boulevard and Lake Tapps Parkway East.

The applicant has indicated the rezoning is requested for the purposes of allowing greater flexibility for the relocation and expansion of Lakeridge Paving Company, to relocate from their current facility in Maple Valley, WA. The expansion will include development of new office facilities, paving, storage and shop buildings.

Manager Dixon reported the Hearing Examiner recommendation is to approve with three requirements: landscape screening, signage, and assurance that stormwater and utility requirements are met for the type of development. The rezone will make the zoning designation consistent with the Comprehensive Plan.

Councilmember Wagner noted the property to the east is zoned residential. Manager Dixon stated it is a very steep hillside leading up to Lakeland and will likely not be developed due to the steepness and its environmental sensitivity.

City Attorney Heid briefly reviewed the decision making process for rezones. Rezones require an ordinance adopted by the City Council. The Hearing Examiner makes a recommendation to the Council.

Manager Dixon explained there is a separate SEPA action related to the site development. The applicant does not manufacture paving materials on site.

The ordinance will appear on the next regular Council agenda for approval.

D. Ordinance No. 6640 - Rezone REZ14-0001 (5 Minutes) (Snyder)

An Ordinance of the City Council of the City of Auburn, Washington, approving the request of Romart Investments, LLC for rezoning of one parcel totaling approximately 2.27 acres located at the northwest corner of 182nd Ave E and Lake Tapps Parkway E from R5, Residential to C1, Light Commercial to implement the Comprehensive Plan and amending the City's zoning maps

Planning Services Manager Dixon presented Ordinance No. 6640, which would approve the Romart Investments LLC zoning map amendment (REZ14-0001) as recommended by the Hearing Examiner.

The ordinance would rezone one parcel totaling about 2.27 acres from R5, Residential, five

dwelling units per acre to C1, Light Commercial. The vacant site is located at the northwest corner of 182nd Avenue East and Lake Tapps Parkway East. The proposed rezone is consistent with the Comprehensive Plan.

The Hearing Examiner recommended approval with a condition related to the driveway.

There are no development plans at this time.

E. Ordinance No. 6641 - Rezone REZ16-0002 (5 Minutes) (Snyder)

An Ordinance of the City Council of the City of Auburn, Washington, approving the request of City of Auburn, Community Development and Public Works for rezoning of three parcels totaling approximately 137.38 acres located west of C Street southwest from M1, Light Industrial and M2, Heavy Industrial to C3, Heavy Commercial to implement the Comprehensive Plan and amending the City's zoning maps

Planning Services Manager Dixon presented Ordinance No. 6641, which would approve the City-initiated zoning map amendment (REZ16-0002) as recommended by the Hearing Examiner without conditions.

The ordinance would rezone three parcels totaling approximately 137.38 acres from M1, Light Industrial, and M2, Heavy Industrial, to C3, Heavy Commercial. The property is known as the General Services Administration property along C Street SW south of 15th Street SW.

The ordinance will appear before the Council at its next regular meeting for approval.

F. City Slogan

Deputy Mayor Wales brought up discussion of the City tag line "More Than You Imagined."

Councilmember Wagner suggested the tag line "Auburn, the City That Works."

Deputy Mayor Wales suggested retaining the use of "More Than You Imagined" for the Parks, Arts and Recreation Department activities and publications.

Deputy Mayor Wales stated her opposition to spending any money on changing branding.

City Attorney Heid suggested staff check on what other slogans are being used so there is no conflict.

Deputy Mayor Wales agreed to discuss the matter with Mayor Backus before proceeding further.

G. Modifications to the Council Reports Software

Deputy Mayor Wales stated she would like to add some tools as to the use of the template/document that Council uses when reporting on attendance at regional, state and local boards and organizations. Councilmember DaCorsi stated there appears to be no way to save the work or perform spell check. He hopes that IT can add some features to the form.

H. City Boards and Commission Appointments

Deputy Mayor Wales brought forward discussion of City Boards and Commission. She has asked City Attorney Heid to identify which board and commission members must be appointed by the Mayor and which are appointed by Council. She also requested a review of the membership for each.

Deputy Mayor Wales stated she has added discussion of this item for the March 27th study

session agenda.

I. Ad Hoc Committee Matrix

Councilmember Peloza requested staff create an ad hoc committee matrix.

IV. ADJOURNMENT

There being no further discussion, the meeting adjourned at 7:38 p.m.

APPROVED THIS _____ DAY OF _____, 2018.

BOB BAGGETT, DEPUTY MAYOR

Shawn Campbell, City Clerk



**CITY COUNCIL STUDY SESSION AND
SPECIAL FOCUS AREA
MARCH 27, 2017 – 5:30 PM
Auburn City Hall
MINUTES**

I. CALL TO ORDER

Deputy Mayor Wales called the meeting to order at 5:30 p.m. in the Council Chambers of Auburn City Hall located at 25 West Main Street in Auburn.

A. Roll Call

Councilmembers present: Deputy Mayor Largo Wales, Bob Baggett, Claude DaCorsi, John Holman, Bill Peloza and Yolanda Trout-Manuel. Councilmember Rich Wagner arrived at 5:31 p.m.

Mayor Nancy Backus and the following department directors and staff members were present during the meeting: Innovation and Technology Director Paul Haugan, Parks, Arts and Recreation Director Daryl Faber, Economic Development Manager Doug Lein, Human Resources and Risk Management Director Rob Roscoe, Assistant City Attorney Doug Ruth, Chief of Police Bob Lee, City Attorney Daniel B. Heid, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Assistant Director of Community Development Services Jeff Tate, Planning Services Manager Jeff Dixon, Finance Director Shelley Coleman, Director of Community Development and Public Works Kevin Snyder, and Deputy City Clerk Shawn Campbell.

II. ANNOUNCEMENT, REPORTS AND PRESENTATIONS

There was no announcement, report or presentation.

III. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Junior City Council Goals

Deputy Mayor Wales reviewed the Junior City Council goals for the upcoming year. Junior Council members are planning to request to increase the number of their meetings, development of a mission statement, and a presentation on what they view to be the effect of

homelessness on students. They also want to make a suggestion to their curriculum staff at the school district.

Deputy Mayor Wales stated Junior City Councilmembers also asked to be involved in some of the City Boards and Committees.

Councilmembers Wagner and Pelosa requested the Junior City Council minutes. They could not find any on line.

Councilmember Holman expressed support for the idea that the Junior City Councilmembers are getting more involved and support their initiatives. Councilmember Holman hoped to see feedback from them on the City Council's goals and priorities from a youth perspective.

The Junior Councilmembers were given the opportunity to apply for a \$1,000 leadership scholarship. Councilmember Holman brought up the idea for a privately funded Council scholarship for a Junior City Councilmember.

B. City Slogan

Councilmember Baggett reported to the Council on his research on the use of City slogans. He stated there are many varied City slogans. The cost for a new slogan could be around \$100,000d or more.

Deputy Mayor Wales stated it may not be worth having a slogan.

Economic Development Manager Lein reported the economic development plan consultant recommended against using a slogan or changing the current one if Council feels there is a need for a slogan. Manager Lein also stated the tourism consultant recommended against a city-wide slogan and stated the trend now is to associate an action slogan to a project or single initiative.

Councilmember Wagner stated his analysis revealed only five percent of cities have slogans.

Councilmember DaCorsi questioned the cost of removing the slogan from City signs and stationery. Councilmember DaCorsi expressed support for using a slogan for a single campaign.

Parks, Arts and Recreation Faber reported the Parks Department uses the current slogan for particular projects or activities. They

have used a method of personalizing it for particular project or activity.

Councilmembers spoke about phasing out the current slogan and not spending any additional funds on a slogan.

C. City Committee and Board Appointments

Deputy Mayor Wales stated City Boards and Commissions were discussed at the last study session, particularly responsibility for appointment and membership.

City Attorney Heid reported he went through and looked at the different boards and commissions residency requirements and the appointment process. City Attorney Heid distributed an updated handout on appointment and qualification provisions. He also pointed out his memo in the agenda packet asking two questions: whether an ex-officio member from the Council is needed for the Arts Commission (a unique provision to the Arts Commission) and whether the Council rule designating the Deputy Mayor as an ex-officio member of all ad hoc committees should be retained. He cautioned that to include the Deputy Mayor as an ex-officio member of all ad hoc committees could create a Council quorum, which would fall within the requirements of the Open Public Meetings Act.

Councilmember Wagner questioned the new provision on a limitation for serving on more than one board or commission for more than six months. City Attorney Heid stated the provision stemmed from the Council's last discussion. The time frame allows for an overlap until a new member could be appointed to fill a vacancy.

Councilmember Pelosa stated he is not opposed to a volunteer serving on more than one committee if there are no other interested and qualified volunteers.

Councilmember Holman spoke in favor of a diverse and broad representation on City boards and commissions.

Mayor Backus requested that if the rule is implemented, that for any current member serving on more than one board or commission, their term should be allowed to expire.

In response to questions from Councilmember Trout-Manuel, Mayor Backus stated members of boards and commissions sign conflict of interest declarations.

Councilmember Pelosa suggested a new provision that any board or commission member who is voting on a recommendation for a grant to an organization that they may be associated with should be recused or prevented from voting on the recommendation.

Deputy Mayor Wales questioned the need for a Council liaison on boards and commissions.

Councilmember Wagner stated he believes having a liaison is counter-productive. He served as the Arts Commission liaison and feels it inhibits the members. Councilmembers Holman and DaCorsi agreed.

Upon further discussion, City Attorney Heid agreed to bring forward a proposed ordinance that would make the provisions for all boards and commission consistent.

D. Ordinance No. 6645 – Final Plat Application No. PLT16-0008, Wyncrest Division III

Planning Services Manager Dixon presented Ordinance No. 6645, approving the final plat of Wyncrest Division III.

Schneider Homes Inc. has made application or final plat of Wyncrest Division III (previously known as “Frederick Allen”) located on the western terminus of South 298th Place, approximately 650 feet east of 64th Avenue South in the “West Hill” area of Auburn. The plat was applied for while in King County and before annexed to the City of Auburn and was vested under King County standards.

The final plat is the subdivision of approximately 4.99 acres into 12 single-family residential lots, one tract for access and utilities, one tract for private open space, and dedication of public right-of-way. Stormwater from the plat will be sent to the existing pond in Wyncrest Division I. The preliminary plat was approved by the Hearing Examiner on August 2, 2010 (PLT08-0018) with 21 conditions.

A Certificate of Improvement was issued by the City Engineer accepting completion of the plat improvements with the exception

of the following items, which the developer has bonded for: final lift of asphalt, installation of permanent monuments, and raising of utilities to grade.

Staff recommends approval of the final plat. The ordinance will appear before the Council at its next regular meeting.

E. Ordinance No. 6647 - Abatement of Public Nuisances

Assistant City Attorney Doug Ruth presented Ordinance No. 6647, relating to the abatement of public nuisances.

Assistant City Attorney Ruth explained that within the City's system for code enforcement, there are provisions for recovering from violators unpaid penalties and abatement costs. Currently, methods of cost recovery include use of collection agencies, property liens, and special tax assessments. Ordinance No. 6647 will clarify the manner of using these cost recover options.

The ordinance organizes the cost recovery provisions in code providing a clearer outline of the City's tools, the provisions for each collection method are separated and detailed.

Deputy Mayor Wales recessed the meeting at 7:15 for approximately five minutes for a brief intermission.

The meeting was reconvened at 7:25 p.m.

F. Les Gove Park 911 Phones

Parks, Arts and Recreation Director Faber and Innovation and Technology Director Haugan updated the Council about the potential use of 911 blue light style security phones at Les Gove Park Campus.

Director Faber reported there is a stakeholder group that meets every two months for the Les Gove Park Campus working on security and other issues affecting the campus area. Director Faber spoke about security measures they have taken: designated police parking stall, additional bike officer, removed some picnic tables, and limbed up trees for better lines of sight. He reported Arcadia House is able to stay open until 10:00 a.m. rather than releasing youth at 7:00 a.m.

Director Haugan spoke about the potential installation of blue light 911 emergency phones and the usage of the phones.

Director Faber and Director Haugan also spoke about the use of new 360-degree surveillance cameras in the campus area.

The phone tower, without wireless and the camera, is approximately \$4,000. Director Faber stated the expense is already budgeted.

IV. FINANCE AND ECONOMIC DEVELOPMENT DISCUSSION ITEMS

At this time, Councilmember Baggett, chair of the Finance and Economic Development Special Focus area presided over the meeting.

A. 4th Quarter 2016 Financial Report

Finance Director Coleman presented the fourth quarter 2016 Finance Report. She provided an overview of the City's overall financial position for the fiscal period ending December 31, 2016.

She reported General Fund revenues totaled \$64.2 million compared to a budget of \$60.2 million and were \$3.2 million more than revenues collected in 2015.

All expenditures were within budget.

Councilmembers discussed revenues from property taxes, sales taxes, gambling taxes, utility taxes, building permits, business licenses, pet licensing, recreation fees, and development service fees.

Finance Director Coleman and Community Development and Public Works Director Snyder responded to questions from Council regarding pet licensing and a proposal from Auburn Valley Humane Society to perform the pet licensing collection.

Finance Director Coleman reported utility taxes came in higher than anticipated. The telephone tax continues to decrease.

Director Coleman reviewed the street funds, proprietary funds, utility funds, and ending fund balance.

B. Ordinance No. 6646 - Budget Amendment No. 1

Finance Director Coleman presented Ordinance No. 6646, representing Budget Amendment No. 1 for the 2017-2018 Biennial Budget.

The main purpose of the first budget amendment of the year is to carry forward remaining 2016 budget authority for identified programs and projects that were budgeted in 2016 but not completed. The requested unspent budget authority from 2016 to be carried forward into the 2017 budget year for all funds is \$15,352,289.

Additional items included in the amendment are recognition of new revenue, either grants or transfers in from other supporting funds, requests to change budget authority for projects, and requests for funding for projects and other costs not anticipated in the 2017 Budget.

The budget amendment also includes new requests for a transfer from the General Fund to the Cumulative Reserve Fund, transfers to replenish the Insurance Fund, corrections to the Police budgets, funding for public arts, costs for a utility rate study, IT security software, additional funding for replacement vehicles, temporary help, badge security, police grants, parks grants, and new funding for Police recruiting and onboarding.

C. Economic Development Update

Economic Development Manager Lein presented an economic development update using a PowerPoint handout and slides. He noted a correction to the number of business licenses issued in 2016 as 291.

Manager Lein reviewed construction valuations for 2016 compared to 2015. Even though the constructions valuations were unchanged. he noted there is positive growth measured in sales tax growth.

Manager Lein stated staff are moving forward with the ten-year economic development strategic plan and will see the first draft of the plan soon.

Manager Lein reviewed the 2017 demographic report from The Retail Coach.

Manager Lein reviewed the new projects underway in the downtown area, including the Aub-Dev LLC mixed use seven-story project and the Deutsch Partners LLC mixed use seven-story project.

Manager Lein provided an update to the North Auburn Logistics industrial mixed-use project, the US General Services Administration property development, and the Valley Drive-in property project.

Manager Lein reviewed efforts to support existing businesses.

V. OTHER DISCUSSION

There was no other discussion.

VI. NEW BUSINESS

Deputy Mayor Wales asked that an update on the Auburn Avenue Theater be scheduled for an upcoming study session.

VII. MATRIX

Councilmember Holman noted the Public Works and Community Development Special Focus Area is scheduled for the April 10th study session. There was no other discussion of the matrix.

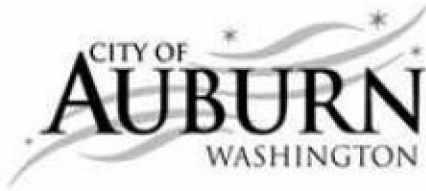
VIII. ADJOURNMENT

There being no further discussion, the meeting adjourned at 9:25 p.m.

APPROVED THIS ____ DAY OF _____, 2018.

BOB BAGGETT, DEPUTY MAYOR

Shawn Campbell, City Clerk



**City Council Study Session PWCD SFA
October 22, 2018 - 5:30 PM
Council Chambers - City Hall
MINUTES**

📺 Watch the meeting LIVE!

📺 Watch the meeting video

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

I. CALL TO ORDER

Deputy Mayor Bob Baggett called the meeting to order at 5:30 p.m. in the Council Chambers of Auburn City Hall, 25 West Main Street in Auburn.

A. Roll Call

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

Mayor Nancy Backus and the following department directors and staff members were present: Assistant City Attorney Doug Ruth, Director of Administration Dana Hinman, Director of Human Resources & Risk Management Candis Martinson, Commander David Colglazier, Economic Community Development Manager Doug Lien, Human Services Manager Joy Scott, Budget & Business Manager Darcie Hanson, Director of Public Works Ingrid Gaub, Assistant Director of Engineering Jacob Sweeting, Engineering Manager Lisa Tobin, Senior Traffic Engineer James Webb, Director of Community Development Jeff Tate, Code Compliance Officer Chris Barrack, and Deputy City Clerk Teresa Mattingly.

II. ANNOUNCEMENTS, REPORTS, AND PRESENTATIONS

A. Affordable Housing South King Housing & Homelessness Partners (Hinman) (20 Minutes)

Marty Kooistra from the Housing Development Consortium and John Howell from Cedar River Group provided Council with a presentation on (SKHHP) South King Housing and Homelessness Partners, the benefits of creating a draft interlocal agreement between South King County cities and King County, the struggle with housing costs, the SKHHP pilot program achievements, future collaboration goals, an example work plan, draft budget and current status of the program.

Council discussed who would service on the advisory board and what their roles will be, the need for affordable housing, the preservation of existing affordable housing and how important it is for cities to come together as one voice.

Mayor Backus and Councilmember Holman thanked Marty Kooistra, John Howell and Manager Scott for all the work they have done and for taking care of South King County.

III. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Ordinance No. 6697 (Gross) (5 Minutes)

An Ordinance of the City Council of the City of Auburn, Washington relating to criminal offenses, amending Section 9.22.010 of the Auburn City Code

Assistant City Attorney Ruth presented Ordinance No. 6697 to amend Ordinance No. 6689 to include language regarding permissible possession of marijuana under Chapters 69.50 and 69.41.

There was no other discussion.

IV. PUBLIC WORKS AND COMMUNITY DEVELOPMENT DISCUSSION ITEMS

A. Vacant Housing Update (Tate) (10 Minutes)

Overview of City's approach to vacant homes in Auburn

Director Tate and Code Compliance Officer Barack provided an update on Vacant Housing and discussed the Vacant Property registration process, property requirements, the benefits to the community with the new registration in place, and how the Code Compliance team will conduct routine inspections to ensure they remain violation free.

Council discussed whether or not banks are helpful in providing information and managing their vacant properties, who hires preservation companies, how to find out who the property owner is and what happens to funds collection on code violations.

Code Compliance Officer Barack advised Council that the banks are not helpful in managing their properties, that people can search for property information on the King County Department of Assessments website and confirmed that money collected from violations goes into the general fund.

B. Affordable Housing Stock (Tate) (20 Minutes)

Overview of the City's Comprehensive Plan Housing Element and data associated with affordable housing in Auburn

Executive Director of King County Housing Authority Steven Norman provided Council with an overview on what the King County Housing Authority does, and presented information on the number of homeless school children in South King County, homeless veterans, the negative impact this has on students and schools, the increase in rental prices versus household income, how many households are supported by King County Housing Authority (KCHA), number of applications received,

current subsidized housing programs, the difficulty with keeping up with the demand for housing, weatherization programs to reduce energy costs, continued recapitalization of existing inventory, and partnership opportunities for continuing education and training programs.

Councilmember Trout-Manuel left the meeting at 6:42 p.m.

Council discussed that homeless residents get preference to be on the wait list for assistance, how the City can partner with different agencies to provide training and continuing education programs to help decrease homelessness.

Director Tate discussed Affordable Housing Stock, current inventory, homeowners committing to keeping affordable housing, new projects and their affordability components, the importance of housing preservation and maintaining existing stock, rental business license standards and training to help owners keep their properties maintained.

Councilmember Wales asked about rental inspections regarding rodent control and other health and safety issues due to the percentage of school age children living in the area and the implications of living conditions have on health, safety and school attendance.

Director Tate advised Council of the Safe Auburn for Every Resident Program and how multi-family property owners get rewarded for doing good things to their property by being enrolled in this program.

Councilmember DaCorsi called for a 10 minute recess at 7:10 p.m. the meeting reconvened at 7:20 pm

C. Amendments to Title 5 Business Licensing (Tate) (10 Minutes)

Overview of draft amendments intended to comply with State legislation that defines what it means to engage in business

Director Tate and Manager Hanson presented information on draft Ordinance No. 6692 to implement the requirements that were established through HB2005 to create a uniform definition of what it means to engage in business in any jurisdiction that has a business license program and the option of moving business licensing under the prevue of the State Department of Revenue to streamline business licensing in Washington State by having a single portal to apply, renew and pay for a business license, which would eliminate the need to learn dozens of ways to apply for a business license.

D. Payback Code Revisions (Ordinance No. 6696) (Gaub) (15 Minutes)

Manager Tobin presented information on the proposed revisions to the Auburn City Code regarding Payback Agreements and how the revisions will benefit property owners by providing a mechanism to reimburse an eligible applicant and/or city for costs associated with the construction of

public streets or public utility system improvements. Proposed changes include notifying owners before construction starts, modernizing city code language and adding a processing fee to the Payback Agreement so the City can recoup costs when the City takes these payments from the property owners and forwards to the developers.

Councilmember Wales asked if the City currently has a fee. Manager Tobin stated that the City does not have a fee to recoup costs, that there is a flat rate application fee.

E. Auburn City Code Chapter 12.64A Half Street Improvement Requirements (Gaub) (20 Minutes)

Director Gaub and Assistant Director Sweeting presented information on the Half Street Code, recapped previous discussions, current code requirements, required public improvements, types of half street improvements, how the required improvements are determined, what improvements would be exempt, proposed changes to the Fee In Lieu Program, and elimination of the valuation criteria.

Council discussed what triggers half street improvements, the impact on small business owners, lot sizes, appeal and deferral process and the cost to the City versus the owner and/or builder when doing these improvements.

Council's consensus is to move forward with this program.

F. Traffic Impact Fee Update (Gaub) (10 Minutes)

Engineer Webb presented Council with an update on the proposed changes to the Traffic Impact Fee which includes; changes to the project list, the scope and cost estimates, updated funding needs, number of growth trips, how the fees are calculated based on new development and how the proposed changes compare with other jurisdictions.

Council discussed what the Traffic Impact Fees are at Lakeland Hills and if 4th Street was on the list to be worked on. Engineer Webb confirmed that the proposed changes do not cover preservation of existing streets and is not included in this update.

V. OTHER DISCUSSION ITEMS

There was no other discussion.

VI. NEW BUSINESS

There was no new business.

VII. MATRIX

A. Matrix

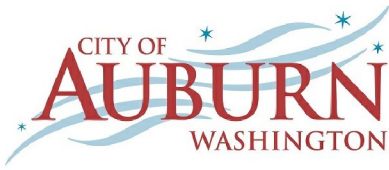
Councilmembers discussed the matrix, no changes were made.

VIII. ADJOURNMENT

There being no further discussion, the meeting adjourned at 8:14 p.m.

BOB BAGGETT, DEPUTY MAYOR Teresa Mattingly, Deputy City Clerk

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.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes of the November 5, 2018 Regular Council Meeting

Department:

Administration

Attachments:

[November 5, 2018 Minutes](#)

Date:

November 13, 2018

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

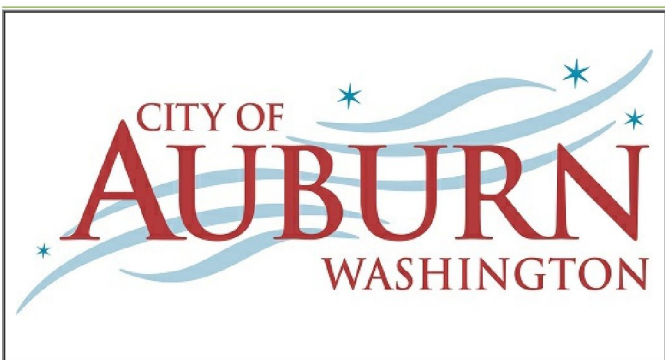
Revised Budget: \$0

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

Meeting Date: November 19, 2018

Staff:

Item Number: CA.B

	City Council Meeting November 5, 2018 - 7:00 PM City Hall Council Chambers MINUTES Watch the meeting LIVE! Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. CALL TO ORDER

A. Pledge of Allegiance

Mayor Nancy Backus called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn City Hall, 25 West Main Street in Auburn.

B. Roll Call

Councilmembers present: Deputy Mayor Bob Baggett, Larry Brown, Claude DaCorsi, John Holman, Yolanda Trout-Manuel, Bill Pelosa and Largo Wales.

Department directors and staff members present included: City Attorney Steven Gross, Finance Director Shelley Coleman, Police Commander Steve Stocker, Director of Public Works Ingrid Gaub, Parks, Arts and Recreation Director Daryl Faber, Innovation and Technology Director David Travis, Assistant Innovation and Technology Director Ashley Riggs, Parks, Art and Recreation Director Daryl Faber, Community Development Director Jeff Tate, Human Resources Director Candis Martinson, Director of Administration Dana Hinman, Economic Development Manager Doug Lein Real Property Analyst Josh Arndt and City Clerk Shawn Campbell.

II. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

A. Presentation - Yes Vets

Director Martinson introduced Cliff Gocha and Kimberly Tickner from the Auburn Worksource office. Mr. Gocha stated the City of Auburn is a great partner with Worksource and presented Mayor Backus with the YesVets award for the City of Auburn being a "Veteran Friendly Organization".

Mayor Backus thanked Worksource for the award and all they do to help veterans in the City. Mayor Backus noted the City has 53 full time employees that are veterans.

B. Proclamation - 2018 Tree Steward

Mayor Backus to proclaim the Auburn Parks Department as our "2018 Tree Steward" in the city of Auburn.

Mayor Backus read and proclaimed the Auburn Parks Department as the "2018 Tree Steward" in the city of Auburn.

Director Faber stated the City annually recognizes a tree in the City as a significant tree. He thanked the Mayor and Council for their support and recognition of the work by the Urban Tree Board and staff.

C. Proclamation - GIS Day

Mayor Backus to proclaim November 14, 2018 as "GIS Day" in the city of Auburn.

Mayor Backus read and proclaimed November 14th as GIS day in the city of Auburn.

Assistant Director Riggs thanked the Mayor and Council for recognizing the City's GIS team for their hard work.

D. Proclamation - Filipino and American World War II Veterans Recognition Day

Mayor Backus to proclaim November 11, 2018 as "United States Congressional Gold Medal for Filipino and American World War II Veterans Recognition Day" in the city of Auburn.

Mayor Backus read and proclaimed November 11th as "United States Congressional Gold Medal for Filipino and American World War II Veterans Recognition Day" in the city of Auburn.

Mr. Pascus thanked the Mayor and Council for recognizing the Filipino community for their participation in World War II.

III. APPOINTMENTS

There were no appointments.

IV. AGENDA MODIFICATIONS

There was no modification to the Agenda.

V. CITIZEN INPUT, PUBLIC HEARINGS AND CORRESPONDENCE

A. Public Hearings

1. Public Hearing on 2019-2020 Preliminary Biennial Budget

City Council to conduct a public hearing to receive public comments, proposals and suggestions on the 2019-2020 Preliminary Biennial Budget.

Mayor Backus opened the public hearing at 7:18 p.m. No one came forward to speak she closed the hearing.

2. Public Hearing for 2019-2024 Transportation Improvement Plan Modification

City Council to conduct a public hearing to receive public comments and suggestions regarding the 2019-2024 Six-Year Transportation Improvement

Program, Resolution No. 5386.

Mayor Backus opened the public hearing at 7:19 p.m. No one came forward to speak she closed the hearing.

3. Public Hearing for the 2019 Community Development Block Grant (CDBG) Annual Action Plan

City Council to conduct a public hearing to receive public comments and suggestions with regards to the 2019 Annual Action Plan as required by the U.S. Department of Housing and Urban Development (HUD)

Mayor Backus opened the public hearing at 7:19 p.m. No one came forward to speak she closed the hearing.

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.

Bob Zimmerman, 33029 46th Place South, Auburn
Mr. Zimmerman expressed his frustration with building code violations.

Waylon Minzia, 719 R ST NE, Auburn
Mr. Minzia stated he would like to get more involved in the community. He thanked the Mayor and Council for their hard work and support.

Virginia Haugan, 2503 R Street SE, Auburn
Ms. Haugan stated she has not attended a meeting in awhile and wanted to stop in.

C. Correspondence

There was no correspondence for Council to 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 recommendation to the City Council, if any.

Councilmember Brown, chair of the Finance ad hoc committee, reported he and Councilmember Holman have reviewed the claims and payroll vouchers described on the Consent Agenda this evening and recommended their approval.

Councilmember DaCorsi, chair of the Road Projects ad hoc committee reported the Roads committee has completed their work.

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 October 24, 2016, November 28, 2016, January 23, 2017, January 30, 2017 and October 8, 2018 Study Session
- B. Minutes of the October 15, 2018 Regular Council Meeting
- C. Claim Vouchers (Coleman)
Claims vouchers 451160 through 451441 in the amount of \$2,765,879.55 and seven wire transfers in the amount of \$245,684.34 and dated November 5, 2018.
- D. Payroll Vouchers (Coleman)
Payroll check numbers 538143 through 538162 in the amount of \$515,906.61, electronic deposit transmissions in the amount of \$1,895,495.12 for a grand total of \$2,411,401.73 for the period covering October 11, 2018 to October 31, 2018.
- E. Parks Project No. CP1820 (Faber)
City Council to award small works contract to Waters and Woods for Project No. CP1820 Replacing a Picnic Shelter at Isaac Evans Park
- F. Public Works Project No. CP1709 (Gaub)
City Council to award Contract No. 18-07, to R.L. Alia Company on their low bid of \$370,722.00 plus Washington State sales tax of \$37,072.20 for a total contract price of \$407,794.20 for Project No. CP1709, Reservoir No. 1 Seismic Control Valve

Deputy Mayor Baggett moved and Councilmember Brown seconded to approve the consent agenda.

Council discussed the new structure at Isaac Evans Park and the funding for CP1709.

MOTION CARRIED UNANIMOUSLY. 7-0

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. NEW BUSINESS

There was no new business.

X. ORDINANCES

- A. Ordinance No. 6692 (Tate)
An Ordinance of the City Council Of the City of Auburn, Washington related to Business Licenses, amending definitions, and amending Chapter 5.10 of the Auburn City Code

Councilmember Holman moved and Deputy Mayor Baggett seconded to approve Ordinance No. 6692.

MOTION CARRIED UNANIMOUSLY. 7-0

B. Ordinance No. 6696 (Gaub)

An Ordinance of the City Council of the City of Auburn, Washington related to infrastructure payback agreements, amending Chapter 3.25 of the Auburn City Code

Councilmember DaCorsi moved and Councilmember Trout-Manuel seconded to approve Ordinance No. 6996.

MOTION CARRIED UNANIMOUSLY. 7-0

C. Ordinance No. 6697 (Gross)

An Ordinance of the City Council of the City of Auburn, Washington relating to criminal offenses, amending Section 9.22.010 of the Auburn City Code

Councilmember Pelosa moved and Councilmember Holman seconded to approve Ordinance No. 6697.

MOTION CARRIED UNANIMOUSLY. 7-0

XI. RESOLUTIONS

A. Resolution No. 5386 (Gaub)

A Resolution of the City Council of the City of Auburn, Washington, amending the 2019-2024 Six-Year Transportation Improvement Program of the City of Auburn pursuant to Chapter 35.77 of the revised Code of Washington

Councilmember DaCorsi moved and Councilmember Brown seconded to approved Resolution No. 5386.

MOTION CARRIED UNANIMOUSLY. 7-0

B. Resolution No. 5387 (Hinman)

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute a real estate easement agreement between the City of Auburn and Puget Sound Energy for conveyance of a utility easement

Analyst Arndt provided Council with the request from Puget Sound Energy to acquire an easement to upgrade their facilities.

Councilmember DaCorsi moved and Councilmember Trout-Manuel seconded to adopt Resolution No. 5387.

MOTION CARRIED UNANIMOUSLY. 7-0

XII. MAYOR AND COUNCILMEMBER 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 Baggett reported he attended the 25th Annual Harvest Fundraising Breakfast, the Mayor's Blue Ribbon Committee meeting and the Micronesia Community event.

Councilmember DaCorsi reported he attended the King County Regional Transit Authority meeting.

Councilmember Brown reported he participated in a Police Ride Along, he reported the Martin Luther King County Labor Council and the Machinist Union have formed a veterans committee and will be participating in the Veterans parade.

Councilmember Holman reported he attended the Puget Sound Regional Council Growth Management Board meeting. He also shared an article he wrote will be in a National League of Cities publication, the 53rd annual Veterans Day Parade and the 242nd Birthday of the Marine Corps is on November 10th.

Councilmember Wales reported she attended the Kiwanis Day of Service event.

Councilmember Trout-Manuel reported she attended the Kiwanis Day of Service event, the Mayor's Blue Ribbon Committee and the Micronesia Community event.

Councilmember Pelloza reported he attended the Green River College Scholarship Recognition Banquet.

B. From the Mayor

Mayor Backus noted the November 13th City Council Study Session will begin at 7:00 p.m.

Mayor Backus reported she attended the Back the Blue 5k run, the Leadership Institute of South Puget Sound Kick Off, the Cities and Schools quarterly meeting and the 25th Annual Harvest Breakfast. She announced that November 6th is the Veterans Day lunch at Auburn Senior Center and she encouraged everyone to vote.

XIII. ADJOURNMENT

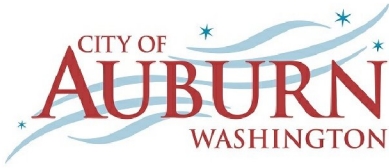
There being no further business to come before the Council, the meeting adjourned at 8:06 p.m.

Approved this 19th day of November, 2018.

NANCY BACKUS, MAYOR

Shawn Campbell, City Clerk

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.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Claims Vouchers (Coleman)

Date:

November 8, 2018

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:**Administrative Recommendation:**

Approve Claims Vouchers.

Background Summary:

Claims voucher 451442 through 451601 in the amount of \$6,463,378.57 and four wire transfers in the amount of \$1,138,505.47 and dated November 19, 2018.

Reviewed by Council Committees:**Councilmember:****Staff:**

Coleman

Meeting Date: November 19, 2018

Item Number:

CA.C



AGENDA BILL APPROVAL FORM

Agenda Subject:
Payroll Vouchers (Coleman)

Date:
November 8, 2018

Department:
Finance

Attachments:
No Attachments Available

Budget Impact:

Administrative Recommendation:

Approve Payroll vouchers.

Background Summary:

Payroll check numbers 538163 through 538180 in the amount of \$232,981.48, electronic deposit transmissions in the amount of \$1,966,587.99 for a grand total of \$2,199,569.47 for the period covering November 1, 2018 to November 14, 2018.

Reviewed by Council Committees:

Councilmember:

Staff:

Coleman

Meeting Date: November 19, 2018

Item Number:

CA.D



AGENDA BILL APPROVAL FORM

Agenda Subject:

Artwork Donation (Faber)

Date:

November 8, 2018

Department:

Parks/Art and Recreation

Attachments:

[LinkedDonation Council Info](#)

Budget Impact:**Administrative Recommendation:**

City Council accept donation of artwork.

Background Summary:

Artist Jesse Swickard has offered to donate his artwork, *Linked*, to the City of Auburn. Swickard's artwork was part of the 2017-2018 Outdoor Sculpture Gallery and the piece was located adjacent to the Trek building in downtown Auburn. Following the Art in Public Places policy for donated artwork, the Arts Commission considered the proposed donation of artwork at their meeting on September 3, 2018. The commission voted to recommend to the City Council that the artwork be accessioned into the City of Auburn's public art collection. The piece has been appraised with a value \$4,500.

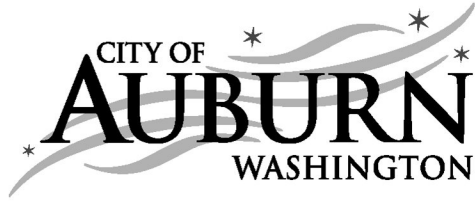
Reviewed by Council Committees:**Councilmember:****Staff:**

Faber

Meeting Date: November 19, 2018

Item Number:

CA.E



Interoffice Memorandum

To: Mayor Nancy Backus
Auburn City Councilmembers

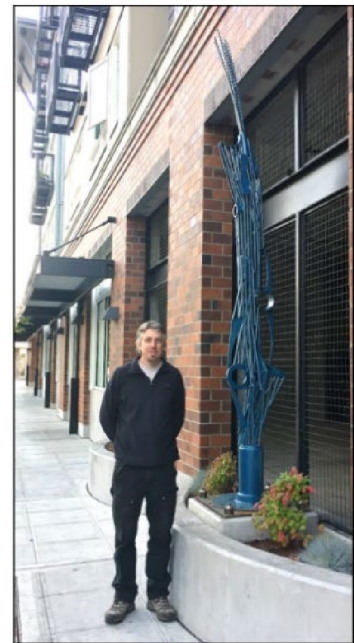
From: Daryl Faber, Parks, Arts & Recreation Director

Date: October 15, 2018

Re: Potential Public Art Donation

Artist Jesse Swickard has offered to donate his artwork, *Linked*, to the City of Auburn. Swickard's artwork was part of the 2017-2018 Outdoor Sculpture Gallery and the piece was located adjacent to the Trek building in downtown Auburn.

The Arts Commission, serving as the review panel, considered the proposed donation of artwork at their meeting on September 3, 2018. The commission voted to recommend to the City Council that the artwork be accessioned into the City of Auburn's public art collection.



As per the Art in Public Places policy, following is the process for artwork donations (Section 4.7):

4.7 A donor may make a proposal of a gift of art to the City to include in its Art in Public Places Program. Acceptance of the artwork into the program will, as with all artworks, be determined through the established Accession of Artwork and Selection Policy and Procedure.

4.7.1 Donors must submit a Letter of Intent to Donate Artwork to the City of Auburn with the artist name, biography or resume, title of the artwork, medium, size/dimensions, date of creation/fabrication and estimated value. Donors are encouraged to include a statement as to why they wish the artwork to be included in the Art in Public Places Program. **(Letter of Artist Intent attached)**.

4.7.2 Donor may suggest a preferred site for the proposed gift, but artworks cannot be accepted under the condition of guaranteed and/or permanent siting of the artwork, should it be accepted into the Art in Public Place Program. Such requests will be taken only under recommendation for consideration.

4.7.3 If the proposed gift is to be a memorial it must first go through Parks Board review process for Memorials before review for Accession of Artwork.

4.7.4 The Cultural Arts Staff and Arts Commission will acknowledge receipt of Intent to Donate Artwork and include an outline of Art Accession and Selection Policy and an estimate of a date of acceptance or rejection, and other conditions for consideration that might be applicable.

4.7.5 The City and/or Staff and/or Commission may ask to view the actual artwork. If it is not feasible or possible to view the artwork, the City may recommend not considering the gift.

4.7.6 A review panel will be convened to determine acceptance of the artwork and Cultural Arts Staff will determine available funds for site preparation and/or installation requirements.

4.7.7 If the artwork is recommended to Council for Accession, Cultural Arts Staff and/or Arts Commission must include a proposed site for the artwork, maintenance plan, installation requirements and any funding required in order to meet all requirements of Accession of Artwork. **(See below)**

4.7.7.1 A professional appraisal shall be conducted by a qualified conservator of public artworks. **(See attached)**

4.7.7.2 Artworks accepted must have install preparation conducted by Cultural Arts Staff, including proper mounting apparatus or archival framing.

4.7.8 If the gift of artwork is rejected, the Arts Commission must prepare a letter to the Donor and City Council outlining the specific reasons why the artwork does not meet one or any of the requirements outlined in the Art in Public Places Program or Art Accession criteria.

Artist: Jesse Swickard
Title: Linked
Size: 11' tall x 22" base
Medium: Painted steel

Artist Purchase Price: \$8,500
Appraised Value: \$4,500

Proposed site for display: Site to be determined (potentially a larger grassy park where the piece can be seen from a distance or in a roundabout or median near one of the entrances of the city based on input from Public Works).

Maintenance Plan: A standard maintenance plan for public art would be used for this artwork, including: annual or biannual evaluation for occasional cleaning, repairs or repainting as needed.

Installation Requirement: Installation requirements would include: selection of site, pouring of custom pedestal, cost of signage, labor involved with transportation of artwork, installation of artwork and signage at site.

Expected Funding Required for siting of work: \$1,600+ for custom pedestal plus labor in installation and transportation, available in current Arts Division budget.

Jesse Swickard Past Commissions:

- "Fly With The Sun" McMinnville OR 2010
- "Bus Shelters" Wilsonville OR 2010
- "Life Tree" Wilsonville OR 2009
- "Humped Back Whale", Wenatchee, WA, 2007
- Korean War Memorial Sculpture, Wilsonville, Oregon, 2007
- "Osprey" stainless steel, Warrenton, Oregon, 2007
- Western Rivers Conservancy, Salmon Commission 2007
- "Angle" Deb Blesser Memorial, Wilsonville, Oregon 2006
- Bench Commission St. Helen's, Oregon 2006
- Wilsonville Library Private Collection, Interior Commission, 2005
- NW Private Collection, Horse Commission and "Nature's Peace", 2005
- Burien, Washington Commissioner purchase, "Dolphin", 2004

August 28, 2018

Dear Auburn Arts Commission,

My name is Jesse Swickard and I have loaned my artwork titled "Linked" to the City of Auburn for the 2017-18 Downtown Sculpture Gallery. I would like to offer to donate the offer to the City's collection.

I feel the sculpture Linked is perfect for the city abstract expression of value of community , Linked a phrase to bring together explore , I feel the sculpture fits really well in its spot and see others enjoying it in its place. The color and lines play with the building around it well. Do to a few recent health problems I will not be able to pick up the sculpture so a donation makes the most sense at this time , plus it fits so nice in the city. thanks for your time in this event.

Artwork Details:

Artist: Jesse Swickard

Title: Linked

Media: Painted Steel

Date created: 2014

Dimensions: 10'x2'x3'

Value: \$6500

Thank you for your time and consideration.

Sincerely,

Jesse Swickard

jesseswickard@hotmail.com

Cover Letter: Explanation of Appraisal Document

October 23, 2018

City of Auburn
Care of Allison Hyde
910 Ninth St. SE
Auburn, WA 98002

Dear Ms. Hyde,

As you requested, on October 4, 2018 I conducted an appraisal inspection of the item you and the city of Auburn are consider accepting as a donation into the city's collection, and which was located at the intersection of 29th St. SE and R St. SW in Auburn, WA. The purpose of this appraisal is to estimate **fair market value** of the item to determine whether the City of Auburn would like to accept this item as a **charitable contribution** into their permanent collection. You stated that the donated property is owned by the artist, Jesse Swickard, and will be donated dependent on the value. Value has been assigned as of the date of inspection, October 4, 2018. This appraisal is to be used only for the function of helping to determine fair market value, and may be used for a Federal income tax deduction for the artist in the future. Any other use of this appraisal renders it null and void. This appraisal report is intended for use only by you, my client, and the City of Auburn. Use of this report by others is not intended.

In summary, the fair market value of the donated items is **\$4,500.00**.

Fair market value is defined in Treasury Regulation §1.170A-1(c)(2) as, "The price at which property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or to sell and both having reasonable knowledge of relevant facts." Treasury Regulation §20.2031-1(b) expands upon this definition, "The fair market value... is not to be determined by a forced sale nor is the fair market value of an item to be determined by a sale within a marketplace other than that in which the item would be most commonly sold to the public, taking into consideration the location of the item wherever appropriate."

In this appraisal, value has been established by the sales comparison approach. This method of valuation involves comparison of the property with similar items which have sold within the market that I considered most common for each item. In my opinion, the most common market for works of art of this type is the market consisting of sales to members of the public through art shows, and international auction houses sales results. Markets analyzed appeared normal, i.e. there was neither a buyer's market nor was there a seller's market for the property considered.

In general, the condition of the items examined was excellent. Any alterations from original condition or damage beyond that usual and common for items of similar age are so noted in the appraisal report. Details of my condition findings are to be found in the section of this appraisal where each item is described and discussed.

To arrive at values for the objects here appraised I used dealers, galleries, and artists whose information was available on the internet. I also looked at comparable works that are available

October 23, 2018

3 of 10
Page 45 of 216

in galleries and museums. The resources used to arrive at values are kept in my work file and can be accessed at any time.

Research Resources:

Consultation with the artist.

jesseswickard.com

pnwsculptors.org

Unless stated elsewhere, this appraisal is based only on the readily apparent identity of the items appraised, and no further opinion nor guarantee of authenticity, genuineness, attribution or authorship is made.

The appraised values are based upon the whole interest and possessory interest of the client, undiminished by any liens, fractional interests or any other form of encumbrance or alienation. However, this appraisal is not an indication or certificate of title of ownership. The identification of the interest of the client has been represented to me by my client and no inquiry or investigation will be made nor is any opinion to be given as to the truth of such representation.

The value conclusions expressed herein are based on the appraiser's best judgment and opinion and are not a representation or warranty that the items will realize those values if offered for sale at auction or otherwise. The values expressed are based on current information on the date the appraisal was made. No opinion is expressed as to any past value, nor, unless otherwise expressly stated, as to any future value.

Where this appraisal is based not only on the items, but also on factual data or documentation supplied therewith, this appraisal report shall so state my making reference thereto and, where appropriate, attaching copies thereto.

I certify that to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analysis, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and is my personal, impartial, and unbiased professional analysis, opinions, and conclusions.
3. I have no present or perspective interest in the property that is the subject of this report and no personal interest with respect to the parties involved. I have no involvement in the transaction or appraisal of the property within the past three years.
4. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
6. My compensation for this appraisal is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
7. I have personally inspected the listed property that is the subject of this report.
8. Unless noted elsewhere, no one provided significant professional assistance to the person signing this report.

9. This appraisal has been prepared in conformity with and is subject to the current version of the International Society of Appraisers Appraisal Report Writing Standard and Code of Ethics. In addition, my analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the 2018-2019 versions of The Appraisal Foundation's Uniform Standards of Professional Appraisal Practice (USPAP).

With the exception of my client, possession of this report or its copy does not carry with it the right of publication, nor may this report be used for any purpose by anyone other than my client or authorized users without my previous written consent. If this report is reproduced, copied or otherwise used, it must be done so in the report's entirety including the cover document and all attachments. Furthermore, no change to any item in this appraisal shall be made by anyone other than myself.

Should, in conjunction with this appraisal, additional services of the appraiser be requested by the client, his agent or attorney, or the courts (such as for added time researching for other value purposes, pretrial conferences, court appearances, court preparations, etc.), compensation for same shall be at the customary hourly rate charged by the appraiser at that time and shall be paid by the client at the time of work presentation.

I regard all information concerning this appraisal as confidential. I retain a copy of this document along with my original notes, and I will not allow others to have access to these records without your written permission unless so ordered by a court of law.

This appraisal conforms with the requirements of Internal Revenue Regulation Section 1.170A-13©3 and with the requirements of IRS Revenue Procedure 65-19 and 66-49. For no cash charitable donations in excess of \$5,000.00 dollars IRS Form 8283, Section B, must be completed and attached to the taxpayer's federal income tax return. For no cash charitable donations over \$500.00 but not in excess of \$5,000.00 dollars, IRS Form 8283, Section A, must be completed and attached to your federal income tax return.

Photographs of the donated items are found following the documentation of the facts related to the item appraised. The appraiser's Professional Profile demonstrating my qualifications to conduct this appraisal can be found at the end of this report.

Sincerely,

Erin G. Fossum, MA (University of Washington)
McAllister/Fossum Appraisal Services
International Society of Appraisers, Accredited Member

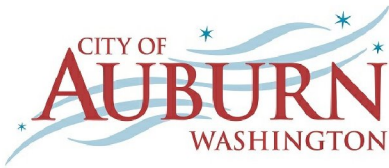
Personal Property Appraisal for City of Auburn

Swickard, Jesse (American)

Linked

<i>Date:</i>	2013
<i>Medium:</i>	Painted steel
<i>Signature:</i>	Jesse Swickard 2013 (stamped, body of sculpture)
<i>Dimensions:</i>	120" high x 18-1/2" wide x 12-1/2" deep
<i>Description:</i>	This is a painted steel sculpture by Jesse Swickard titled <i>Linked</i> . This sculpture is vertically oriented and is constructed of a number of steel pieces welded together, including rings, plates, and pieces of rebar. These pieces are welded together and painted in blue paint. The sculpture sits on a circular base.
<i>Condition:</i>	Good, normal light wear with being displayed outside.
<i>Provenance:</i>	Came directly from the artist. There are no previous owners.
<i>Comments:</i>	None
<i>Acquisition Information:</i>	Pending gift to the City of Auburn from the artist.
<i>Value Conclusion:</i>	\$4,500.00
<i>Comparable Research:</i>	In order to determine fair market value of this sculpture, the most common market where this type of work would be sold needs to be established first. Swickard is a working artist who sells his work directly through his website. He does not have gallery representation and there is no established secondary market such as auction sales. Because there is only one market for Swickard's work, private sales directly from the artist, these must be used to determine fair market value. Swickard has sold six sculptures in the past year that range from \$3,000 to \$35,000. The best comparable sale puts the value of this sculpture at \$4,500.





AGENDA BILL APPROVAL FORM

Agenda Subject:

Call for Public Hearing on 2019-2020 Preliminary Biennial Budget (Coleman)

Date:

November 14, 2018

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:**Administrative Recommendation:**

City Council to call for a public hearing to be held December 3, 2018 to receive public comments and suggestions with regard to development of the preliminary 2019-2020 Biennial Budget.

Background Summary:

This is the third and final public hearing held concerning the preliminary 2019-2020 Biennial Budget. All persons interested are encouraged to participate in this public hearing by making comments, proposals, and suggestions to the City Council and Mayor to consider prior to adoption of the City of Auburn's 2019-2020 Biennial Budget.

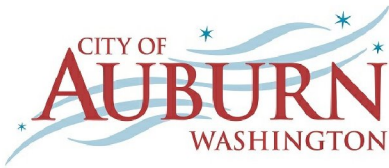
Reviewed by Council Committees:**Councilmember:****Staff:**

Coleman

Meeting Date: November 19, 2018

Item Number:

CA.F



AGENDA BILL APPROVAL FORM

Agenda Subject:

Public Works Project No. CP1521 (Gaub)

Date:

November 8, 2018

Department:

Public Works

Attachments:

[Budget Status Sheet](#)

[Vicinity Map](#)

Budget Impact:

\$575,000.00

Administrative Recommendation:

City Council approve Change Order No. 01 in the amount not to exceed \$575,000.00 to Contract No. 18-03 for work on Project No. CP1521, 15th Street NE/NW Preservation.

Background Summary:

The purpose of the project is to rehabilitate and preserve the existing pavement in the 15th Street NW/NE and Harvey Road SE corridor between State Route 167 and 8th Street NE. The project is completing a grind and overlay of 15th Street NW/NE from State Route 167 to Auburn Way N; and a grind and overlay of Harvey Road NE from Auburn Way N to 8th Street NE, including completing pavement repairs along the roadway corridor, where necessary. Once complete, the project will have restored 7.57 lane miles of pavement, upgraded pedestrian signal system facilities and reconstructed approximately 30 curb ramps to meet ADA standards, and relocated traffic signal poles that are prone to damages at their existing locations.

Change Order No. 1 will allocate additional contract funds to address discrepancies between the quantities estimated during design and the actual quantities realized in the field. Quantity overruns have been realized for payment items related to traffic control labor, police officer flagging, asphalt, and cement concrete. Some of the quantity overruns can be attributed to large areas of pavement that were not originally anticipated to require repair, but failed during construction, and required replacement. Most of the quantity overruns can be attributed to the Union Strike that occurred in late summer and the recent natural gas explosion in British Columbia, Canada, that caused the construction work to be shut down for several weeks.

During these events, multiple traffic control laborers were required to maintain, adjust, and modify traffic control signage in order to maintain a safe and operable roadway. Once the strike ended and natural gas was available again, multiple locations were under construction requiring traffic control and construction crews to complete the remaining work ahead of the rainy season. If the work had not been completed, the roadway would have been left incomplete through the winter until late spring 2019, which could have resulted in safety issues and additional on-going maintenance costs.

A budget adjustment of \$575,000.00 from the 105 Arterial Street Preservation Fund is requested in Budget Amendment No. 7 to fund this change order.

A project budget contingency of \$20,342.00 remains in the 461 Sewer Fund.

Reviewed by Council Committees:

Councilmember:

Staff:

Gaub

Meeting Date: November 19, 2018

Item Number:

CA.G

BUDGET STATUS SHEET

Project No: CP1521	Project Title: 15th Street NE/NW Preservation
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Project Manager: Kim Truong

Initiation Date: __5/6/16__
 Advertisement Date: __3/29/18__
 Award Date: __5/7/18__

- ☐ Advertisement

☐ Permission to Advertise

☐ Contract Award

☒ Change Order No. 1

☐ Contract Final Acceptance

Date:
Nov. 13, 2018

Funds Budgeted (Funds Available)

Funding	2016 (actual)	2017 (actual)	2018	Total
105 Fund - Arterial Street Preservation	46,656	63,165	1,415,166	1,524,987
105 Fund - Federal Grant	43,793	22,207	749,000	815,000
328 Fund - Capital Improvement			50,000	50,000
001 Fund - Engineering Repairs and Maintenance			86,560	86,560
461 Fund - Sewer			50,000	50,000
462 Fund - Storm			65,000	65,000
Total	90,449	85,372	2,415,726	2,591,547

Estimated Cost (Funds Needed)

Activity	2016 (actual)	2017 (actual)	2018	Total
Design Engineering - City Costs	63,759	72,548	45,454	181,761
Design Engineering - Survey Consultant Costs	26,306			26,306
Design Engineering - Design Consultant Costs		12,824	15,051	27,875
Construction Contract			2,124,739	2,124,739
Change Order No. 1			575,000	575,000
Authorized Construction Contract Contingency Remaining			106,237	106,237
Other - Permitting, Misc.	384		6,615	6,999
Construction Engineering - City Costs			82,918	82,918
Construction Engineering - Consultant Material Testing			9,371	9,371
Construction Engineering - Consultant Costs			5,000	5,000
Total	90,449	85,372.31	2,970,384	3,146,205

105 Budget Status

	2016 (actual)	2017 (actual)	2018	Total
*105 Funds Budgeted ()	(90,449)	(85,372)	(2,164,166)	(2,339,987)
105 Funds Needed	90,449	85,372	2,739,166	2,914,987
*105 Fund Project Contingency ()	0	0	0	0
105 Funds Required	0	0	575,000	575,000

328 & 001 Budget Status

	2016 (actual)	2017 (actual)	2018	Total
*328, 001 Funds Budgeted ()	0	0	(136,560)	(136,560)
328, 001 Funds Needed	0	0	136,560	136,560
*328, 001 Fund Project Contingency ()	0	0	0	0
328, 001 Funds Required	0	0	0	0

462 Storm Budget Status

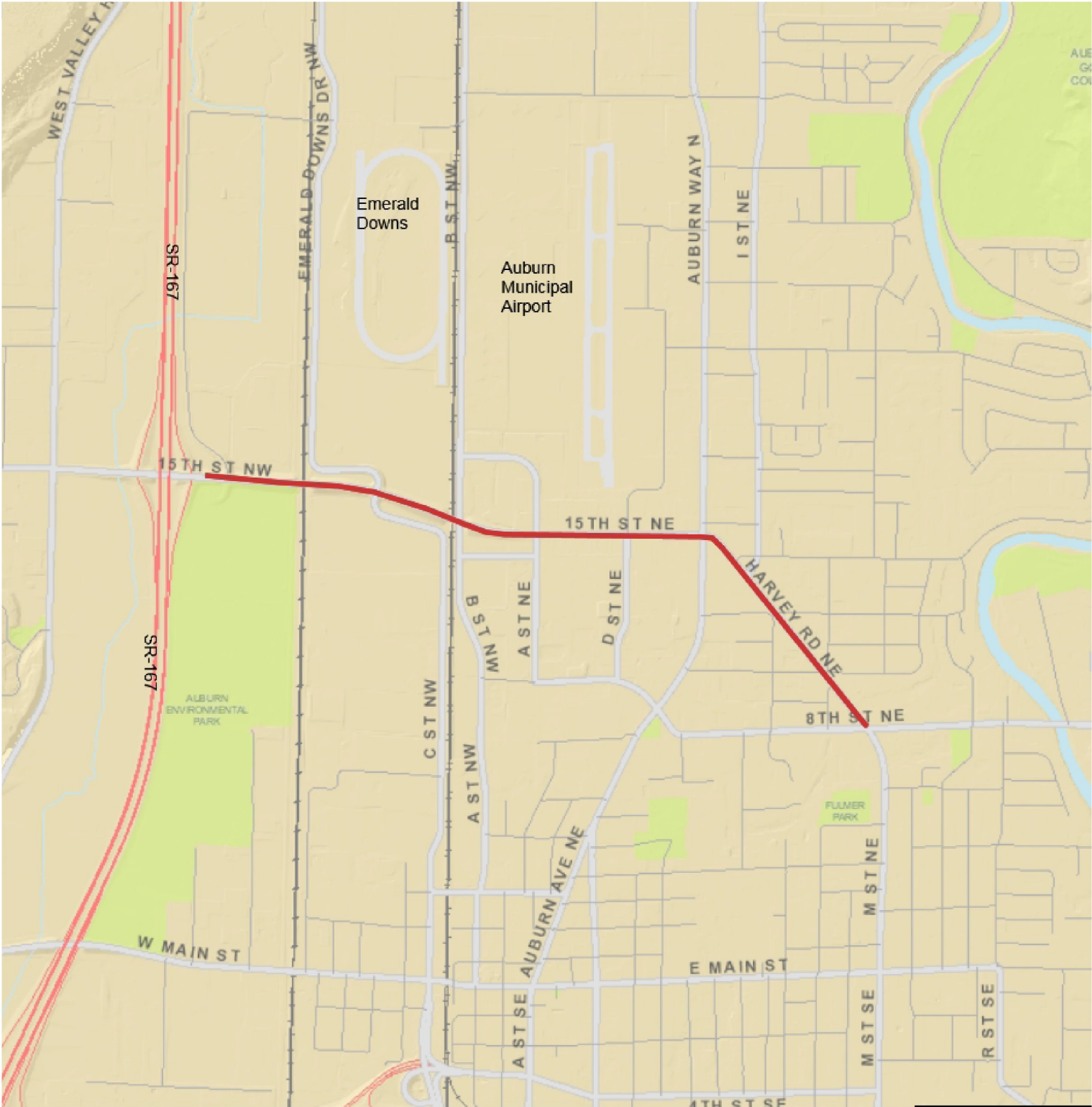
	2016 (actual)	2017 (actual)	2018	Total
*462 Funds Budgeted ()	0	0	(65,000)	(65,000)
462 Funds Needed	0	0	65,000	65,000
*462 Fund Project Contingency ()	0	0	(0)	(0)
462 Funds Required	0	0	0	0

461 Sewer Budget Status

	2016 (actual)	2017 (actual)	2018	Total
*461 Funds Budgeted ()	0	0	(50,000)	(50,000)
461 Funds Needed	0	0	29,658	29,658
*461 Fund Project Contingency ()	0	0	(20,342)	(20,342)
461 Funds Required	0	0	0	0

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

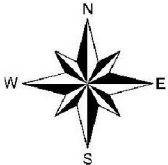
15th St NE/NW Preservation



 15th Stree NE/NW
Preservation Project

Printed Date:5/6/2014
Map Created by City of Auburn eGIS

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:

Ordinance No. 6688 (Tate)

Department:

Community Development

Attachments:

[Ordinance No. 6688](#)

Date:

November 14, 2018

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

City Council to adopt Ordinance No. 6688.

Background Summary:

At the October 8, 2018 Study Session Staff presented to the City Council a proposed new zoning code definition, as requested by Nexus Youth & Families (Nexus) (formerly Auburn Youth Resources). The Council had a brief discussion and requested Staff to modify the definition to remove the age restrictions. No other direction was provided during the discussion; therefore, Staff proceeded under the assumption that Council made this request as to not place an age limit for providing homeless services within the City.

Staff's Analysis: Staff interpreted the Council's direction as not wanting to restrict the definition and instead to expand the definition to include other potential homeless service providers. As Staff proceeded with making the changes requested by Council, it became apparent that the modification might not be necessary since the Zoning Code already allows for the provision of homeless services under other terms and processes. For example, one of the main providers in Auburn is Valley Cities Behavioral Health Care, which currently operates in the city on property that is zoned R-20 (multi-family residential) and had approvals under prior version(s) of the Zoning Code with Conditional Use Permits for "group residency", "professional office" and "supportive housing", and a Temporary Use Permit for the Valley Cities day and night services (nighttime shelter, social services, and human services).

Nexus has found that their clientele (youth and young families) have a much lower likelihood of transitioning into permanent housing if they receive the same treatment approach as adults. To expand on this, Nexus has found that the concept of "rapid rehousing" (which as the title explains is a program to house families or individuals experiencing homelessness as quickly as possible) is not successful with their clients, as they require time to develop life skills by working with the on-site case managers and therapists over a longer period.

Nexus applied for the zoning definition to ensure their unique set of uses would be recognized as allowed outright. Nexus' properties are zoned C-1, Light Commercial, where a "Community Support Facility" are proposed to be a permitted use. The stated purpose of the C-1 zone is "...intended for lower intensity commercial adjacent to residential neighborhoods"

(ACC 18.23.020); in the case for Nexus their properties are located both next to single-family residences (to the north) and Les Gove Community Campus (Les Gove)(to the east). The close proximity to residences and any perceived safety concerns are addressed by Nexus providing 24-hour on-site security by provided on-site managers and monitored security system. The proximity to Les Gove is beneficial to Nexus clientele by providing activities such as the gymnasium and Makerspace within walking distance. The more targeted definition is also more consistent with the purely commercial purpose of the zoning district.

In summary, Staff believes that there are existing zoning definitions and use regulations that allow for the provision of general homeless services, and therefore a broader definition is not necessary and a specific definition geared towards serving youth and young families is justified. It is also important to note that the need / request for this new zoning definition was not originated by Staff, but by Nexus. Also, to be procedurally correct, the proposed expansion of the definition would require that the revised definition be remanded back to the Planning Commission with specific direction on why the decision should be modified in order for the Planning Commission to conduct a hearing prior to City Council action.

Modification to New Definition: As discussed above, Staff's interpretation of the City Council request to remove any age restrictions in the definition in order to avoid limiting the provision of homeless services. However, this appears unnecessary. If the City Council's direction was based on wanting to ensure that the proposed land use term and its definition are more consistent, the word: "youth" could be added to the term, and "youth" would then be defined in the definition itself. This would make the intent of the definition more clear to users when looking through the list of uses allowed in the different zoning districts (ACC Table 18.23.030).

The definition would then read as follows (highlighted text is added from the previous agenda item text):

““**Youth** Community Support Facility” means a building, or a group of buildings within a campus setting, owned and operated by a nonprofit corporation or government entity that provides supportive services to children and young adults (under the age of 26) and families (with a child or young adult under the age of 26), who are homeless, at risk of homelessness, at risk of exploitation, experiencing a disability that presents barriers to employment and housing stability; or generally require structured supportive services to be successful living in the community; by providing counseling and case management, transitional housing (housing for no more than two years), temporary housing (i.e. limited to overnight stay), and daytime drop-in services (e.g. meals, showers, counseling, etc.). This definition does not include facilities providing housing for criminal justice, parole, or probation programs. Community Support Facilities are not stand-alone “supportive housing” or “communal residences”.”

This use would then be listed as an outright Permitted use in the C-1, Light Commercial zone along with a requirement that any “Community Support Facility” (or “Youth Community Support Facility”) would be located within 500 ft. of a transit stop.

At the November 13, 2018 City Council Study Session the Council approved the ordinance to move forward for adoption at the November 19, 2018 regular meeting.

Reviewed by Council Committees:

Other: Planning, Legal

Councilmember:

Staff:

Tate

Meeting Date: November 19, 2018

Item Number:

ORD.A

ORDINANCE NO. 6 6 8 8

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON RELATED TO LAND USE REGULATION, CREATING A NEW DEFINITION FOR YOUTH COMMUNITY SUPPORT FACILITIES, ADDING YOUTH COMMUNITY SUPPORT FACILITIES AS A PERMITTED USE IN THE C-1, LIGHT COMMERCIAL ZONING DISTRICT, ADDING AN ADDITIONAL SPECIFIC LAND USE STANDARD FOR THE SITING OF YOUTH COMMUNITY SUPPORT FACILITIES, AND AMENDING CHAPTER 18.04, TABLE 18.23.030, AND SECTION 18.57.040, OF THE CITY CODE

WHEREAS, Nexus Youth & Families, a non-profit organization, has submitted a Zoning Code Text Amendment request for a new definition titled “Youth Community Support Facility” that would fully encompass their current and future planned land uses; and,

WHEREAS, Nexus Youth & Families currently owns six parcels totaling approximately 2.31 acres and has right of first refusal on one additional 0.24-acre property that is surrounded on three sides by their current holdings; and,

WHEREAS, the seven parcels mentioned are currently zoned C-1, Light Commercial; and,

WHEREAS, Nexus Youth & Families provides supportive services to children, young adults, and young families who are homeless, at risk of homelessness, at risk of exploitation, experiencing a disability that presents barriers to employment and housing stability; or generally require structured supportive services to be successful living in the community; and,

WHEREAS, Nexus Youth & Families provides these services in South King County, where homelessness is a continuously growing concern; and,

WHEREAS, the new definition of Youth Community Support Facilities would apply City-wide to properties which are zoned C-1, Light Commercial; and,

WHEREAS, Youth Community Support Facilities would be limited to being owned and operated by non-profit organizations or government entities; and,

WHEREAS, this new definition was requested by a private party (Nexus Youth & Families), however, could also be utilized by other entities meeting the applicable requirements; and,

WHEREAS, the Planning Commission had an initial discussion on the new definition and requested additional information from Staff at the June 5, 2018 Planning Commission meeting; and,

WHEREAS, the Planning Commission had a second discussion on the new definition at the July 17, 2018 Planning Commission meeting and directed Staff to advertise for a future Public Hearing; and,

WHEREAS, a Notice of Application, Notice of Public Hearing, and Determination of Non-significance (DNS) was issued on July 23, 2018; with no comments received or appeal filed; and,

WHEREAS, the Planning Commission held a public hearing on the proposed Zoning Code Text Amendment at the August 21, 2018 Planning Commission meeting, and made a recommendation of approval to the City Council.

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

Section 1. Revision of City Code. Table 18.23.030 and Section 18.57.040 of the Auburn City Code are amended, and a new section, 18.04.954, is created to read as shown on Exhibit 1 to this Ordinance.

Section 2. Implementation. The Mayor is authorized to implement those administrative procedures necessary to carry out the directives 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 of this ordinance to any person or circumstance will 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 will take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

Shawn Campbell, MMC, City Clerk

APPROVED AS TO FORM:

Steven L. Gross, City Attorney

Published: _____

Exhibit 1

Section A – add a new definition to Chapter 18.04 ACC ‘Definitions’ as follows:

18.04.954 Youth community support facility.

“Youth community support facility” means a building, or a group of buildings within a campus setting, owned and operated by a nonprofit corporation or government entity that provides supportive services to children and young adults (under the age of 26) and families (with a child or young adult under the age of 26), who are homeless, at risk of homelessness, at risk of exploitation, experiencing a disability that presents barriers to employment and housing stability; or generally require structured supportive services to be successful living in the community; by providing counseling and case management, transitional housing (housing for no more than two years), temporary housing (i.e. limited to overnight stay), and daytime drop-in services (e.g. meals, showers, counseling, etc.). This definition does not include facilities providing housing for criminal justice, parole, or probation programs. Youth community support facilities are not stand-alone “supportive housing” or “communal residences”.

Section B – ACC Table 18.23.030, uses allowed in commercial and industrial zones to be amended as follows:

Table 18.23.030 Permitted, Administrative, Conditional and Prohibited Uses by Zone

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	

INDUSTRIAL, MANUFACTURING AND PROCESSING, WHOLESALING (*list not included – not applicable to this agenda item*)

RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES (*list not included – not applicable to this agenda item*)

RESIDENTIAL (*list not included – not applicable to this agenda item*)

RETAIL (*list not included – not applicable to this agenda item*)

SERVICES

Animal daycare (excluding kennels and animal boarding)	A	A	A	P	A	P	X	P	ACC 18.57.040(A)
Animal sales and services (excluding kennels and veterinary clinics)	P	P	P	P	P	P	X	P	ACC 18.57.040(B)
Banking and related financial institutions, excluding drive-through facilities	P	P	P	P	P	P	P	P	
Catering service	P	P	P	P	A	P	A	P	
Daycare, including mini daycare, daycare center, preschools or nursery schools	A	P	P	P	P	P	P	X	
Dry cleaning and laundry service (personal)	P	P	P	P	P	P	P	P	
Equipment rental and leasing	X	X	X	P	X	P	X	P	
Kennel, animal boarding	X	X	X	A	X	A	X	A	ACC 18.57.040(C)
Government facilities; this excludes offices and related uses that are permitted outright	A	A	A	A	A	A	A	A	
Hospital	X	P	P	P	X	P	X	P	
Lodging – Hotel or motel	X	P	P	P	P	A	P	A	
Medical – Dental clinic	P	P	P	P	P	P	X	X	

Table 18.23.030 Permitted, Administrative, Conditional and Prohibited Uses by Zone

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Mortuary, funeral home, crematorium	A	P	X	P	X	P	X	X	
Personal service shops	P	P	P	P	P	P	X	X	
Pharmacies	P	P	P	P	P	X	X	X	
Print and copy shop	P	P	P	P	P	P	X	X	
Printing and publishing (of books, newspaper and other printed matter)	X	A	P	P	P	P	P	P	
Professional offices	P	P	P	P	P	P	P	P	
Repair service – Equipment, appliances	X	A	P	P	P	P	X	P	ACC 18.57.040(D)
Veterinary clinic, animal hospital	A	P	P	P	P	P	X	X	
<u>Youth Community Support Facility</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>ACC 18.57.04(E)</u>

TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE (*list not included – not applicable to this agenda item*)

VEHICLE SALES AND SERVICES (*list not included – not applicable to this agenda item*)

OTHER

Any commercial use abutting a residential zone which has hours of operation outside of the following: Sunday: 9:00 a.m. to 10:00 p.m. or Monday – Saturday: 7:00 a.m. to 10:00 p.m.	A	A	A	A	A	A	A	A	
Other uses may be permitted by the planning director or designee if the use is determined to be consistent with the intent of the zone and is of the same general character of the uses permitted. See ACC 18.02.120(C)(6), Unclassified Uses.	P	P	P	P	P	P	P	P	

Section C – ACC 18.57.040, Standards for Specific Land Uses to be amended as follows:

18.57.040 Services

A. Animal Daycare.

1. All Zones Where Permitted.

- a. All pets shall be properly licensed.
- b. For any dog that has been designated as a “dangerous dog” or “potentially dangerous dog” as defined by the Auburn City Code (ACC), the operator shall verify that the owner has complied with the regulations (on noticing, licensing, certificate of registration, restraining, etc.) contained in Chapter 6.35 ACC, Dangerous Dogs. The owner shall ensure the facility meets the requirements for a “proper enclosure” as set forth in ACC 6.01.010(A)(27).
- c. All fenced exercise areas must be at least 50 feet from a habitable residential structure.
- d. Adequate screening shall be required when abutting any residential use.
- e. General care of pets must be confined to inside of building and under supervision.
- f. Pets are permitted to be walked or exercised outside of building only under supervision and in accordance with all other applicable ordinances and laws.
- g. The exterior appearance of an animal daycare building must be compatible with the appearance of neighboring properties.

B. Animal Sales and Services.

1. All Zones Where Permitted.

- a. All sales and services shall be for household pets only.
- b. Overnight boarding is allowed within a completely enclosed building; however, animal services or sales uses over 20,000 square feet in gross floor area that use a majority of their gross floor area for retail sales shall have no more than 15 percent of their gross floor area devoted to overnight boarding.
- c. Animal sales and services use must be completely enclosed except that outdoor animal runs or other areas in which dogs will be allowed outside of

an enclosed structure off leash (hereinafter “outdoor run”) are allowed subject to compliance with the following conditions:

- i. Outdoor runs shall not be permitted within 50 feet of a habitable residential structure.
- ii. The outdoor run may operate only between the hours of 8:00 a.m. and 6:00 p.m.
- iii. The facilities shall be constructed, maintained and operated so that neither the sound nor smell of any animals boarded or kept on the premises during the time that full enclosure is required can be discerned on other lots.

C. Kennels, Animal Boarding.

1. All Zones Where Permitted.

- a. All pens shall be enclosed in an enclosed building.
- b. The property on which the kennel is to be located shall be no closer than 100 feet to any residential zone.
- c. Limited outdoor exercise runs or facilities shall be permitted so long as their hours of use are restricted to the hours between 8:00 a.m. and 6:00 p.m.
- d. The facility must be air conditioned.
- e. Exercise runs or facilities shall be a minimum of four feet by 10 feet.
- f. The facility shall maintain a minimum total of 25 square feet of kennel area per animal. This area may be comprised of cage area, runs, or exercise facilities.
- g. Any outdoor areas used for animal containment or exercise shall be maintained by removing animal waste on a daily basis for proper disposal as solid waste.
- h. Any runoff, wash-down water, or waste from any animal pen, kennel, containment, or exercise area shall be collected and disposed of in the sanitary sewer after straining of solids and hair and shall not be allowed to enter the stormwater drainage or surface water disposal system.

- i. Strained solids and hair shall be properly disposed of as solid waste.

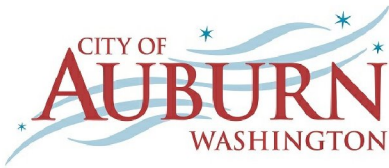
D. Repair Service – Equipment, Appliances.

1. C-1, C-2, and C-4 Zones.

- a. Any repairing done on the premises shall be incidental only, and limited to custom repairing of the types of merchandise sold on the premises at retail. The floor area devoted to such repairing shall not exceed 30 percent of the total floor area occupied by the particular enterprises.

E. Youth Community Support Facility.

1. Youth Community Support Facilities shall be located within 500 feet (walking distance) of a transit stop; and connected via sidewalks or an approved pedestrian facility.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6701 (Tate)

Date:

November 14, 2018

Department:

Community Development

Attachments:

[Ordinance No. 6701](#)

[Exhibit A to Ordinance No. 6701 - Excerpt Rezone](#)

[Map](#)

[Exhibit B to Ordinance No. 6701 - Hearing](#)

[Examiner Decision](#)

[Exhibit C - Staff Report to Hearing Examiner](#)

[\(with Exhibits\)](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

City Council to adopt Ordinance No. 6701

Background Summary:

On October 17, 2018, the Hearing Examiner held a public meeting, listened to staff's recommendation, accepted public comment from the Auburn School District in support of the rezone and closed the record upon staff's submittal of corrected materials (reference Exhibit C). Following the public hearing, the Hearing Examiner issued a recommendation of approval (Exhibit B) of the rezone to the City Council.

The staff report provided to the Hearing Examiner and included as Exhibit C of this agenda bill provides the detailed background that led to the Hearing Examiner's recommendation of approval. Of particular note are the following items:

1. At the end of 2015, through passage of Ordinance No. 6584, the City of Auburn adopted a new Comprehensive Plan and revised Comprehensive Plan Map. The re-designation of this parcel from "Single Family" to "Institutional" was included in the revision to the Comprehensive Plan Map.
2. The Applicant has requested a rezone to the P-1, Public Use zoning district to match the same zoning classification that exists for the adjacent school (Pioneer Elementary). Changing the parcel to P-1, Public Use District will help ensure developmental and permitting predictability.
3. While no longer specified as an implementing zone in the City's Comprehensive Plan, the P-1, Public Use District remains in effect on the City's official Zoning Map and in the City's Zoning Ordinance (Title 18).
4. In a future amendment to the Zoning Map, the City anticipates undertaking a city-wide rezone to change all P-1 zoned properties to I, Institutional. The P-1, Public Use District remains an appropriate implementing zone for the Institutional Land Use Designation,

as identified on Page LU-14 of the Land Use Element.

5. As indicated by the Applicant in the narrative submitted with the application, the site is currently owned by the Auburn School District, and occupied by a religious institution (church). The church is proposed to be demolished at a future date to allow for the redevelopment of the site as part of the future replacement of the adjacent Pioneer Elementary School.

6. There are no significant adverse impacts associated with the proposed change. No development or redevelopment of the site is proposed at this time.

At the November 13, 2018 City Council Study Session the Council approved the ordinance to move forward for adoption at the November 19, 2018 regular meeting.

Reviewed by Council Committees:

Other: Legal, Planning

Councilmember:

Staff:

Tate

Meeting Date: November 19, 2018

Item Number:

ORD.B

ORDINANCE NO. 6701

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
AUBURN, WASHINGTON, APPROVING THE REZONE OF
PARCEL NO. 1921059037 FROM R-7, RESIDENTIAL ZONE –
SEVEN DWELLING UNITS PER ACRE TO P-1, PUBLIC USE
DISTRICT

WHEREAS, by Ordinance No. 6584, on December 14, 2015 the City of Auburn adopted a revised Comprehensive Plan Map that changed the designation of parcel no. 1921059037 (“subject parcel”) from “Single Family” to “Institutional”; and

WHEREAS, the Auburn School District requested the rezone of the subject parcel from R-7, Residential Zone – Seven Dwelling Units Per Acre to P-1, Public Use District; and

WHEREAS, the P-1, Public Use District designation remains in effect on the City’s official Zoning Map and in the City’s Zoning Code (Title 18); and

WHEREAS, a combined Notice of Application (NOA), Notice of Public Hearing (NOPH), and Determination of Non-Significance (DNS) was issued on September 6, 2018 a minimum of 10 days prior to the public hearing as required by ACC 18.68.040(B)(1)(a). The notices were also posted at the site, mailed to adjacent property owners within 300 ft. of the site, and published in The Seattle Times newspaper, consistent with the noticing requirements of ACC 14.07.040; and

WHEREAS, the public comment period ended September 21, 2018 and the appeal period ended October 5, 2018 and no comments or appeals were received; and

WHEREAS, on October 17, 2018 the Hearing Examiner conducted a public hearing, listened to staff’s recommendation, accepted public comment from the Auburn

School District in support of the rezone and closed the record upon staff's submittal of corrected materials ; and

WHEREAS, following the public hearing, the Hearing Examiner issued a recommendation of approval for consideration by the City Council; and

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

Section 1. Amendment to City Code. The proposed change in zoning (File No. REZ 18-0005) from R7 Residential Zone to P-1 Public Use District for Parcel 1921059037 is approved, with no conditions, and the City Zoning Map is amended as set forth in Exhibit "A".

Section 2. Findings of Fact. The Council adopts the City of Auburn Hearing Examiner's Findings of Fact, Conclusions of Law, and Recommendation for File No. REZ 18-0005, as set forth in Exhibit "B".

Section 3. Filing and Recording. The rezone application and all related documents shall be filed along with this Ordinance with the Auburn City Clerk and the Clerk shall cause this Ordinance to be recorded in the office of the King County Recorder.

Section 4. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 5. Severability. The provisions of this ordinance are declared 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 6. 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

NANCY BACKUS, MAYOR

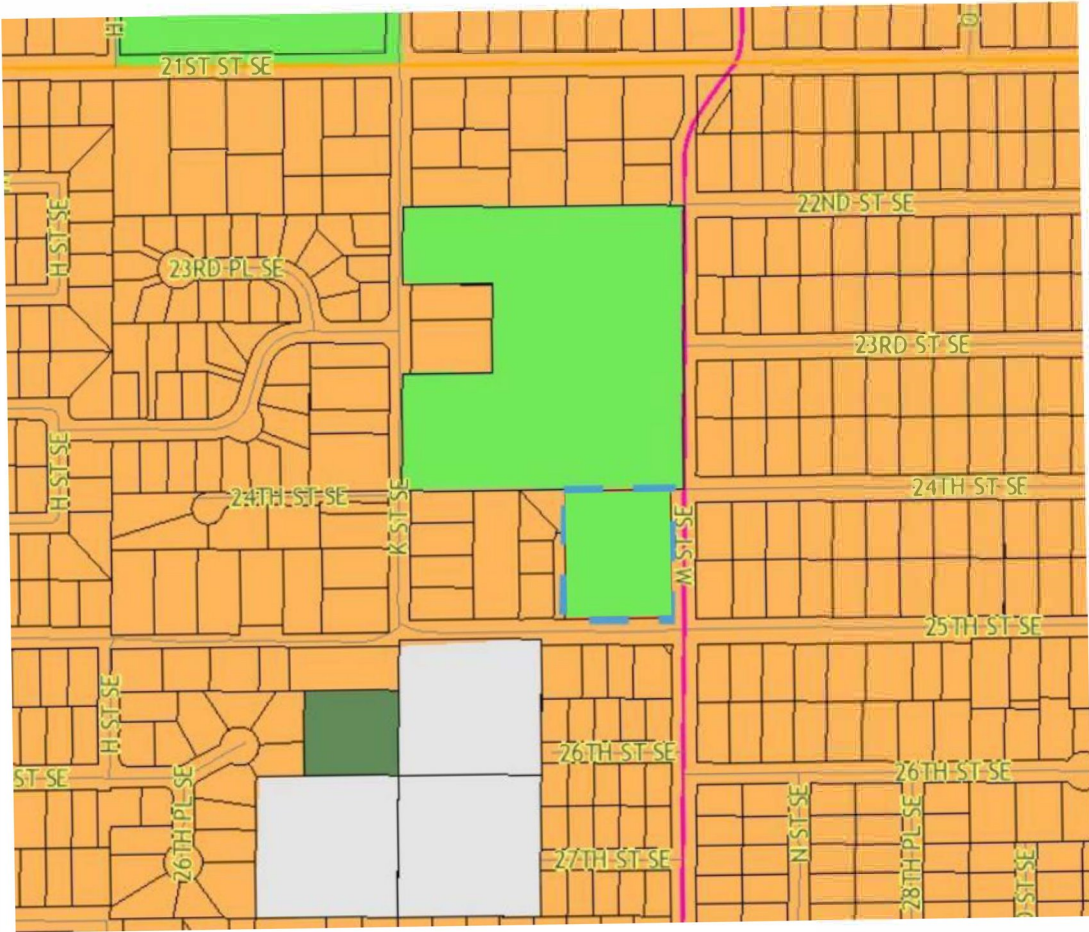
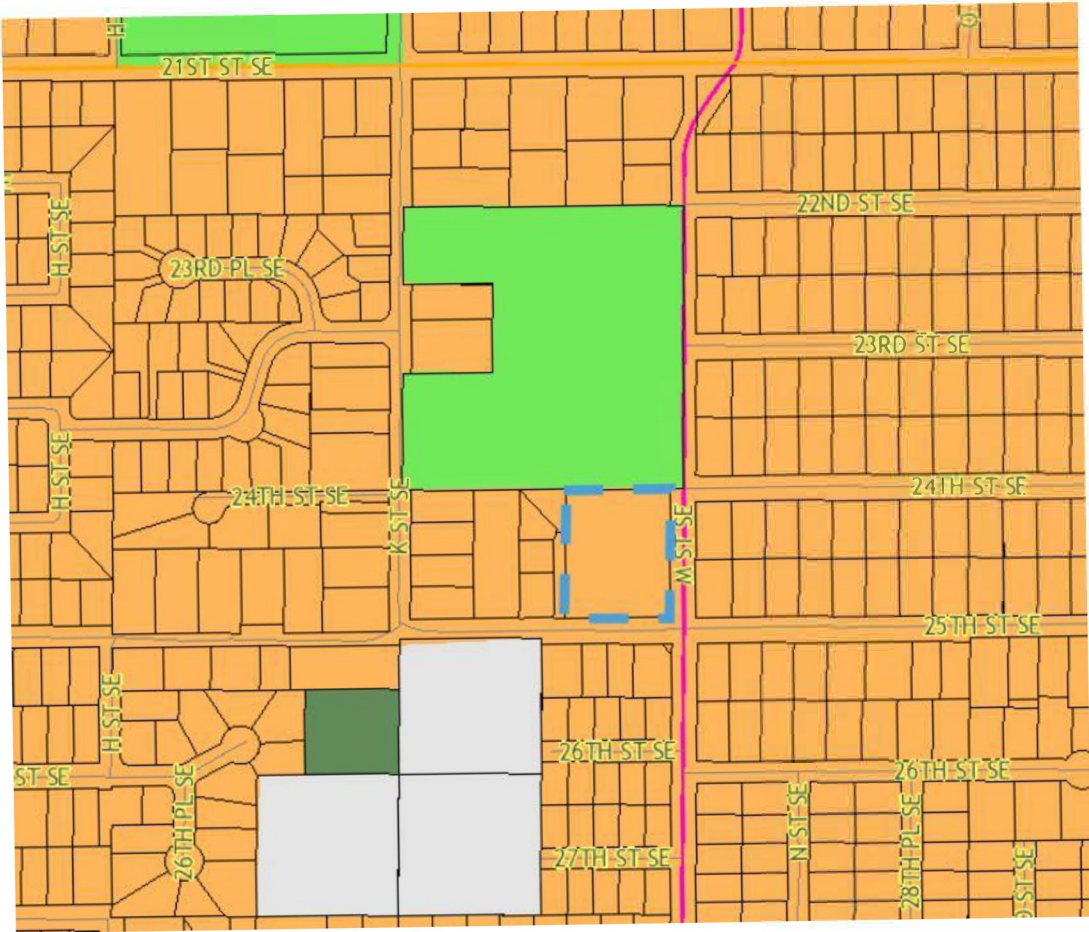
ATTEST:

Shawn Campbell, MMC, City Clerk

APPROVED AS TO FORM:

Steven L. Gross, City Attorney

PUBLISHED: _____



BEFORE THE HEARING EXAMINER FOR THE CITY OF AUBURN

Emily Terrell, Hearing Examiner

RE: Auburn School District
Rezone

REZ18-0005

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND RECOMMENDATION****INTRODUCTION**

The Applicant has requested a rezone of a 73,358sf parcel from R7, Residential Zone to P-1, Public Use District. The parcel is located at 2407 M Street SE Street. The rezone is necessary to make the Zoning Map designation consistent with the underlying Institutional Comprehensive Plan Land Use Map designation for the parcel. Approval of the rezone is recommended to provide for consistency between the Comprehensive Plan Land Use Map and the Zoning Map.

TESTIMONY

Alexandria Teague, Planner II, summarized the proposal. In response to the examiner, Ms. Teague noted the church located on the subject property is owned by the School District but is currently in use as a church. Ms. Teague also entered Ex 6, an excerpt of the Land Use Element of the Comprehensive Plan for the Institutional Land Use Designation.

Jeff Gross, the Executive Director for Capitol Projects for the Auburn School District, stated the District has reviewed the staff report and concurs with the City's analysis. The motivation behind the rezone is allowing the District to increase the size of the site prior to commencing renovations of the existing school under a separate project. They will eventually be able to remove many of the existing portables on the school campus. Also, the expansion will allow more on-site parking which should reduce parking impacts in the neighborhood.

EXHIBITS

Exhibits 1-4 identified in the Exhibit List at page 8 of the October 4, 2018 staff report, were admitted into the record during the October 17, 2018 public hearing. Additional exhibits entered into the record during the hearing were as follows:

Exhibit 5	Staff PowerPoint
Exhibit 6	Excerpt of the Comprehensive Plan Land Use Element
Exhibit 7	Corrected Staff Report (October 4, 2018)
Exhibit 8	Corrected Staff PowerPoint

FINDINGS OF FACT

Procedural:

1. Applicant. The Applicant is Auburn School District No. 408, 915 Fourth Street NE, Auburn, WA 98002.
2. Hearing. A hearing on the application was held on October 17, 2018 at 5:30 p.m. at the City Council chambers at Auburn City Hall.

Substantive:

3. Site/Proposal Description. The Applicant has requested a rezone of a 73,358sf parcel from R7, Residential Zone to P-1, Public Use District. The parcel is located at 2407 M Street SE. The project site is currently used as a church, though it is owned by the School District. As indicated by the Applicant at hearing, the church will eventually be removed. The District plans to expand the adjacent school campus on to the subject parcel which will allow them to create more on-site parking and remove several existing portables from the school campus. Schools are allowed in the P-1 zone. The Comprehensive Plan Land Use Designation for the parcel is Institutional. The P-1 zone is an implementing zone under the Institutional Comprehensive Plan Land Use Designation.

The site is rectangular in shape, approximately 294 feet in width and 301 feet in depth. There are no critical areas or slopes on the subject property. Churches are not permitted in the P-1 district. The rezoning will reclassify the existing church as a legal, non-conforming use until such time as the District removes the church and converts the use to school.

4. Characteristics of the Area: The neighborhood is characterized by predominantly single-family homes to the south, east and west. The District's school is located directly north of the subject site.

5. Adverse Impacts. There are no significant adverse impacts associated with the proposal. Compatibility with adjoining land uses is the only issue of concern at this stage of project review. Properties immediately adjacent to the subject on the south, east and west are zoned R7 residential and are developed as single-family homes. However, the existing school is directly north of the subject parcel. The school is zoned Public Use (P-1). Rezoning the subject will allow the existing school use to expand and reduce the impact on the neighborhood by providing on-site parking. The Comprehensive Plan Land Use Designation is Institutional. P-1 is an implementing zone for this designation. No compatibility problems are reasonably apparent from the administrative record.

CONCLUSIONS OF LAW

Procedural:

1. Authority of Hearing Examiner. ACC 18.68.030(B)(1)(a) grants the Hearing Examiner with the authority to review and make a recommendation on rezone requests to the City Council if the Planning Director determines that the rezone requests are consistent with the Comprehensive Plan. The Planning Director has determined that the rezone request is consistent with the Comprehensive Plan.

Substantive:

2. Comprehensive Plan Land Use Map Designation. The Comprehensive Plan Land Use Map designation for the proposed rezone area is Institutional.

3. Case Law Review Criteria and Application. Once it is concluded that a rezone is necessary for consistency with a Comprehensive Plan Land use map designation, approval of the rezone is essentially legally mandated except in extraordinary circumstances such as perhaps gross inconsistencies with other parts of the comprehensive plan. None of those circumstances are present here. The Auburn City Code does not include any criteria for rezone applications. Washington appellate courts have imposed some rezone criteria, requiring that the proponents of a rezone must establish that conditions have substantially changed since the original showing and that the rezone must bear a substantial relationship to the public health, safety, morals or welfare. *See Ahmann-Yamane, LLC v. Tabler*, 105 Wn. App. 103, 111 (2001). If a rezone implements the Comprehensive Plan, a showing that a change of circumstances has occurred is not required. *Id.* at 112.

The proposed rezone clearly meets the judicial criteria for a rezone. There is no question that the proposal is necessary to implement the Comprehensive Plan, as the Comprehensive Plan Land Use Map designation for the property is currently Institutional and the current R7 Residential zoning is inconsistent with that designation. In point of fact, approval of a rezone to an implementing zone is mandated by RCW 36.70A.120 and ACC 14.22.050, which requires the City's zoning regulations to be consistent with its comprehensive plan. The requested rezone is to the Public Use

1 District (P-1), the implementing zone for this Comprehensive Plan Land Use
2 Designation.

3 The rezone bears a substantial relationship to the public health, safety, morals and
4 welfare because it will not result in any significant adverse impacts as determined in
5 Finding of Fact No. 5 while providing a significant opportunity to reduce the impact of
6 the existing school parking on the surrounding neighborhood.

7 **RECOMMENDATION**

8 The Hearing Examiner recommends approval of REZ18-0005 without conditions.

9 DATED this 31st day of October 2018.

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12 Emily Terrell
13 City of Auburn
14 Hearing Examiner Pro Tem
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REZONE

Auburn School District – Rezone south of Pioneer Elementary REZ18-0005

I. GENERAL INFORMATION:

Application Date: July 27, 2018

Applicant: Camie Anderson
Shockey Planning Group, Inc.
2716 Colby Avenue
Everett, WA 98201

Property Owner: Jeff Grose
Auburn School District No. 408
915 Fourth Street NE
Auburn, WA 98002

Proposal: Rezone a 73,358 sq. ft. parcel from R-7, Residential Zone (Seven Dwelling Units per Acre) to P-1, Public Use District to allow for the future redevelopment of the site associated with the adjacent Pioneer Elementary School.

Proposed Location: The project site is located at 2407 M St SE, at the intersection of M St SE and 25th St SE, within SE ¼ of Section 19, Township 21, Range 5.

Parcel Number: King County Assessor Parcel No. 1921059037.

Subject Property and Adjacent Property Comprehensive Plan Designation, Zoning Classification and Current Land Use:

	Comprehensive Plan Designation	Zoning Classification	Current Land Use
Project Site	Institutional	R-7 Residential	Religious Institution
North	Institutional	P-1, Public Use	School
South	Single Family	R-7 Residential	25 St SE, Single Family Residences
East	Single Family	R-7 Residential	M St SE, Single Family Residences
West	Single Family	R-7 Residential	Access Tract, Single Family Residences