

	City Council Study Session Muni Services SFA October 23, 2017 - 5:30 AM Council Chambers - City Hall AGENDA 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

Deputy Mayor Largo 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, 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, Police Chief Bob Lee, Assistant Chief of Police William Pierson, Community Development and Public Works Director Kevin Snyder, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Innovation and Technology Director Paul Haugan, Human Resources and Risk Management Director Rob Roscoe, Director of Administration Dana Hinman, Assistant Director of Public Works Randy Bailey, Solid Waste and Recycling Director Joan Nelson, Economic Development Manager Doug Lein, and Deputy City Clerk Shawn Campbell.

II. ANNOUNCEMENTS, REPORTS, AND PRESENTATIONS

There was no announcement, report, or presentation.

III. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Resolution No. 5320 (Faber)

An informational presentation from the Auburn Symphony Orchestra regarding the 2016-2017 and 2017-2018 performing art seasons and inclusion of the 2018 draft contract related to operating support for the Auburn Symphony Orchestra

Resolution No. 5320 authorizes an agreement between the City and the Auburn Symphony Orchestra for tourism promotion services.

Parks, Arts and Recreation Director Faber presented Resolution No. 5320. Director Faber reported the City has supported the Symphony Orchestra for the past several years to assist in promoting and marketing

Auburn as a destination for arts and events that in turn contribute to the economy of the City. Performing art programs serve as an economic driver and the activities of the Symphony Orchestra assist in attracting visitors to Auburn.

It is proposed that the City enter into a contract with the Symphony Orchestra for 2018 with specific scope of services for marketing, outreach and audience building, and organization efforts that assist in showcasing Auburn as a destination for arts and events. The amount of the contract is \$75,000.

Also present were Nancy Colson, Member of the Board of Directors of the Symphony Orchestra, and Lee Valenta, General Manager of the Auburn Symphony Orchestra.

Ms. Colson spoke about the mission of the symphony, public outreach, collaboration and partnerships such as with the Mary Olson Farm, and the ongoing search for a new conductor.

Mr. Valenta spoke about programs geared for students and youth, including an education outreach program and discounted family tickets.

Mr. Valenta also spoke regarding the search for a new conductor. There are three finalists at this time participating in the selection process.

Councilmembers reviewed the orchestra's latest annual report, fundraisers, and financial statement, while Ms. Colson and Mr. Valenta answered Council's questions.

B. Legislative Agenda for 2018 (Hinman)

Director of Administration Hinman noted the 2017 Legislative Agenda and the Sound Cities Association's (SCA) draft 2018 Legislative agenda were distributed prior to the meeting.

Director Hinman reviewed the 2017 Legislative Agenda and the SCA proposed legislative agenda. Also, the Association of Washington Cities released their legislative priorities for 2018.

Councilmember DaCorsi reported at the last AWC Board meeting approximately 20 subjects were discussed as possible legislative priorities. The subjects of housing conditions, mental health and social safety net programs, economic development, and preservation of state-shared revenues were elevated, but the remaining items will not be forgotten.

Councilmember Wagner wants to look at ways to incentivize the United States Post Office to construct a new post office in Auburn.

Director Hinman noted the SCA has three priorities for 2018: adjust the

property tax cap, invest in public health services, and address the housing and homelessness crisis.

Councilmember Holman urged the Councilmembers to vote on the legislative priorities at the next regular meeting November 6th.

Deputy Mayor Wales asked for information on the cost of each legislative priority. She stated she supports all of the issues but wants to know how the implementation funding will be generated.

Mayor Backus stated the property tax cap adjustment would allow local governments the option to replace the arbitrary annual one percent cap on property tax increase with a limit tied to inflation plus population growth.

Councilmember Holman noted the SCA priorities are the same as 2017 but the verbiage is modified to make it a one-page document.

Councilmember Wagner stated he believes there should be a priority for improvements to State Route 167.

Councilmember Holman stated the property tax cap of one percent is an arbitrary figure and does not keep up with inflation and the increasing labor costs and increase in City population.

Councilmember DaCorsi urged the Council to speak with a unified voice when speaking to legislators regarding the City's legislative priorities.

Councilmember Pelozo suggested a special study session on the SCA legislative priorities on November 6th at 3:00 p.m. so that Council will be able to support the SCA vote on legislative priorities.

C. Frequency of Special Focus Area Meetings

Councilmember Pelozo stated he brought up this subject at a previous study session.

Mayor Backus stated she heard from Councilmember Pelozo his frustration in not having special focus area sessions as frequently as he desired. In order to achieve more frequency of special focus area discussions, the Council would have two special focus areas at each study session meeting in addition to the general study session. Chairs of the special focus areas would need to work together to prioritize items for discussion.

Councilmember DaCorsi stated he does object to two special focus areas at each study session. He stated he wants to set priorities with staff.

Deputy Mayor Wales stated the Finance special focus area and the Human Services special focus areas may not need to meet any sooner than already scheduled.

Councilmember Baggett cautioned that some items take considerable time and doubling up special focus areas may be burdensome.

Councilmember Wagner suggested using the general discussion item or other business to bring items forward more often.

Councilmembers discussed the pros and cons for each scenario.

Councilmember DaCorsi suggested that the two chairs of the special focus areas for Finance and Human Services discuss how the doubling up of special focus area agendas would affect the study session and special focus area.

Deputy Mayor Wales recommended further discussion at the next study session.

D. Development Incentives

Deputy Mayor Wales directed the Council's attention to a memorandum prepared by Community Development and Public Works Director Kevin Snyder regarding development incentives. Director Snyder stated the agenda item was a late addition to the meeting agenda and staff did not have adequate time to prepare any materials for inclusion in the meeting packet or to prepare for any substantive discussion with the Council at the meeting. Director Snyder stated that his memo expresses his thoughts only; it does not reflect the opinion of Administration or any other departments or their directors.

Director Snyder referred to the State Constitution limit, which prohibits the gift of public funds. He stated economic tools that may be available in other states, such as property tax forgiveness and direct payment of job training funds to private companies, are not allowed in the State of Washington.

Director Snyder provided consideration for economic development incentives: must account for market forces, must be rooted in reality, and are limited to service and financial.

The City has previously enacted a number of regulatory and financial oriented development incentives including: 1) deferrals for impact fees and system development charges; 2) multi-family property tax exemption in Downtown; 3) construction sales tax refund program; 4) Downtown Storefront Façade Improvement Program; 5) Small Business Assistance Program (50% reduction in planning, building and engineering fees for qualifying projects); 6) preparation and implementation of a Downtown Plan and EIS; 7) traffic impact fee waiver for the four Downtown Catalyst blocks; and 8) reduction of parking requirements in the Downtown.

Director Snyder also reviewed excerpts from an article published by the

Municipal Research and Services Center on Washington's economic development incentive challenges.

Director Snyder stated development incentives should be used strategically and carefully evaluated by the City relative to the return on investment and the impact to the community. He further stated that developers are attracted to a quality city with robust and well-maintained infrastructure, great schools, walkable neighborhoods and commercial areas, diverse retail and service businesses, safe neighborhoods and commercial areas, and strategic, focused and innovative leadership.

Councilmember Holman stated many incentives can be non- financial in nature. The City needs to look at the city code and see if modifications are needed to help development.

Deputy Mayor Wales agreed that current city policies and regulations need to be reviewed as to their impact on development.

Director Snyder stated city staff have worked with the City Council and the Planning Commission for the last several years to identify and update the City's development regulations to address and resolve vagueness, inconsistencies and conflicting language as well as to respond to internal and external concerns related to standards and processes. Director Snyder cautioned that there must be a balance between the City's vision as a community and the pursuit of regulatory relief.

Councilmember Wagner stated he wants to focus on special zones rather than across the board relief from regulation.

There was discussion regarding existing businesses who wish to remodel or expand and the regulation impacts to those businesses' efforts; i.e. parking, sidewalks, floor area ratio, etc. There was also discussion regarding waivers.

Councilmember DaCorsi suggested the City Council provide incentives, such as shorter review time and expedited permitting, to small businesses who want to come to Auburn and open up as soon as possible so that they can be successful.

At 7:31 p.m., Deputy Mayor Wales recessed the meeting for ten minutes for a brief intermission. The meeting reconvened at 7:42 p.m.

IV. MUNICIPAL SERVICES DISCUSSION ITEMS

Councilmember Bill Peloza, chair of the Municipal Services Special Focus Area, presided over the meeting during discussion of the Special Focus Area items.

A. Dangerous Dog (Lee)

Discussion on Dangerous Dog Ordinance.

Assistant Chief of Police William Pierson reviewed the Dangerous Dog

ordinance, which was passed in 2004.

Assistant Chief Pierson reported the animal control services have grown over the years, and the City will have two animal control officers beginning in 2018 to meet the demand.

Assistant Chief Pierson reviewed the ordinance (Ordinance No. 5829) and the regulations applied to dangerous dogs and potentially dangerous dogs and the differences in the two designations.

Assistant Chief Pierson reviewed the application of the dangerous and potentially dangerous dog regulations and the rights and requirements of the owner.

B. King County Draft 2019 Comprehensive Solid Waste Management Plan (Coleman)

Finance Director Coleman and Solid Waste and Recycling Supervisor Joan Nelson presented the King County Draft 2019 Comprehensive Solid Waste Management Plan item. King County is seeking comments from the Solid Waste Advisory Committee and the Metropolitan Solid Waste Management Plan before the draft plan is released to the public for comment. King County's current plan was adopted in 2001, with updates in 2011 and 2013 (which were not adopted). King County will release the draft plan for public comment in December 2017 with an anticipated adoption in early 2019.

The Plan goals include achieving zero waste of resources by 2030 and keeping tipping fees as low as reasonable.

The proposed Plan incorporates the following updates and changes:

- Reevaluation of 2007 Transfer & Waste Management Plan
- Options to study resource recovery and changes to rate structure
- Possible policy changes such as mandatory recycling and new C&D recycling and disposal policies
- Consideration of anaerobic digestion and advanced materials recovery
- Optimizing development of Cedar Hills Landfill
- Consideration of waste-to-energy and other alternative disposal technologies

C. King County Court Update (Roscoe)

Human Resources and Risk Management Director Rob Roscoe reviewed historical court costs comparing District Court expenses to projected comparison of municipal court and probation expenses from 2014 – 2017.

Director Roscoe also reviewed case filings from 2012 to 2017 (estimated).

Director Roscoe also included average daily population statistics for the SCORE jail from 2013 to 2018 (estimated).

D. Shopping Cart Update (Snyder)

Assistant Director of Public Works Randy Bailey presented an update on shopping carts.

Using a handout and PowerPoint presentation, Assistant Director Bailey reviewed the City's shopping cart regulations. The handout included the Auburn City Code relating to shopping carts as well as the Revised Code of Washington and code from Livermore, California and other cities relating to shopping carts.

The City's code provides the following: 1) Abandoned shopping carts constitute a public nuisance; 2) The intent is to facilitate the retrieval of abandoned shopping carts in a manner consistent with state law; and 3) The law applies to any business that provides shopping carts for customer use.

The code provides that abandonment is prohibited, and it shall be unlawful for any person to cause or permit any shopping cart to be abandoned upon any sidewalk, street or other public area, other than the premises of the owner of such shopping cart.

The code also requires cart identification as follows:

Every shopping cart owned or provided by any owner must have a sign permanently affixed to the shopping cart that contains all of the following information:

- a. Identity of owner, business establishment or both.
- b. Notification to the public that the removal of the shopping cart from the premises is a violation of state law (RCW 9A.56.270), and notification to the public of the procedure to be utilized for authorized removal of the cart from the premises.
- c. The address or phone number of the owner of the business establishment for shopping cart return.

Enforcement is through civil action accordance with Chapter 1.25 ACC. As an alternative to civil enforcement, abandoned shopping carts may be impounded. Any impounded shopping carts bearing the identification of ownership, the City will do the following:

1. Shall mail an invoice/notice of impoundment by certified mail.
2. Require payment of the administrative impoundment fee of \$30.00 per cart and a \$70.00 disposal fee, per cart after 14 days.

Councilmember Pelosa stated the costs for enforcement was \$8,000 annually, while the City was collecting \$4,000 in fines.

Deputy Mayor Wales asked about a cart used by the homeless. Assistant Director Bailey stated that carts used by the homeless for their personal belongings are not confiscated by the City.

Councilmember Pelozo asked whether staff could do a daily search of the downtown area for abandoned shopping carts. Deputy Mayor Wales stated it would not be the best use of Public Works staff. Deputy Mayor Wales suggested the task be included in the next garbage contract.

Assistant Director Bailey confirmed that staff members, in their normal course of work, pick up carts and drop them back in the store parking lot.

Assistant Director Bailey reviewed shopping cart ordinances from around the country. He noted some cities require a shopping cart plan by those businesses who provide 25 or more shopping carts for customers' use. The shopping cart plans must provide the following: identifying information, number of carts and required identification on the carts, public notices and customer education/public outreach, employee training, signs on the property, loss prevention measures, and retrieval measures. The shopping cart plan may be revoked if: a) a shopping cart has been found on public property on eight or more occasions within the past six-month period; b) the owner has failed to comply with a provision of the code/ordinance; c) the owner has knowingly made a false statement or fails to disclose relevant information in an application, an amendment or in a report to the city.

Any owner who fails to submit a plan, implement the proposed plan or implement any required modifications to the plan as required and within the time frames as specified in this chapter or a plan has been revoked, shall incur a penalty of \$50.00 for each day of noncompliance.

The City of Auburn is working on the following: collaboration with cart providers, create standards to reduce or eliminate cart abandonment, amend City code to provide clarity, avoid burdensome process for the City and cart providers.

Staff will continue to: meet with cart providers to gather ideas and feedback via phone and in person, collect feedback from other stakeholders (Police, Code Enforcement), and review other cities' cart processes to find out what works and what doesn't.

Assistant Director Bailey stated he expects to bring a draft ordinance to Council in early 2018.

E. 2017 Draft Interlocal Agreement for SCATBd (Snyder)

Assistant Director of Engineering Services/City Engineer Gaub presented the 2017 Draft Interlocal Agreement for the South King County Area Transportation Board (SCATBd). The Board is comprised of elected

officials representing South King County jurisdictions for the purpose of information sharing, consensus building and coordinating to resolve transportation issues, identifying priorities, making recommendations, and promoting transportation plans and programs that benefit the South King County area.

The current interlocal agreement expires December 31, 2017. The changes to the interlocal agreement provide clarifying language as to the role of SCATBd and various entities' voting rights. The proposed interlocal will run through 2019 with the ability to extend through 2021.

A resolution approving the interlocal agreement will be presented to Council before the end of the year.

V. OTHER DISCUSSION ITEMS

Councilmember Wagner brought up an email from Orin Wells regarding the roundabout at 22nd and I Street NE, and specifically costs and pedestrian safety.

Assistant Director of Engineering Services/City Engineer presented information from a Council presentation held November 28, 2016 on the roundabout at 22nd and I Street NE.

Assistant Director Gaub reviewed the design of the roundabout.

Assistant Director Gaub stated studies have shown that roundabouts are safer than traditional stop sign or signal-controlled intersections. A study by the Federal Highway Administration and the Insurance Institute for Highway Safety that studied stop and traffic signal-controlled intersection that were converted to a roundabout. Overall, vehicle collisions are reduced by 37%, injury collisions are reduced by 75%, fatality collisions are reduced by 90% (may not apply to this project), and pedestrian collisions are reduced by 40%. Severity of an accident is also reduced due to slower traffic.

Assistant Director Gaub pointed out that the roundabout described in Mr. Wells' email is a two-lane roundabout on the east coast and at a major intersection on a state route. It is not a good comparison to the single-lane roundabout at 22nd and I Street NE.

Councilmember Baggett expressed concern with any landscaping installed in the middle of a roundabout.

The majority of funding for the project is from grants. The breakdown of project funding is as follows:

Funding includes:

\$1,140,000 in Grants

\$ 405,000 in Water Funds

\$ 29,890 in Sewer Funds

\$ 315,000 in Street Funds

VI. NEW BUSINESS

There was no new business.

VII. MATRIX

A. Matrix

Deputy Mayor Wales directed the Council's attention to the matrix. The Municipal Services Special Focus Area item for shopping carts will be moved to March 2018. Items relating to dangerous dogs and an update on King County District Court should be removed from the matrix.

VIII. ADJOURNMENT

There being no further discussion, the meeting adjourned at 9.29 p.m.

APPROVED this 22nd day of January, 2019.

Bill Peloya
BILL PELOZA, DEPUTY MAYOR

Shawn Campbell
Shawn Campbell, City Clerk

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