

	City Council Meeting October 15, 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 - Financial Literacy Week
Mayor Backus to proclaim October 14 - 20, 2018 as "Financial Literacy Week" in the city of Auburn.

III. APPOINTMENTS

IV. AGENDA MODIFICATIONS

V. CITIZEN INPUT, PUBLIC HEARINGS AND CORRESPONDENCE

A. Public Hearings

- 1. 2019-2020 Preliminary Biennial Budget
City Council to conduct a public hearing to receive public comments and suggestions with regard 2019-2020 Preliminary Biennial Budget

(RECOMMENDED ACTION: City Council conduct the public 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.

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 September 24, 2018 City Council Study Session
- B. Minutes of the October 1, 2018 Regular Council Meeting
- C. Claims Vouchers (Coleman)
Claim vouchers 450928 through 451159 in the amount of \$5,493,350.04 and two wire transfers in the amount of \$531,861.22 and dated October 15th, 2018.
- D. Payroll Vouchers (Coleman)
Payroll check numbers 538124 through 538140 in the amount of \$230,816.38, electronic deposit transmissions in the amount of \$1,918,105.67 for a grand total of \$2,148,922.05 for the period covering September 27, 2018 to October 10, 2018.
- E. Call for Public Hearing on Preliminary 2019-2020 Biennial Budget (Coleman)
- F. Call for Public Hearing on 2019 CDBG Annual Action Plan (Hinman)

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

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

X. ORDINANCES

- A. Ordinance No. 6695 (Gross)
An Ordinance of the City Council of the City of Auburn, Washington, directing the revision of City ordinances and regulations to use non-gendered pronouns and amending Section 1.04.020 of the Auburn City Code

(RECOMMENDED ACTION: Move to adopt Ordinance No. 6695.)

XI. RESOLUTIONS

- A. Resolution No. 5384 (Hinman)
A Resolution of the City Council of the City of Auburn, Washington, declaring certain real property as surplus; and authorizing the Mayor to negotiate and execute a purchase and sale agreement between the City of Auburn and Pape Properties, Inc.

(RECOMMENDED ACTION: Move to adopt Resolution No. 5384.)

- B. Resolution No. 5385 (Gaub)
A Resolution of the City Council of the City of Auburn, Washington, setting a hearing date in relation to amending the 2019-2024 Transportation Improvement Program of the City of Auburn pursuant to chapter 35.77 of the revised Code of Washington

(RECOMMENDED ACTION: Move to adopt Resolution No. 5385.)

XII. MAYOR AND COUNCILMEMBER REPORTS

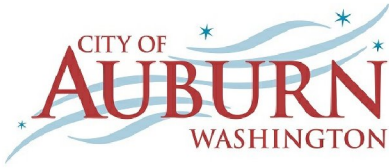
At this time the Mayor and City Council may report on significant items associated with their appointed positions on federal, state, regional and local organizations.

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:

2019-2020 Preliminary Biennial Budget

Date:

October 9, 2018

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:**Administrative Recommendation:**

City Council to conduct a public hearing on October 15, 2018 to receive public comments, proposals and suggestions with regard to the 2019-2020 Preliminary Biennial Budget, including revenue estimates and possible increases in property taxes.

Background Summary:

This is the initial public hearing providing an opportunity for any citizens to make comments, proposals, and suggestions regarding the Preliminary 2019-2020 Biennial Budget. Additional public hearings will be held prior to the adoption of the budget.

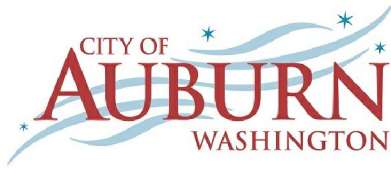
Reviewed by Council Committees:**Councilmember:****Staff:**

Coleman

Meeting Date: October 15, 2018

Item Number:

PH.1



AGENDA BILL APPROVAL FORM

Agenda Subject:
Minutes of the September 24, 2018 City Council Study Session

Department:
Administration

Attachments:
[09-24-2018 Minutes](#)

Date:
October 2, 2018
Budget Impact:
Current Budget: \$0
Proposed Revision: \$0
Revised Budget: \$0

Administrative Recommendation:

Background Summary:

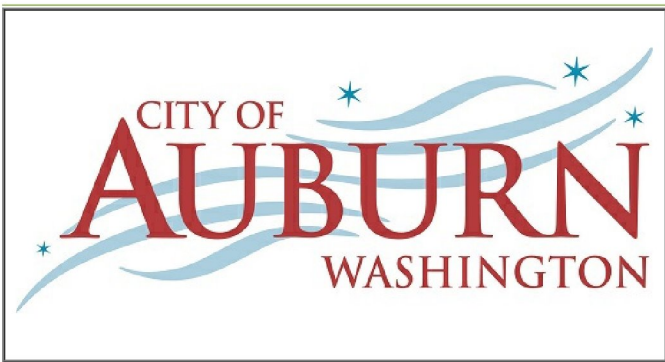
Reviewed by Council Committees:

Councilmember:

Meeting Date: October 15, 2018

Staff:

Item Number: CA.A

	City Council Study Session HHS SFA September 24, 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.
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I. CALL TO ORDER

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

A. Roll Call

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

The following department directors and staff members were present: City Attorney Steve Gross, Director of Public Works Ingrid Gaub, Planner II Alexandria Teague, Utilities Engineering Manager Lisa Tobin, Assistant Finance Director Kevin Fuhrer, Financial Planning Manager Bob Brooks, Police Commander Steve Stocker, Director of Administration Dana Hinman, Human Services Program Coordinator Emily Pearson, Director of Community Development Jeff Tate, Director of Human Resources and Risk Management Candis Martinson, Human Services Manager Joy Scott, City Clerk Shawn Campbell and Deputy City Clerk Teresa Mattingly. Mayor Nancy Backus was not in attendance.

II. ANNOUNCEMENTS REPORTS AND PRESENTATIONS

There were no announcements, reports or presentations.

III. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Ordinance No. 6690 (Coleman) (15 Minutes)

An Ordinance of the City Council of the City of Auburn, Washington, amending Sections 13.06.010, 13.06.360, 13.20.440, and 13.48.100 of the Auburn City Code relating to Utility Rates

Assistant Director Fuhrer, Planning Manager Brooks and Rate Study Consultant Angie Sanchez with FCS Group provided Council with a presentation on the proposed ordinance to amend utility rates for 2019 through 2022.

Council discussed water meter sizes and requested additional information on the rates for the different size meters for residential homes.

B. Ordinance No. 6691 (Tate) (10 Minutes)

An Ordinance of the City Council of the City of Auburn, Washington related to zoning adopting the Open Space Zoning Map amendment to the City Zoning Map

Planner Teague provided Council with a presentation on the proposed changes to the City Zoning Map.

Council discussed which parcels would be included and their intended uses.

C. Follow up on Identity Theft Questions (Gross) (10 Minutes)

City Attorney Gross provided Council with additional information on prosecution of Identity Theft.

Council expressed concern on the impact to the City and vulnerable individuals and requested the statistics for one month on the volume of cases that the City would be prosecuting if King County declines prosecution.

Councilmember Wales recessed the meeting at 6:43 p.m. for approximately ten minutes for a brief intermission.

The meeting was reconvened at 6:53 p.m.

IV. HEALTH AND HUMAN SERVICES DISCUSSION ITEMS

Councilmember Trout-Manuel presided over the Health & Human Services Special Focus Area items.

A. 2019-2020 Human Services Funding Recommendations (Hinman) (20 Minutes)

Manager Scott and Program Coordinator Pearson provided Council with a presentation on the 2019-2020 Human Services Funding Recommendations including; the application submittal and review process, the number of applications received, total grant funds requested, types of services provided, funding priorities and funds available by grant or the General Fund.

Council discussed advertising community events, types of services funded and the verification process. Council requested additional information on the total budget for each applicant and the number of Auburn residents each program serves.

Councilmember Brown thanked Manager Scott and Program Coordinator Pearson for their hard work and the service they provide to the community.

V. OTHER DISCUSSION ITEMS

Councilmember Trout-Manuel discussed the issues with graffiti in the City,

the possibility of installing a camera on the underpass on M street and requested this topic be added to the Matrix for further discussion and assistance.

VI. NEW BUSINESS

There was no new business.

VII. MATRIX

A. Matrix

Councilmembers discussed the matrix. Councilmember Holman requested adding Identity Theft to the October 8, 2018 agenda. Councilmember DaCorsi requested moving ad hoc Committee Report to October 29, 2018 Study Session Agenda. Councilmember Trout-Manuel requested adding a discussion on graffiti to the matrix.

Councilmember Brown discussed items on the next Municipal Services Special Focus Area proposed agenda and will speak with Mayor Backus regarding the time allotment for these items.

VIII. ADJOURNMENT

There being no further discussion, the meeting adjourned at 7:45 p.m.

APPROVED this 15 day of October, 2018.

BAGGETT, DEPUTY MAYOR

Teresa Mattingly, Deputy City Clerk

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AGENDA BILL APPROVAL FORM

Agenda Subject:
Minutes of the October 1, 2018 Regular Council Meeting

Department:
Administration

Attachments:
[10-01-2018 Minutes](#)

Date:
October 10, 2018
Budget Impact:
Current Budget: \$0
Proposed Revision: \$0
Revised Budget: \$0

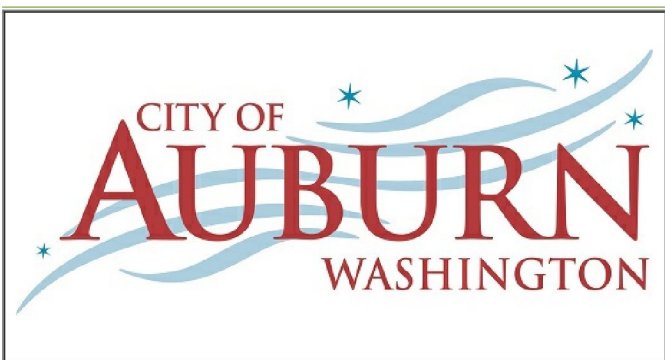
Administrative Recommendation:

Background Summary:

Reviewed by Council Committees:

Councilmember:
Meeting Date: October 15, 2018

Staff:
Item Number: CA.B

	City Council Meeting October 1, 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: Larry Brown, Claude DaCorsi, John Holman, Yolanda Trout-Manuel and Largo Wales. Deputy Mayor Bob Baggett and Councilmember Bill Peloza were excused.

Department directors and staff members present included: Assistant City Attorney Doug Ruth, Police Chief Bill Pierson, Public Works Director Ingrid Gaub, Finance Director Shelley Coleman, Assistant Finance Director Kevin Fuhrer, Parks Arts and Recreation Director Daryl Faber, Community Development Director Jeff Tate, Code Compliance Officer Chris Barack, Code Compliance Officer Tami Kapule, Code Compliance Officer George Winner, Senior Planner Thaniel Gouk and City Clerk Shawn Campbell.

II. **ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS**

A. **Proclamation - Filipino American History Month**

Mayor Backus to proclaim October 2018 as "Filipino American History Month" in the city of Auburn.

Mayor Backus read the proclamation and proclaimed October 22-26, 2018 as Filipino American History Month. She presented Reynaldo Pascua with the proclamation Mr. Pascua thanked the Mayor and Council and requested the City to acknowledge the Filipino involvement in WWII.

B. **Proclamation - Code Enforcement Appreciation Week**

Mayor Backus to proclaim October 22 - 26, 2018 as "Code Enforcement Officer Appreciation Week" in the city of Auburn.

Mayor Backus read the proclamation and proclaimed October 22-26 as Code Enforcement Appreciation Week. Code Compliance Officers Chris

Barack, George Winner and Tami Kapule thanked the Mayor and Council for their support.

C. Proclamation - Stress Less Week

Mayor Backus to proclaim October 1-5, 2018 as "Stress Less Week" in the city of Auburn.

Mayor Backus read the proclamation and proclaimed October 1-5 as Less Stress Week. Auburn Mountainview Students Jordyn Starkovich, Rachel Pierce and Danelle Wilhelm accepted the proclamation and thanked the Mayor and Council of their support.

D. Proclamation - Domestic Violence Awareness Month

Mayor Backus to proclaim October 2018 as "Domestic Violence Awareness Month" in the city of Auburn.

Mayor Backus read the proclamation and proclaimed October 2018 as Domestic Violence Awareness Month. Councilmember Trout-Manuel thanked the Mayor and stated the Council must advocate for the people of Auburn. DAWN Director Kellie Rogers thanked the Mayor, Council and the Community for supporting the survivors of domestic violence.

E. Proclamation - National Community Planning Month

Mayor Backus to proclaim October 2018 as "National Community Planning Month" in the city of Auburn.

Mayor Backus read the proclamation and proclaimed October 2018 as National Community Planning Month. Senior Planner Gouk thanked the Mayor, Council, the Planning commission and other departments for their support.

III. AGENDA MODIFICATIONS

There was no modification to the agenda.

IV. 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.

Wayne Osborne, 1806 4th Place NE, Auburn
Mr. Osborne requested Council amend Ordinance No. 6690 to have the same rate for all residential water meters.

C. **Correspondence**

There was no correspondence for Council to review.

V. 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 committee has three upcoming meetings to work with Director Coleman and Director Gaub for their upcoming presentation.

VI. 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 September 26, 2016 Council Study Session
- B. Minutes of the September 17, 2018 Regular Council Meeting
- C. Claims Vouchers (Coleman)
Claim voucher numbers 450753 through 450927 in the amount of \$766,419.47 and five wire transfers in the amount of \$731,534.98 and dated October 1st, 2018.
- D. Payroll Vouchers (Coleman)
Payroll check numbers 538110 through 538123 in the amount of \$502,882.64, electronic deposit transmissions in the amount of \$1,937,960.88 for a grand total of \$2,440,843.52 for the period covering September 13, 2018 to September 26, 2018.
- E. Call for Public Hearing on Preliminary 2019-2020 Biennial Budget

Councilmember Holman moved and Councilmember DaCorsi seconded the approve the consent agenda.

MOTION CARRIED UNANIMOUSLY. 5-0

VII. UNFINISHED BUSINESS

There was no unfinished business.

VIII. NEW BUSINESS

There was no new business.

IX. ORDINANCES

A. Ordinance No. 6690 (Coleman)

An Ordinance of the City Council of the City of Auburn, Washington, amending Sections 13.06.010, 13.06.360, 13.20.440, and 13.48.100 of the Auburn City Code relating to Utility Rates

Councilmember Holman moved and Councilmember Trout-Manuel seconded to adopt Ordinance No. 6690.

Councilmember DaCorsi moved and Councilmember Holman seconded to amend the Ordinance to have all residential customer meters billed at the same base rate.

Director Coleman stated the impact to the utility would be approximately \$4,500 per year.

MOTION TO AMEND PASSES. 5-1 Councilmember Wales voted no.

MOTION AS AMENDED PASSES 5-1 Councilmember Wales voted no.

B. Ordinance No. 6691 (Tate)

An Ordinance of the City Council of the City of Auburn, Washington related to zoning; adopting the Open Space Zoning Map Amendment to the city zoning map

Councilmember Wales left the meeting at 7:38 p.m.

Councilmember DaCorsi moved and Councilmember Brown seconded to approve Ordinance No. 6691.

MOTION CARRIED UNANIMOUSLY. 4-0

X. **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**

Councilmember DaCorsi reported he attended the Affordable Housing Advisory Board meeting and the Association of Washington Cities Board of Directors meeting.

Councilmember Trout-Manuel reported she attended the Regional Water Quality Committee meeting, Blue Ribbon event for healthy children, Regional Law and Justice Committee meeting, the Chamber of Commerce breakfast, the Son's of Italy bocce tournament and the Holy Family Church Community Dinner.

B. **From the Mayor**

Mayor Backus reported she attended the Green River Auburn Public School Foundation breakfast, the ribbon cutting for the Reserve Apartment

complex, the Airport Appreciation Day event. Mayor Backus noted the Homecoming Game for Auburn High School was Friday October 5th with a "Pink Out" Tailgate fundraiser.

XI. ADJOURNMENT

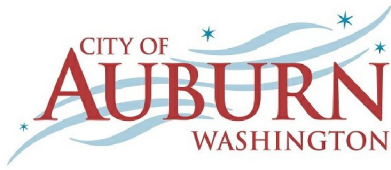
There being no further business to come before the Council, the meeting adjourned at 7:59 p.m.

Approved this 15th day of October, 2018.

NANCY BACKUS, MAYOR

Shawn Campbell, City Clerk

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AGENDA BILL APPROVAL FORM

Agenda Subject:

Claims Vouchers (Coleman)

Date:

October 10, 2018

Department:

Administration

Attachments:

No Attachments Available

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

Approve Claims Vouchers

Background Summary:

Claim vouchers 450928 through 451159 in the amount of \$5,493,350.04 and two wire transfers in the amount of \$531,861.22 and dated October 15th, 2018.

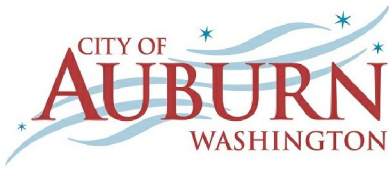
Reviewed by Council Committees:**Councilmember:****Staff:**

Coleman

Meeting Date: October 15, 2018

Item Number:

CA.C



AGENDA BILL APPROVAL FORM

Agenda Subject:

Payroll Vouchers (Coleman)

Date:

October 10, 2018

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

Approve Payroll Vouchers

Background Summary:

Payroll check numbers 538124 through 538140 in the amount of \$230,816.38, electronic deposit transmissions in the amount of \$1,918,105.67 for a grand total of \$2,148,922.05 for the period covering September 27, 2018 to October 10, 2018.

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

Coleman

Meeting Date: October 15, 2018

Item Number:

CA.D



AGENDA BILL APPROVAL FORM

Agenda Subject:

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

Date:

October 9, 2018

Department:
Finance

Attachments:

No Attachments Available

Budget Impact:

Administrative Recommendation:

City Council to call for a public hearing to be held November 5, 2018, to receive public comments and suggestions with regard to development of the preliminary 2019-2020 Biennial Budget.

Background Summary:

This is the second public hearing held concerning the preliminary 2017-2018 Biennial Budget. This provides an opportunity for any citizens to make comments or suggestions on the preliminary budget. A third and final public hearing will be held prior to the adoption of the biennial budget

Reviewed by Council Committees:

Councilmember:

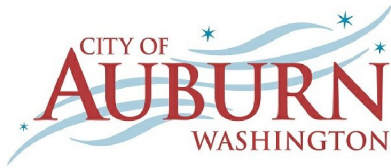
Staff:

Coleman

Meeting Date: October 15, 2018

Item Number:

CA.E



AGENDA BILL APPROVAL FORM

Agenda Subject:

Call for Public Hearing on 2019 CDBG Annual Action Plan (Hinman)

Date:

October
10, 2018

Department:

Administration

Attachments:

No Attachments Available

Budget**Impact:**

Current
Budget:
\$0
Proposed
Revision:
\$0
Revised
Budget:
\$0

Administrative Recommendation:

City Council to call for a public hearing to be held November 5, 2018 to receive public comments and suggestions with regard to development of the 2019 CDBG Annual Action Plan.

Background Summary:

This is the initial public hearing held prior to development of the 2019 CDBG Annual Action Plan. This provides an opportunity for any citizens to make comments or suggestions prior to final Plan development.

The proposed 2019 Annual Action Plan is a requirement for the Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) Program. The Action Plan describes housing and community development needs as well as activities to address those needs. The Action Plan brings together the planning and funding recommendations for human services, neighborhood revitalization and capital improvements funded by the Community Development Block Grant program. The Plan includes project descriptions, recommended funding and proposed accomplishments for the 2019 program year.

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

Hinman

Meeting Date: October 15, 2018

Item Number:

CA.F



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6695 (Gross)

Date:

October 10, 2018

Department:

Legal

Attachments:

[Ord 6695](#)

[De-Gendering](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

Approve Ordinance No. 6695

Background Summary:

The proposed ordinance authorizes staff to have the Auburn Municipal Code revised to change gendered pronouns to non-gendered terms.

The City has a long history of promoting equality and non-discrimination. However, the current version of our Municipal Code dates from 1957 and used male pronouns almost exclusively. As time went on, that code was amended and new sections of the code were added. Some of those amendments changed "he" to "he/she" or "he or she," but those changes are not consistent throughout the code.

In recent years, best practices in code drafting reflect a trend to using non-gendered terms. For example, where the code refers to a Council member, instead of saying "he or she" the code would say "the Council member...." Additionally, there is an ongoing trend to change some common position titles to eliminate references to gender. "Councilman" and "Councilwoman" became "Councilmember." "Policeman" and "Policewoman" became "Police Officer."

State law allows us to "modernize" the code where appropriate, when doing so does not change the meaning of the original ordinance.

As we move forward with updating the City's website, the Clerk's office has been talking to Code Publishing about moving our code to their newer platform. Bellevue uses this platform (<https://bellevue.municipal.codes/>). It is cleaner and easier to search. Also, it provides some customization options, such as storing our original ordinance and resolutions, that will make it easier for residents to track the history of city laws and policies. As you know, making information available on the City's website helps us respond more quickly to public records requests.

The changes to the code and the migration to the new platform are within the department's 2018 budget.

Reviewed by Council Committees:

Councilmember:

Meeting Date: October 15, 2018

Staff:

Item Number:

Gross

ORD.A

ORDINANCE NO. 6695

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DIRECTING THE REVISION OF CITY ORDINANCES AND REGULATIONS TO USE NON-GENDERED PRONOUNS AND AMENDING SECTION 1.04.020 OF THE AUBURN CITY CODE

WHEREAS, the City of Auburn has a long history of promoting equality and non-discrimination including but not limited to: provision of health care coverage to domestic partners (Ord. 6156); reaffirming its commitment to inclusiveness (Res. 5284); and adopting several provisions of the City's Personnel Policies; and,

WHEREAS, RCW 35.21.500(1) authorizes codification of ordinances, including but not limited to "...modernizing and clarifying the language of such ordinances, but without changing the meaning of any such ordinance;" and,

WHEREAS, City staff in recent years has been drafting ordinances and policies to be non-gendered where a specific gender is not necessary to the meaning of the ordinance; and,

WHEREAS, staff recommends updating existing code and policies where practicable to make pronouns non-gendered where appropriate.

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

Section 1. It is the intent of the City Council that City documents, including but not limited to legislation and administrative policies, be written in a way that does not refer to gender unless it is necessary to do so in the context of the document. To the extent practicable, existing plans and policies should be rewritten when those plans or policies are updated.

Section 2. As provided for in RCW 35.21.500(1), staff is authorized and directed to have the City's published municipal code, as well as plans and administrative regulations, modernized by changing gendered pronouns to non-gendered terms when doing so does not change the meaning of the regulatory provision.

Section 3. Section 1.04.020 of the Auburn City Code is amended to read as follows:

1.04.020 Grammatical interpretation.

The following grammatical rules shall apply in the ordinances of the city:

~~A. Gender. The masculine gender includes the feminine and neuter genders.~~

~~B. Singular and Plural. The singular number includes the plural and the plural includes the singular.~~

~~CB. Tenses. Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable.~~

~~DC. Use of Words and Phrases. Words and phrases not specifically defined shall be construed according to the context and approved usage of the language. (Ord. 6298 § 1, 2010; Ord. 2905 § 2, 1976.)~~

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

Section 4. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 5. 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: _____

NANCY BACKUS, MAYOR

ATTEST:

Shawn Campbell, MMC, City Clerk

APPROVED AS TO FORM:



Steven L. Gross, City Attorney

Published: _____

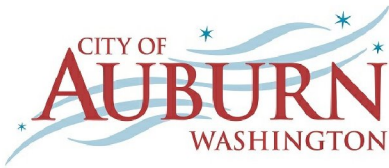
Table 1

Gendered Terms in Existing Code	Common Non-Gendered Titles of Office, Employment and Descriptors
He, She, Him, Her, Himself, Herself	The Agent
He, She, Him, Her, Himself, Herself	The Alternate member
He, She, Him, Her, Himself, Herself	The Applicant
He, She, Him, Her, Himself, Herself	The Architect
He, She, Him, Her, Himself, Herself	The Assessor
He, She, Him, Her, Himself, Herself	The Attorney
He, She, Him, Her, Himself, Herself	The Candidate
He, She, Him, Her, Himself, Herself	The Chief officer
He, She, Him, Her, Himself, Herself	The Clerk
He, She, Him, Her, Himself, Herself	The Complainant
He, She, Him, Her, Himself, Herself	The Consignee
He, She, Him, Her, Himself, Herself	The Councilmember
He, She, Him, Her, Himself, Herself	The Dancer
He, She, Him, Her, Himself, Herself	The Dealer
He, She, Him, Her, Himself, Herself	The Declarant
He, She, Him, Her, Himself, Herself	The Department director
He, She, Him, Her, Himself, Herself	The Deputy
He, She, Him, Her, Himself, Herself	The Designee
He, She, Him, Her, Himself, Herself	The Detainee
He, She, Him, Her, Himself, Herself	The Director
He, She, Him, Her, Himself, Herself	The Driver
He, She, Him, Her, Himself, Herself	The Employee
He, She, Him, Her, Himself, Herself	The Engineer
He, She, Him, Her, Himself, Herself	The Entertainer
He, She, Him, Her, Himself, Herself	The Examiner
He, She, Him, Her, Himself, Herself	The Executive
He, She, Him, Her, Himself, Herself	The Executor
He, She, Him, Her, Himself, Herself	The Felon
He, She, Him, Her, Himself, Herself	The Fire Marshall
He, She, Him, Her, Himself, Herself	The Franchisee
He, She, Him, Her, Himself, Herself	The Franchisor
He, She, Him, Her, Himself, Herself	The Guarantee
He, She, Him, Her, Himself, Herself	The Guarantor
He, She, Him, Her, Himself, Herself	The Individual
He, She, Him, Her, Himself, Herself	The Inspector

He, She, Him, Her, Himself, Herself	The Investigator
He, She, Him, Her, Himself, Herself	The Leaver
He, She, Him, Her, Himself, Herself	The Lessee
He, She, Him, Her, Himself, Herself	The Lessor
He, She, Him, Her, Himself, Herself	The Licensee
He, She, Him, Her, Himself, Herself	The Lobbyist
He, She, Him, Her, Himself, Herself	The Manager
He, She, Him, Her, Himself, Herself	The Member
He, She, Him, Her, Himself, Herself	The Merchant
He, She, Him, Her, Himself, Herself	The Mortgagee
He, She, Him, Her, Himself, Herself	The Mortgagor
He, She, Him, Her, Himself, Herself	The Offender
He, She, Him, Her, Himself, Herself	The Officer
He, She, Him, Her, Himself, Herself	The Official
He, She, Him, Her, Himself, Herself	The Operator
He, She, Him, Her, Himself, Herself	The Owner
He, She, Him, Her, Himself, Herself	The Pawn broker
He, She, Him, Her, Himself, Herself	The Permit holder
He, She, Him, Her, Himself, Herself	The Permittee
He, She, Him, Her, Himself, Herself	The Person
He, She, Him, Her, Himself, Herself	The Physician
He, She, Him, Her, Himself, Herself	The Principal
He, She, Him, Her, Himself, Herself	The Prisoner
He, She, Him, Her, Himself, Herself	The Probationer
He, She, Him, Her, Himself, Herself	The Promoter
He, She, Him, Her, Himself, Herself	The Public records officer
He, She, Him, Her, Himself, Herself	The Purchaser
He, She, Him, Her, Himself, Herself	The Respondent
He, She, Him, Her, Himself, Herself	The Secondhand dealer
He, She, Him, Her, Himself, Herself	The Seller
He, She, Him, Her, Himself, Herself	The Servant
He, She, Him, Her, Himself, Herself	The Sheriff
He, She, Him, Her, Himself, Herself	The Solicitor
He, She, Him, Her, Himself, Herself	The Sponsor
He, She, Him, Her, Himself, Herself	The Station manager's
He, She, Him, Her, Himself, Herself	The Suspended person
He, She, Him, Her, Himself, Herself	The Tenant
He, She, Him, Her, Himself, Herself	The Trespasser
He, She, Him, Her, Himself, Herself	The Trustee
He, She, Him, Her, Himself, Herself	The Vendor

- a. Each specifically gendered term identified in column A of Table 2, and which is also found within the Municipal Code, shall be replaced by the corresponding non-gendered term identified in column B. Table 2 is non-exhaustive and may be amended from time to time.

Table 2	
Gendered Terms Commonly Found in Existing Code	Non-Gendered Term Replacement
"Bondsman"	"Bonds-person"
"Brother"	"Sibling"
"Chairman"	"Chair," "chairperson"
"Craftsmen"	"Craftspeople," "artisans"
"Fireman," "Firewoman," "Firemen," "Firewomen"	"Firefighter," "firefighters"
"Fraternal"	"Social"
"Heirs"	"Beneficiaries"
"Journeyman"	"Journey"
"Maiden"	"Family"
"Male" and "female"	"People of different genders"
"Manhole"	"Maintenance hole"
"Manmade"	"Human-made"
"Manpower"	"Human effort"
"Manpower"	"Workforce"
"Master"	"Captain," "Skipper," "Pilot," "Safety Officer," "Central"
"Men and women"	"People"
"Men or women"	"A single gender"
"Ombudsman"	"Ombuds," "Investigating Official"
"Patrolmen"	"Patrol," "Guards"
"Policeman," "Policewoman," "Policemen," "Policewomen"	"Police Officer," "Police Officers"
"Pregnant" (woman, women)	"Pregnant employees"
"Repairman"	"Repairs," "Repairer"
"Salesman"	"Salesperson," "Salespeople"
"Sister"	"Sibling"
"Sorority," "Fraternity"	"Collegiate Greek system residence"
"Sportsman"	"Hunters"
"The masculine pronoun includes the feminine"	"Words referring to a specific gender may be extended to any other gender"
"Watchmen"	"Guards"



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5384 (Hinman)

Date:

October 10, 2018

Department:

Administration

Attachments:

[Res 5384](#)

[Exhibit A - Letter of Intent](#)

[Lund Property Report](#)

Budget Impact:

Budget Impact: +\$200,000

Administrative Recommendation:

Adoption of Resolution No. 5384 will declare City of Auburn owned property, parcel number 132104-9104, located at 302 Lund Rd SW as surplus to the needs of the City as well as authorize the Mayor to negotiate the sale of 302 Lund Rd SW to Pape` Properties, Inc. Such sale to be in substantial conformity to the business points established in the attached letter of intent.

Background Summary:

302 Lund Rd SW was purchased from King County on 9/19/2006 for \$180,000 authorized by City Council under resolution 4099. As part of the conveyance to the City a restriction on the deed was placed upon the deed that the property must be maintained as wetlands or mitigated per SEPA requirements and any future sale must include the same deed restriction.

Pape` Properties Inc. is the real estate holding company for Pape` Machinery and Pape` Kenworth. Pape` are a regional company with 92 locations serving 8 different western states. They specializing in sales, leasing, service, repair, fleet management and replacement parts of heavy equipment. They are interested in developing a full service Pape` Kenworth dealership that would include sales, leasing service, repair, and parts for Kenworth machine and equipment.

302 Lund Rd SW would serve as part of a larger assemblage which would make up the dealership. Conveyance of the City's property will include the afore mentioned deed restriction.

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

Hinman

Meeting Date: October 15, 2018

Item Number:

RES.A

RESOLUTION NO 5384

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DECLARING CERTAIN REAL PROPERTY AS SURPLUS; AND AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF AUBURN AND PAPE PROPERTIES, INC.

WHEREAS, The City purchased, pursuant to Resolution 4099, 302 Lund Road SW from King County on September 19, 2006 for the overall enhancement of the City; and

WHEREAS, on November 27, 2017 the City's Real Property Analyst sent out an email inquiry to all departments seeking any current or future need for this real property and no current or future need was identified for this property; and

WHEREAS, Papé Properties Inc. approached the City seeking to purchase 302 Lund Rd SW for wetland enhancement mitigation of non-City owned parcels; and

WHEREAS, The sale of 302 Lund Rd SW is in the public interest as it creates an opportunity for economic enhancement of the area and future City revenues through commercial development of other private parcels.

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

Section 1. That the following legally described property is declared surplus to the City's needs:

LEGAL DESCRIPTION

LOT 2 OF AUBURN SP-11-85, RECORDING NO. 8601080790, SAID SHORT PLAT, DESCRIBED AS FOLLOWS: WEST $\frac{3}{4}$ OF THE WEST $\frac{1}{2}$ OF THE NE $\frac{1}{4}$

OF THE SW ¼ OF SECTION 13, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M.,
KING COUNTY, WASHINGTON, LESS STATE ROAD, LESS COUNTY ROAD

more commonly referred to by King County tax parcel 1321049104, or by street
address 302 Lund Rd. SW, Auburn, WA 98001.

Section 2. That the Mayor of the City of Auburn, or the mayor's designee,
is authorized to negotiate and execute a Purchase and Sale Agreement with Papé
Properties Inc. with the Agreement being in substantial conformity to the Letter of
Intent, attached as Exhibit A.

Section 3. The Mayor is further authorized to implement such administrative
procedures as may be necessary to carry out the directives of this legislation.

Section 4. This resolution shall be in full force and effect upon passage
and signatures hereon.

Dated and Signed this _____ day of _____, 2018.

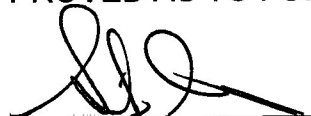
CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

Shawn Campbell, MMC, City Clerk

APPROVED AS TO FORM:



Steven L. Gross, City Attorney

Purchaser:
Papé Properties, Inc.
Mike Pati
General Manager
503.758.7222
Mpati@pape.com

Purchasers Broker:
Dave Nelson
Dave Nelson Real Estate
425.319.3100
Dave.DNRE@gmail.com

Seller / City of Auburn Contact:
Josh Arndt
Sr. Economic Development
Officer
253.561.1235
Jarndt@auburnwa.gov

Letter of Intent
August 3, 2018

RE: Letter of Intent to Purchase 302 Lund Road, Auburn, WA 98001 from the City of Auburn for the purpose of Wetland Mitigation with the adjacent properties located at 922 and 940 West Main Street in the City of Auburn, WA 98001. The following terms shall be incorporated into a binding Purchase and Sale agreement.

TERMS

Purchase Price: The purchase price shall be a minimum of \$200,000.00 or the appraised price as established by an MAI appraisal if higher than the minimum. The appraised price shall be established by the Seller's appraiser. If the Buyer does not agree with that price, it may obtain an appraisal at its own expense. If the Buyer's appraisal is more than 15% below the Seller's appraisal, the Buyer and Seller's appraisers shall jointly select a third appraiser, and that appraisal price shall be the purchase price, as long as it is above \$200,000.00. The parties will split the cost of the third appraisal. If the Buyer's appraisal is less than 15% below the Seller's appraisal, the average of the Buyer's and Seller's appraisals shall be the purchase price, as long as it is above \$200,000.00.

The purchase price shall be all cash at closing.

Buyer's Initial Deposit Upon execution of a Purchase and Sales Agreement, buyer shall deposit Ten Thousand Dollars and no cents (\$10,000.00) into escrow. Buyer's Initial Deposit shall become non-refundable upon removal or expiration of buyers feasibility period.

Feasibility Period: The feasibility period shall be for 6 months from the time the buyer and seller have entered into a definitive agreement for the purchase of the property. Buyer shall have the sole responsibility to determine its ability to use the property for development of a new Papé Kenworth Parts, Sales and Service facility. Buyer shall have up to two (2) three-month extensions of the feasibility period

(Feasibility Extension Periods). Request for each Feasibility Extension Period must be submitted in writing to the City prior to expiration of the then current feasibility period. As compensation for each Feasibility Extension Period buyer must deposit an additional Five Thousand Dollars and no cents (\$5,000.00) into escrow with instructions that escrow shall release said compensation to seller immediately. Such compensation shall be forfeited if Buyer declines to purchase the property. Should the Buyer elect to close on the property then the compensation for the Feasibility Extension Period(s) shall be applied toward the purchase price of the property at closing.

Appraisal:

The Seller shall initiate and cause an MAI appraisal to be done on the property. The Buyer shall reimburse the Seller up to Eight Thousand dollars (\$8,000.00) for the Seller's cost of appraisal either at closing or, if Buyer declines to buy the property, within 10 days of notifying the Seller of its intent to not buy the property.

Sellers Disclosure Statement:

Buyer agrees to waive the Seller's Disclosure Statement under RCW 64.06.010 with the exception of item 6 "Environmental" under RCW 64.06.013.

Prior to closing the Buyer shall check the property for hazardous substances and Seller shall be given the opportunity, but not obligation to remediate any concerns brought to the attention of environmental authorities.

Title:

The seller shall order and provide a preliminary commitment for an owner's standard coverage policy of title insurance issued by Stewart Title.

Closing:

Closing shall be 30 days after the expiration or waiver of the feasibility or feasibility extension period, whichever comes first.

Closing Costs:

Each party shall be responsible for paying their portion of the total closing costs.

Conveyance:

Conveyance of the property shall be delivered in the form of a Bargain and Sale Deed. Buyer acknowledges and accepts that the deed being conveyed to buyer may have restrictions for among other things allowable uses of the property.

Agency:

The parties to this Letter of Intent acknowledge that the Buyer's broker is Dave Nelson of Dave Nelson Real Estate and that he shall

be paid by the buyer at close of escrow in the amount of 5% commission.

The parties further acknowledge that the Seller is not represented by a broker but if one is hired, that broker would be paid by the seller.

Council Approval:

The surplusing and sale of the seller's property is subject to the approval of Auburn City Council which action shall be given by resolution.

This Letter of Intent and the terms within are non-binding to both parties. They are intended rather as a summary of terms for the potential future binding purchase agreement. By signing below each party acknowledges and agrees to proceed in good faith effort towards the execution of a binding purchase agreement that is in substantial conformity of the above terms.

BUYER

Signature: Milant

Print Name: MILLE PATI

Title: GENERAL MANAGER

Date: 9/1/18

SELLER

Signature: Nancy Backus

Print Name: Nancy Backus

Title: Mayor

Date: 9.6.18

SLC

**Property Information**

Street Address: 302 Lund Rd Building (SqFt): Size (Acres): 8.26 Zoning: LIGHT INDUSTRIAL DISTRICT

Department: Administrations Current Use: Vacant land. 100% Wetland City Fund: Purchased using General Fund 328 - Capital Improvements. Held in Fixed Assets GL# 910.171.113

How/Why Acquired: The property was purchased for \$180,000 from King County on 9/19/2006 for the overall enhancement of the area. Resolution 4099 authorized the purchase.

Deed Restrictions: YES Deed Restrictions Notes: Property must be maintained as wetlands or mitigated per SEPA requirements.

Planned Future Use: Nothing at this time. ED/RE recommends surplus action

Notes

This and other surrounding properties were rezoned in October, 2006 from either M1 Light Industrial or R2 Single Family Residential to EP Environmental Park District (ORD 6037). City Council through ORD 6660 then rezoned most of the properties back to M1 Light Industrial on 10/16/17

This site is a Category II Wetland. See ACC 16.10.010 Section C for enhancement and creation of wetland ratios. Property is 100% wetland, with roughly 5 of the 8.26 acres being emergent vegetation and the remaining 3.26 acres being forested wetland.

The 5 acres of emergent wetlands has a high-probability of potential for wetland enhancements that could be used to compensate for impacts imposed by future development activities within the City.

King County acquired the property in 1992 due to delinquent property taxes.

City assessed LID liens against the property which came due March 10, 1997. City wrote off total balance of LID in amount of \$190,624.40 once City acquired ownership.

Supporting Documents

1321049104 <http://archives/internal/ElectronicFile.aspx?docid=283360&dbid=0>
Wetland Report

1321049104 <http://archives/internal/ElectronicFile.aspx?docid=283359&dbid=0>
Wetland Map

1321049104 RES <http://archives/internal/DocView.aspx?id=141664&searchid=6e85ce71-7d50-4311-819e-af5e2c1a2066&dbid=0>
4099 -
Authorization to
Purchase

1321049104 <http://archives/internal/DocView.aspx?id=139687&searchid=280322d7-0df1-4322-82e1-af8ccabb0d5e&dbid=0>
ORD 6037 -
Environmental
Park Rezone

1321049104 <http://archives/internal/0/doc/150849/Page1.aspx>
Warranty Deed

1321049104 <http://archives/internal/DocView.aspx?id=312236&searchid=5ba4688c-a459-48a7-b48d-0d37e6bcbcb80&dbid=0>
ORD 6660 -
Rezone back to
M1



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5385 (Gaub)

Date:

October 9, 2018

Department:

Public Works

Attachments:

[Res 5385](#)

[New TIP #I-15](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

City Council adopt Resolution No. 5385.

Background Summary:

Resolution No. 5385 is for the City Council to set a time and date for a public hearing to add a new project to the 2019-2024 Six Year Transportation Improvement Program. The public hearing is proposed to be held on November 5th, 2018 during the City Council Meeting.

A summary of the proposed change was presented at City Council Study Session on October 8th, 2018.

The following project is proposed to be added to the 2019-2024 TIP:

- TIP I-15: 10th Street NW/A Street NW Intersection Improvements (\$0.65M) – the project will design and construct a new traffic signal at the intersection.

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

Gaub

Meeting Date: October 15, 2018

Item Number:

RES.B

RESOLUTION NO. 5385

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, SETTING A HEARING DATE IN RELATION TO AMENDING THE 2019-2024 TRANSPORTATION IMPROVEMENT PROGRAM OF THE CITY OF AUBURN PURSUANT TO CHAPTER 35.77 OF THE REVISED CODE OF WASHINGTON

WHEREAS, the City is required to include projects in the Transportation Improvement Program (TIP) in order to be included in the traffic impact fee program; and

WHEREAS, Revised Code of Washington 35.77.010 requires that the legislative body of each City is required to prepare and adopt a Comprehensive TIP for the ensuing six years. The program may at any time be revised by a majority of the legislative body of a City, but only after conducting a public hearing.

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

Section 1. PURPOSE. The purpose of this Resolution is for the City Council to set a time and date for a public hearing to amend the 2019-2024 Transportation Improvement Program, to add a new project.

Section 2. NOTICE OF HEARING. The Council hereby directs that a notice specifying the time and place of the public hearing shall be published one time in a newspaper of general circulation and the notice shall also be posted in three public places. Such public notice shall precede the public hearing by at least 10 days.

Section 3. DATE OF HEARING. Pursuant to the requirements of State law, a public hearing on said 2019-2024 Transportation Improvement Program will be held on the 5th of November, 2018, at 7:00 p.m., or as soon thereafter as reasonably possible, in the Council Chambers of the Auburn City Hall at 25 West Main Street in Auburn, Washington, before the City Council. All persons interested in said 2019-2024 Transportation Improvement Program may attend and testify at said hearing.

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

Section 5. EFFECTIVE DATE. This resolution shall be in full force and effect upon passage and signatures hereon.

DATED and SIGNED this _____ day of October, 2018.

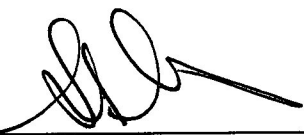
CITY OF AUBURN

NANCY BACKUS
MAYOR

ATTEST:

Shawn Campbell,
City Clerk

APPROVED AS TO FORM:



Steve Gross,
City Attorney

Resolution No. 5385
September 14, 2018
Page 3

Six Year Transportation Improvement Plan

ARTERIAL STREET FUND (102)

TIP# I-15

Project Title: 10th Street NW/A Street NW Intersection Improvements
Project No: TBD
Project Type: Capacity, Safety
Project Manager: TBD

STIP# AUB-N/A

LOS Corridor ID# N/A

Description:

This project will complete the design and construction of a new traffic signal in place of the existing stop-control on the 10th Street NW approach.

Progress Summary:

Future Impact on Operating Budget:

The annual maintenance cost for this project is estimated to be \$500.

Activity:	2018 YE		Budget			Forecast Project Cost				Total Project Cost
	Prior to 2018	Estimate	2019	2020	2021	2022	2023	2024	Beyond 2024	
Funding Sources:										
Unrestricted Street Revenue	-	-	-	-	-	-	-	-	-	-
Unsecured Grant	-	-	-	-	-	-	-	-	-	-
Traffic Impact Fees	-	-	-	-	175,000	475,000	-	-	-	650,000
Other	-	-	-	-	-	-	-	-	-	-
Total Funding Sources:	-	-	-	-	175,000	475,000	-	-	-	650,000
Capital Expenditures:										
Design	-	-	-	-	175,000	-	-	-	-	175,000
Right of Way	-	-	-	-	-	475,000	-	-	-	475,000
Construction	-	-	-	-	-	-	-	-	-	-
Total Expenditures:	-	-	-	-	175,000	475,000	-	-	-	650,000