

**City Council Meeting
October 5, 2015 - 7:00 PM
Auburn City Hall
AGENDA**

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

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

II. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

- A. Mayor's Proclamation & Award Presentation for Domestic Violence Awareness & Prevention Month
Mayor Backus to proclaim October 2015 as Domestic Violence Awareness and Prevention Month in the City of Auburn.

III. APPOINTMENTS

IV. AGENDA MODIFICATIONS

V. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE

- A. **Public Hearings**
No public hearing is scheduled for this evening.
- B. **Audience Participation**
This is the place on the agenda where the public is invited to speak to the City Council on any issue. Those wishing to speak are reminded to sign in on the form provided.
- C. **Correspondence**
There is no correspondence for Council review.

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 August 31, 2015 Study Session***

B. **Minutes of the September 21, 2015 City Council Meeting***

C. **Claims Vouchers (Coleman)**

Claims voucher numbers 435602 through 435786 in the amount of \$1,379,865.31 and five wire transfers in the amount of \$196,852.62 and dated October 5, 2015.

D. **Payroll Vouchers (Coleman)**

Payroll voucher numbers 535861 through 535898 in the amount of \$325,034.41 and electronic deposit transmissions in the amount of \$1,387,669.14 for a grand total of \$1,712,703.55 for the period covering September 17, 2015 to September 30, 2015.

E. **Call for Public Hearing (Coleman)**

City Council to call for Public Hearing No. 1 for the Mid-Biennial Review and Modification of the 2015-2016 Biennial Budget to be held October 19, 2015.

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

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

A. **SCORE Jail Statistics* (Mayor Backus)**

X. ORDINANCES

A. **Ordinance No. 6565, First Reading* (Snyder)**

An Ordinance of the City Council of the City of Auburn, Washington, amending Sections 18.04.330, 18.07.020, 18.46A.070 of the Auburn City Code relating to Recreational Vehicles as Dwelling Units

(RECOMMENDED ACTION: City Council introduce Ordinance No. 6565 on first reading.)

B. **Ordinance No. 6572, First Reading* (Snyder)**

An Ordinance of the City Council of the City of Auburn, Washington, amending Chapter 2.33 of the Auburn City Code relating to the Municipal Airport Advisory Board

(RECOMMENDED ACTION: City Council introduce Ordinance No. 6572 on first reading.)

C. **Ordinance No. 6573, First Reading* (Snyder)**

An Ordinance of the City Council of the City of Auburn, Washington, amending Sections 9.18.010, 9.18.020 and 9.18.050 of the Auburn City Code relating to charitable solicitations

(RECOMMENDED ACTION: City Council suspend the rules and adopt Ordinance No. 6573 on first reading.)

XI. RESOLUTIONS

A. **Resolution No. 5166* (Coleman)**

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute an addendum to the agreement for the day to day operation and management of the Auburn Municipal Airport

(RECOMMENDED ACTION: City Council adopt Resolution No. 5166.)

B. **Resolution No. 5172* (Snyder)**

A Resolution of the City Council of the City of Auburn, Washington, authorizing the City to expend funds to abate the litter, junk, weeds and attractive nuisances at 5412 S. 331st Street, 802 A Street SE, 620 D Street SE, and 1322 17th Street NE, in the city of Auburn

(RECOMMENDED ACTION: City Council adopt Resolution No. 5172.)

C. **Resolution No. 5174* (Snyder)**

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to negotiate and execute a Professional Services Agreement with Parametrix, Inc. and enter into funding agreements

(RECOMMENDED ACTION: City Council adopt Resolution No. 5174.)

XII. MAYOR AND COUNCILMEMBER REPORTS

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

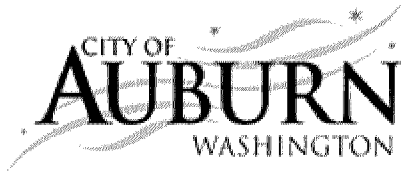
A. **From the Council**

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.

*Denotes attachments included in the agenda packet.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes of the August 31, 2015 Study Session

Date:

September 17, 2015

Department:

Administration

Attachments:

Minutes

Budget Impact:

\$0

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

Meeting Date: October 5, 2015

Item Number: CA.A



**City Council Study Session
August 31, 2015 - 5:30 PM
Auburn City Hall
MINUTES**

I. CALL TO ORDER

Deputy Mayor John Holman 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

City Councilmembers present: Deputy Mayor Holman, Rich Wagner, Bill Pelloza, Wayne Osborne, Claude DaCorsi and Yolanda Trout. Councilmember Largo Wales was excused.

City officials and staff members present included: Mayor Nancy Backus, City Attorney Daniel B. Heid, Innovation and Technology Director Paul Haugan, Chief of Police Bob Lee, Human Resources and Risk Management Director Rob Roscoe, Economic Development Manager Doug Lein, Finance Director Shelley Coleman, Community Development and Public Works Director Kevin Snyder, Interim Director of Administration Dana Hinman, and City Clerk Danielle Daskam.

II. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. 10-Year Economic Development Plan Consultant Introduction (30 Minute Presentation/15 Minute Q&A) (Hinman)

Economic Development Manager Doug Lein introduced representatives from TIP Strategies and Heartland, the consultants selected to develop the City's 10-year economic development strategic plan. Mr. Lein briefly described the recruitment and selection process.

Jeff Marcell, Senior Partner with TIP Strategies, and Matt Hoffman Senior Project Manager with Heartland, discussed their approach for developing Auburn's ten year economic development strategic plan.

Mr. Marcell stated TIP Strategies was founded in 1995 and has offices in Seattle and Austin. The company has over 20 years of experience in over 177 unique communities across 36 states and in four countries. TIP Strategies is committed to holistic thinking and sustainable development. The company has expertise in strategic planning, workforce assessment and economic analysis.

Matt Hoffman reported Heartland is a Puget Sound-based real estate advisory and investment firm with a deep understanding of local market. The firm is multi-disciplinary with a culture of intellectual curiosity. Heartland's four basis business lines include civil real estate, real estate companies, corporate real estate and investments.

The Retail Coach is the third company that is part of the team to develop the City's 10-year economic development strategic plan. The Retail Coach is experienced in developing and executing retail recruitment and development strategies.

Mr. Marcell, who will be the primary point of contact for the project, explained the firm's philosophy on the concept of talent, innovation and place. Economic development is not only about business recruitment and retention, but also includes keeping and growing your talent base, encouraging innovation within the community, and place.

Mr. Hoffman spoke regarding market fundamentals. Land capacity is a function of existing buildings, developable land, policies and market fundamentals. Auburn has a diverse inventory of land use from a rich industrial base to a downtown that is evolving.

The process will include analyzing the Auburn area and competing communities, determining retail districts, discussions with community stakeholders, interviews with existing Auburn retailers, determining retail trade areas, demographic profiling, consumer surveying, identifying retail gaps in Auburn, identifying prime retail sites in Auburn, Auburn community marketing, downtown district focus, and identifying retail SWOT (strengths, weaknesses, opportunities and threats).

Councilmember Wagner suggested including transportation planning as part of economic development.

Mr. Marcell reviewed the City's stated goals for the strategic plan: build on the City's current economic asset base, identify specific strategies and actions for overcoming Auburn's challenges, facilitate the growth and expansion of existing business sectors while defining methods for attracting and growing new industries, promote key redevelopment corridors that are integral to the City's economic future, and increase employment opportunities and position the City to attract skilled workers, high-growth entrepreneurs and firms.

The consulting team proposed: team meetings, progress reports, review process, a kick-off meeting, existing conditions analysis, market capacity study, SWOT analysis, stakeholder engagement, best practices research, reverse site selection, perception survey, target industry analysis, and marketing review. All of the work will be put in an implementation matrix and the team will review the outcome with the Council for approval.

Mr. Marcell briefly reviewed a sample schedule and the expected outcomes, which include assessment of existing conditions, including demographic retail and market data; documentation of Auburn's competitive position both within and outside the region; extensive stakeholder engagement in the planning process with the goal of creating "buy-in" for the resulting plan; identification of relevant best practices; and preparation of a City-specific plan, including detailed strategies, actions and implementation matrix.

Councilmember Osborne suggested the consultants include the airport in the development of the economic development plan.

There was brief discussion regarding successful implementation of economic development plans and public engagement.

B. Supported Employment Update (15 Minute Presentation/5 Minute Q&A) (Hinman)

The report on Auburn's supported employment was presented immediately following the call to order.

Interim Director of Administration Dana Hinman introduced Janice Nelson, Program Manager with Trillium Employment Services and David Delaune, one of Auburn's supported employees. The City has worked with Trillium for the past seven years and employed four supported employees in total with three currently employed.

Ms. Nelson reported Trillium nominated the City of Auburn for the Public Employer of the Year Award through the Community Employment Alliance. The City of Auburn won the award for supported employment.

Ms. Nelson explained that supported employment is for people with cognitive or intellectual disabilities.

David Delaune stated he has worked for City for three years and delivers mail for all departments of the city and delivers the City's mail to the post office and the court. David works approximately 10-15 hours per week.

Ms. Nelson explained that Trillium Employment Services is a nonprofit organization committed to integrating people with intellectual disabilities into the workforce. Trillium has been serving people with developmental disabilities in Washington since 1983.

C. RFP for Auditing Services (10 Minute Presentation/10 Minute Q&A) (Coleman)

Finance Director Shelley Coleman stated the City is currently audited by the State Auditor's Office. They perform three separate audits each year: a financial audit, a single audit, and an accountability audit.

Finance Director Coleman proposed issuing a Request for Proposals for audit services for an initial one-year term with an option for two additional years, for the financial audit and the single audit. The RFP would also be sent to the State Auditor's Office so that they could respond as well.

Over the past several years, the Auditor's Office has struggled to retain staff and train staff to perform independent audits. The Finance Department is not informed of who the field auditors will be until just prior to the beginning of the field work. Finance would like to know the proficiency and experience of people performing the audit. Currently, Finance staff spend a great deal of time assisting the field auditors.

The advantages of hiring an independent audit firm include: audit staff are CPA's or have passed the CPA exam and are working on attaining the required working hours for their license and the firm would have the depth to work with Finance on technical issues for reporting.

Currently, the Ports of Seattle and Tacoma and Seattle Public Utilities have audits performed by independent firms and reviewed by the State Auditor's Office.

D. Tiered Water Rate Structure (10 Minute Presentation/10 Minute Q&A) (Coleman)

Using a PowerPoint, Finance Director Shelley Coleman presented information on the City's tiered utility billing rates.

Auburn residential and commercial customers are billed a "flat" or "base" rate of \$15.05 per month for water. Water meters are read bi-monthly. Water usage or "consumption" is billed every other month and subject to tiered rate

billing. However, the City bills monthly.

In 2002, the City implemented a block rate for the quantity of water consumed to promote water conservation. The cost of water is exponential as the usage or consumption increases. Customers who use an average amount of water or 7.0 ccfs per month will benefit from the lowest tier 1 rate. Customers who use more water move into the higher tier 2 and tier 3 billing rates.

Auburn's tier 1 rate (0-7 ccf) is \$2.99 per ccf. Auburn's tier 2 rate (7.01 - 15 ccf) is \$3.65 per ccf; and Auburn's tier 3 rate (more than 15.01ccf) is \$4.15 per ccf. Irrigation is charged at the tier 3 rate.

Director Coleman then displayed rate comparisons with the cities of Kent and Renton, which also have tiered rate structures.

Kent's winter tier 1 rate (0-7 ccf) is \$3.12 per ccf and winter tier 2 rate (greater than 7 ccf) is \$4.11 per ccf. Kent's summer tier 1 rate (0-7 ccf) is \$4.22 per ccf and summer tier 2 rate (greater than 7 ccf) is \$5.24 per ccf. Kent's base rate is \$13.10.

Renton's tier 1 rate (0-5 ccf) is \$2.54 per ccf, tier 2 rate (5-10 ccf) is \$3.41 per ccf, and tier 3 rate (10+ ccf) is \$4.30 per ccf. Renton's base rate is \$17.60.

Director Coleman stated the tier rate structure is in place to encourage conservation.

III. OTHER DISCUSSION ITEMS

There was no other discussion.

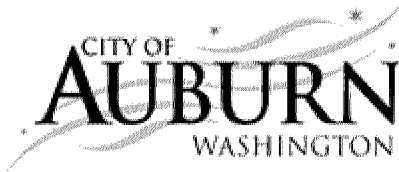
IV. ADJOURNMENT

There being no further discussion, the meeting adjourned at 6:59 p.m.

APPROVED this _____ day of _____, 2015.

JOHN HOLMAN, DEPUTY MAYOR

Danielle Daskam, City Clerk



AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes of the September 21, 2015 City Council Meeting

Date:

September 30, 2015

Department:

Administration

Attachments:

Minutes

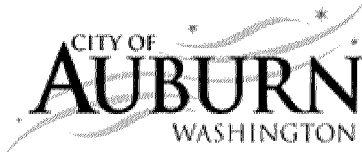
Budget Impact:

\$0

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

Meeting Date: October 5, 2015

Item Number: CA.B



**City Council Meeting
September 21, 2015 - 7:00 PM
Auburn City Hall
MINUTES**

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 located in Auburn City Hall, 25 West Main Street in Auburn, and led those in attendance in the Pledge of Allegiance.

B. Roll Call

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

Department Directors and staff members present included: City Attorney Daniel B. Heid, Community Development and Public Works Director Kevin Snyder, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Interim Director of Administration Dana Hinman, Innovation and Technology Director Paul Haugen, Finance Director Shelley Coleman, Chief of Police Bob Lee, Economic Development Manager Doug Lein, and Deputy City Clerk Shawn Campbell.

II. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

A. Constitution Week Proclamation

Mayor Backus to proclaim the week of September 17-23, 2015 as "Constitution Week" in the City of Auburn

Mayor Backus read and presented the Mayor's proclamation declaring the week of September 17-23, 2015 as "Constitution Week" in the City of Auburn to Daughters of the American Revolution representative Sue Van Dyken.

Ms. Van Dyken thanked Mayor and Council for their support.

B. National Recovery Month

Mayor Backus to proclaim the month of September 2015 as "National Recovery Month" in the City of Auburn

Mayor Backus read and presented the Mayor's proclamation declaring the month of September 2015 as "National Recovery Month" in the City of Auburn to Geoff Miller from King County Mental Health, Chemical Abuse and Dependency Services Division.

Mr. Miller thanked the City of Auburn for their support.

C. **Filipino American History Month**

Mayor Backus to proclaim the month of October 2015 as "Filipino American History Month" in the City of Auburn

Mayor Backus read and presented the Mayor's proclamation declaring the month of October 2015 as "Filipino American History Month" in the City of Auburn to Ray Pascua the President of the Filipino American community of the Yakima Valley.

Mr. Pascua thanked Mayor Backus and Council for their continued support. He noted the City of Auburn is a historical City for the Filipino community.

Pio DeCano II, a Trustee of the National Filipino American Historical Society stated the national society is very proud of Mr. Pascua and thanked the City of Auburn for proclaiming October as Filipino American History Month.

D. **Community Planning Month**

Mayor Backus to proclaim October 2015 as "National Community Planning Month" in the City of Auburn

Mayor Backus read and presented the Mayor's proclamation declaring the month of October 2015 as "National Community Planning Month" in the City of Auburn to Community Development and Public Works Director Snyder.

Director Snyder thanked the Mayor and Council. He stated planning is an ongoing never ending conversation about where your community wants to go.

III. **APPOINTMENTS**

A. **Junior City Council Reappointments**

City Council to approve the reappointment of Sydney Campbell and Tyler Cushing to the Junior City Council for a two year term to expire August 31, 2017.

Deputy Mayor Holman moved and Councilmember DaCorsi seconded to approve the reappointment of Sydney Campbell and Tyler Cushing to the Junior City Council for a two year term to expire August 31, 2017.

MOTION CARRIED UNANIMOUSLY. 7-0

IV. **AGENDA MODIFICATIONS**

There was no change to the agenda.

V. **CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE**

A. **Public Hearings**

There was no public hearing was scheduled.

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.

Diana Sandusky, 1713 36th St SE, Auburn, WA

Ms. Sandusky lives and works in the City of Auburn. She stated there has been a change in the number of homeless people in her neighborhood over the last several years. Ms. Sandusky stated there is an increase in graffiti and the general feeling of safety has decreased.

Brocc Snyder, 40513 264th Ave SE, Enumclaw

Mr. Snyder expressed disappointment that the City has not started a tent city for the homeless. He stated the homeless population needs a safe place to sleep. He is asking churches to step forward since winter is coming.

Virginia Haugen, 3503 R Street SE, Auburn

Ms. Haugen spoke on homelessness in the City. She believes the City can do much more to help the homeless population.

C. Correspondence

There was no correspondence for Council review.

VI. COUNCIL AD HOC COMMITTEE REPORTS

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

Councilmember Wales reported on behalf of the Council ad hoc committee that reviews claims and payroll vouchers. Councilmember Wales reported Councilmember Osborne and she reviewed the claims and payroll vouchers as presented on this evening's Consent Agenda and recommends their approval.

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 April 13, 2015 Council Study Session
- B. Minutes of the June 22, 2015 Council Study Session
- C. Minutes of the August 3, 2015 City Council Meeting
- D. Minutes of the August 24, 2015 Special City Council Meeting
- E. Claims Vouchers (Coleman)
Claims voucher numbers 4349890 through 435177 in the amount of \$5,314,235.24 and four wire transfers in the amount of \$102,480.77 and dated August 17, 2015.
- F. Claims Vouchers (Coleman)
Claims voucher numbers 435178 through 435422 in the amount of \$2,854,461.04 and three wire transfers in the amount of \$191,409.00 and dated September 8, 2015.

- G. Claims Vouchers (Coleman)
Claims voucher numbers 435423 through 435601 in the amount of \$7,985,514.28 and 7 wire transfers in the amount of \$681,973.33 and dated September 21st, 2015.
- H. Payroll Vouchers (Coleman)
Payroll voucher numbers 535766 through 535797 in the amount of \$933,581.50 and electronic deposit transmissions in the amount of \$1,368,030.79 for a grand total of \$2,301,612.29 for the period covering July 30, 2015 to August 12, 2015.
- I. Payroll Vouchers (Coleman)
Payroll voucher numbers 535798 through 535827 in the amount of \$318,003.38 and electronic deposit transmissions in the amount of \$1,394,029.06 for a grand total of \$1,712,032.44 for the period covering August 13, 2015 to August 26, 2015.
- J. Payroll Vouchers (Coleman)
Payroll voucher numbers 535828 through 535860 in the amount of \$965,362.59, electronic deposit transmissions in the amount of \$1,362,361.09 for a grand total of \$2,327,723.68 for the period covering August 27, 2015 to September 16, 2015.

Deputy Mayor Holman moved and Councilmember Osborne seconded to approve the Consent Agenda.

The Consent Agenda includes minutes, claims and payroll vouchers.

MOTION CARRIED UNANIMOUSLY. 7-0

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. NEW BUSINESS

A. SCORE Jail Statistics (Mayor Backus)

Mayor Backus reviewed the SCORE Member City Billable Average Daily Population (ADP) for July; Auburn's ADP was 81. The total average daily population by month and year for July 2015 was 337.

Mayor Backus reviewed Total Bookings for Member and Contract Agencies, Member Bookings by Agency, Member Agency Bookings by Type, SCORE Unbillable Bookings for the past year, and a breakout of contract inmates by agency.

Councilmember Wales asked if SCORE is prepared for a transgendered inmate. Chief Lee explained SCORE has a policy prepared and is able to make accommodations.

Councilmember Osborne noted a significant drop in contract prisoners. Chief Lee stated the City of Fife has been housing inmates at a different facility.

X. RESOLUTIONS

- A. Resolution No. 5163 (Snyder)
A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor and City Clerk to execute Public Way Agreement No. 15-22 between the City of Auburn and Sprint Communications Company L.P.

Councilmember Osborne moved and Deputy Mayor Holman seconded to adopt Resolution No. 5163.

Councilmember Osborne stated this is for a five year extension to the existing contract.

MOTION CARRIED UNANIMOUSLY. 7-0

- B. Resolution No. 5165 (Heid)
A Resolution of the City Council of the City of Auburn, Washington, expressing support for the King County Proposition No. 1, a regular property tax levy for children, youth, families and communities

KING COUNTY PROPOSITION NO. 1

REGULAR PROPERTY TAX LEVY

FOR CHILDREN, YOUTH, FAMILIES AND COMMUNITIES

The King County Council passed Ordinance No. 18088, concerning funding to improve well-being of children, youth, families and communities. If approved, this proposition would provide funding for prevention and early intervention to achieve positive outcomes related to: healthy pregnancy; parental and newborn support; healthy child and youth development; the health and well-being of communities; and crisis prevention and early intervention for children and youth, including for domestic violence and homelessness. The measure would authorize an additional regular property tax of \$0.14 per \$1,000 of assessed valuation for collection beginning in 2016, and authorize maximum annual increases of 3% in the succeeding 5 years. Should this proposition be:

____ Approved

____ Rejected

Councilmember Wales moved and Councilmember DaCorsi seconded to adopt Resolution No. 5165.

Mayor Backus provided time for opposing comments. No audience members requested time to speak to the resolution.

Councilmember Wales stated the proposition is an opportunity to do something monumental for children in our community.

Councilmember Pelosa stated the resolution and proposition relates to prevention and intervention for the children in the area.

MOTION CARRIED UNANIMOUSLY. 7-0

- C. Resolution No. 5167 (Snyder)
A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute a second addendum to the Transit Service Direct Financial Partnership Agreement between the City of Auburn and King County

Councilmember Wales moved and Councilmember Pelozza seconded to adopt Resolution No. 5167.

MOTION CARRIED UNANIMOUSLY. 7-0

- D. Resolution No. 5168 (Snyder)
A Resolution of the City Council of the City of Auburn, Washington, authorizing the relinquishment of its interest in sewer easements at 1905 Howard Road Southeast, in the City of Auburn

Councilmember Wales moved and Councilmember DaCorsi seconded to adopt Resolution No. 5168.

MOTION CARRIED UNANIMOUSLY. 7-0

- E. Resolution No. 5169 (Hinman)
A Resolution of the City Council of the City of Auburn, Washington, authorizing acceptance of a grant from the Washington State Military Department in the amount of forty-nine thousand three hundred sixty-six dollars (\$49,366.00) from the United States Department of Homeland Security Emergency Management Performance Grant program, and authorizing the Mayor to execute necessary agreements to accept and expend said funds

Deputy Mayor Holman moved and Councilmember Trout seconded to adopt Resolution No. 5169.

MOTION CARRIED UNANIMOUSLY. 7-0

- F. Resolution No. 5170 (Lee)
A Resolution of the City Council of the City of Auburn, Washington, declaring a certain firearm as surplus property and approving its sales to a retired police officer

Deputy Mayor Holman moved and Councilmember Pelozza seconded to adopt Resolution No. 5170.

MOTION CARRIED. 6-1 Councilmember Wales voted no.

- G. Resolution No. 5171 (Snyder)
A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to accept a grant from the Washington State Department of Transportation through the Pedestrian and Bicycle Safety Program for the 22nd Street NE And I Street NE intersection

Councilmember DaCorsi moved and Councilmember Wales seconded to adopt Resolution No. 5171.

MOTION CARRIED UNANIMOUSLY. 7-0

XI. MAYOR AND COUNCILMEMBER REPORTS

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

A. From the Council

Councilmember Trout reported she attended the Mexican Independence Day event.

Councilmember Pelozo reported he attended the King County Solid Waste Advisory Board meeting, the Airport Advisory Board meeting, and the South County Area Transportation Board (SCATBd) meeting.

Councilmember Wagner reported he attended the Transportation Policy Board meeting and the Pierce County Regional Council meeting.

Councilmember Wales reported she attended meetings for both King County and Pierce County Public Health Boards.

Councilmember DaCorsi reported he attended the Association of Washington Cities (AWC) Legislative Partners meeting.

B. From the Mayor

Mayor Backus reported she attended the Green River College anniversary celebration, an Accountable Communities for Health meeting, the Mexican Independence Day celebration, the annual City employee luncheon, and the King County Metro Service Guides Task Force meeting. Mayor Backus noted she has been appointed to the King County Committee to End Homelessness.

XII. EXECUTIVE SESSION

At 8:13 p.m., Mayor Backus recessed the meeting to executive session for approximately fifteen minutes in order to discuss a lease agreement pursuant to RCW 42.30.110(1)(b). Mayor Backus indicated no Council action would follow the executive session. City Attorney Heid, Director Snyder, Director Coleman, Interim Director Hinman, and Manager Lein attended the executive session. Mayor Backus reconvened the meeting at 8:34 p.m.

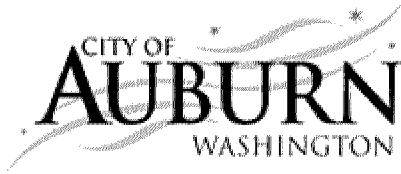
XIII. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 8:34 p.m.

APPROVED this 5th day of October, 2015.

NANCY BACKUS, MAYOR

Shawn Campbell, Deputy City Clerk



AGENDA BILL APPROVAL FORM

Agenda Subject:

Claims Vouchers

Date:

September 29, 2015

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:

\$0

Administrative Recommendation:

City Council approve the claims vouchers.

Background Summary:

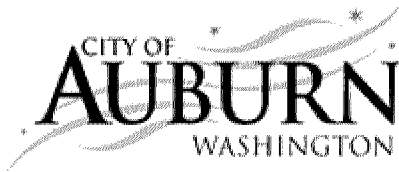
Claims voucher numbers 435602 through 435786 in the amount of \$1,379,865.31 and five wire transfers in the amount of \$196,852.62 and dated October 5, 2015.

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

Coleman

Meeting Date: October 5, 2015

Item Number: CA.C



AGENDA BILL APPROVAL FORM

Agenda Subject:

Payroll Vouchers

Date:

September 29, 2015

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:

\$0

Administrative Recommendation:

City Council approve the payroll vouchers.

Background Summary:

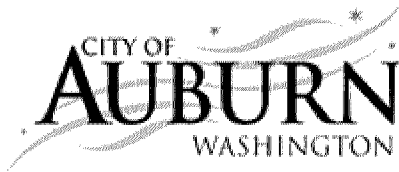
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Reviewed by Council Committees:**Councilmember:****Staff:**

Coleman

Meeting Date: October 5, 2015

Item Number: CA.D



AGENDA BILL APPROVAL FORM

Agenda Subject:

Call for Public Hearing

Date:

September 28, 2015

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:

\$0

Administrative Recommendation:

City Council to call for a public hearing to be held on October 19, 2015 to receive public comments and suggestions with regard to the proposed modifications to the 2015-2016 Biennial Budget, including revenue estimates and possible increases in property taxes.

Background Summary:

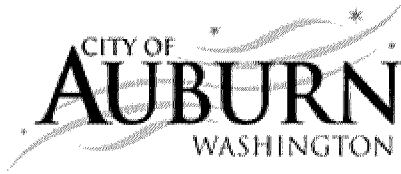
This is the initial public hearing held prior to the review of the 2015-2016 mid-biennial budget correction. This provides an opportunity for any citizens to make comments or suggestions prior to publication of the mid-biennial correction. Another public hearing will be held after publication of the mid-biennial budget correction.

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

Coleman

Meeting Date: October 5, 2015

Item Number: CA.E



AGENDA BILL APPROVAL FORM

Agenda Subject:
SCORE Jail Statistics

Date:
September 29, 2015

Department:
Administration

Attachments:
SCORE Jail Statistics

Budget Impact:
\$0

Administrative Recommendation:

Background Summary:

Reviewed by Council Committees:

Councilmember:

Staff: Mayor Backus

Meeting Date: October 5, 2015

Item Number: NB.A

SCORE Stats

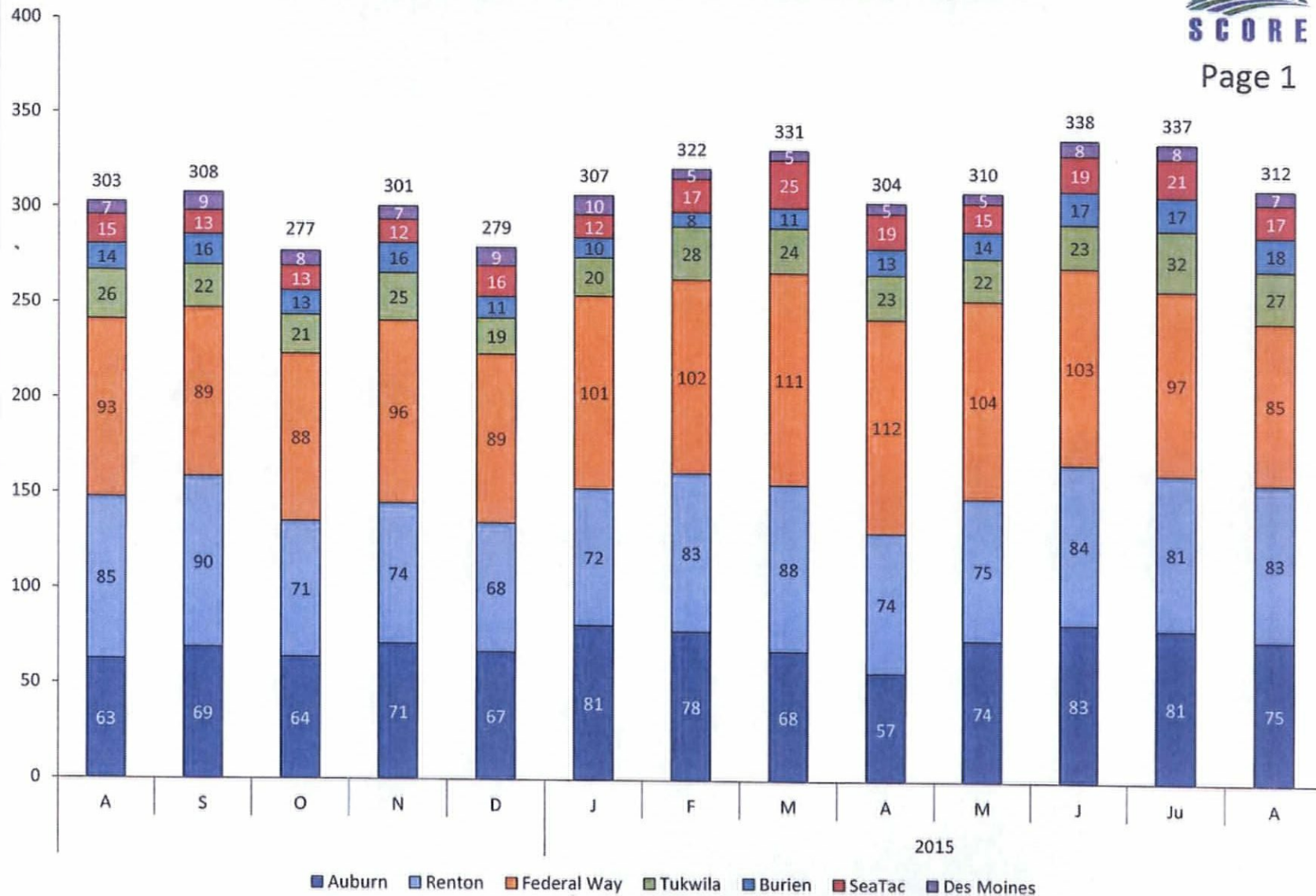
August 2015

AUGUST 2015 JAIL STATISTICS



Page 1

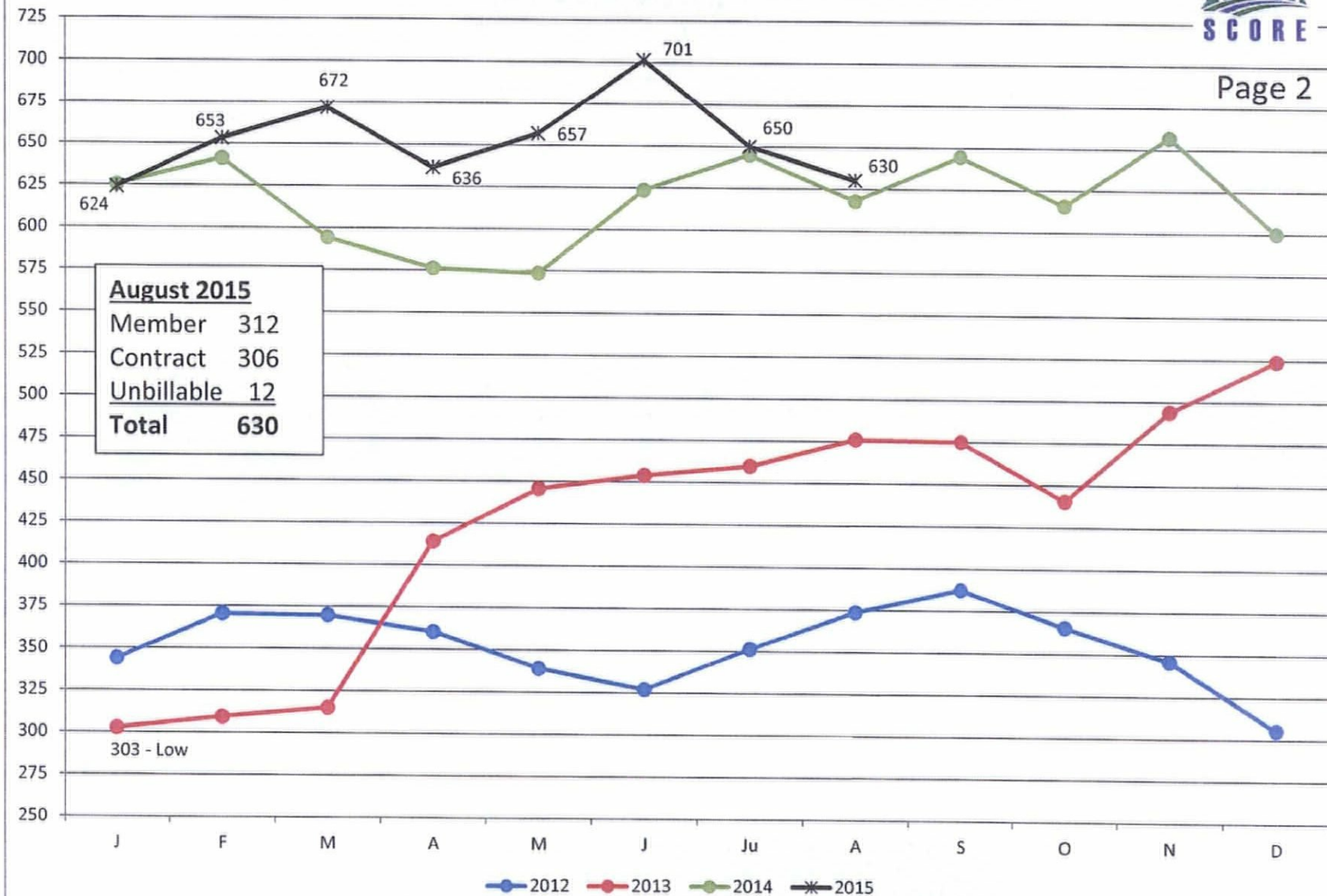
SCORE Member City Billable Average Daily Population



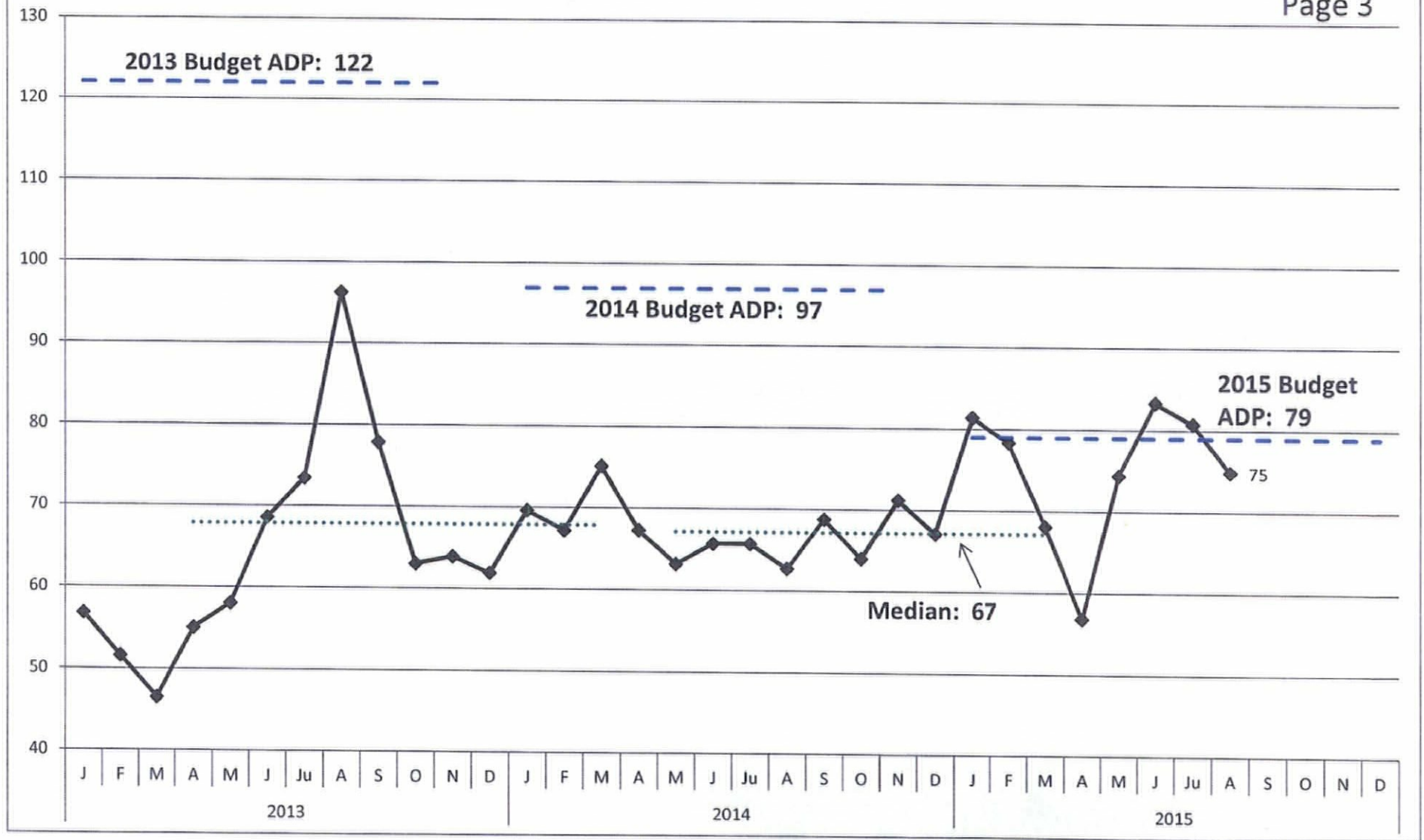
Total ADP by Month and Year



Page 2



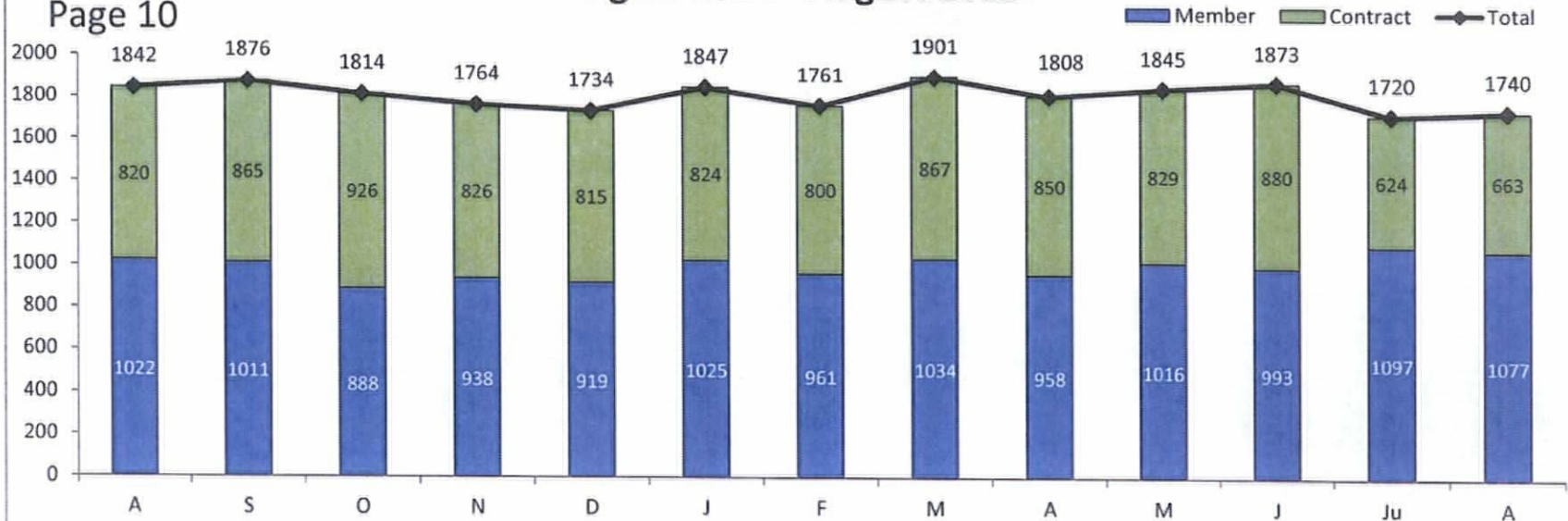
Auburn Billable Average Daily Population 2013 - 2015



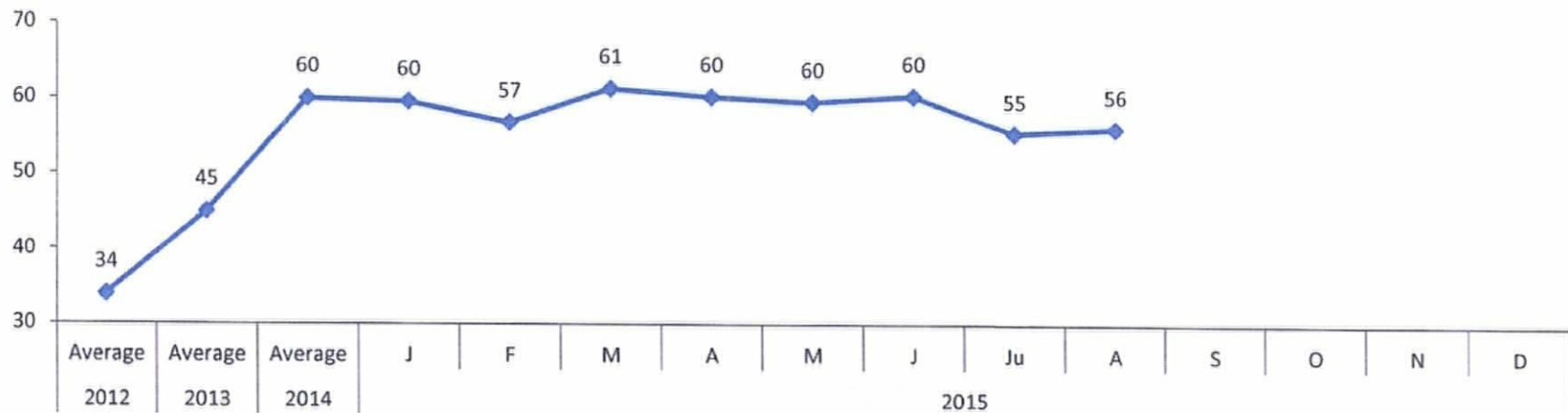


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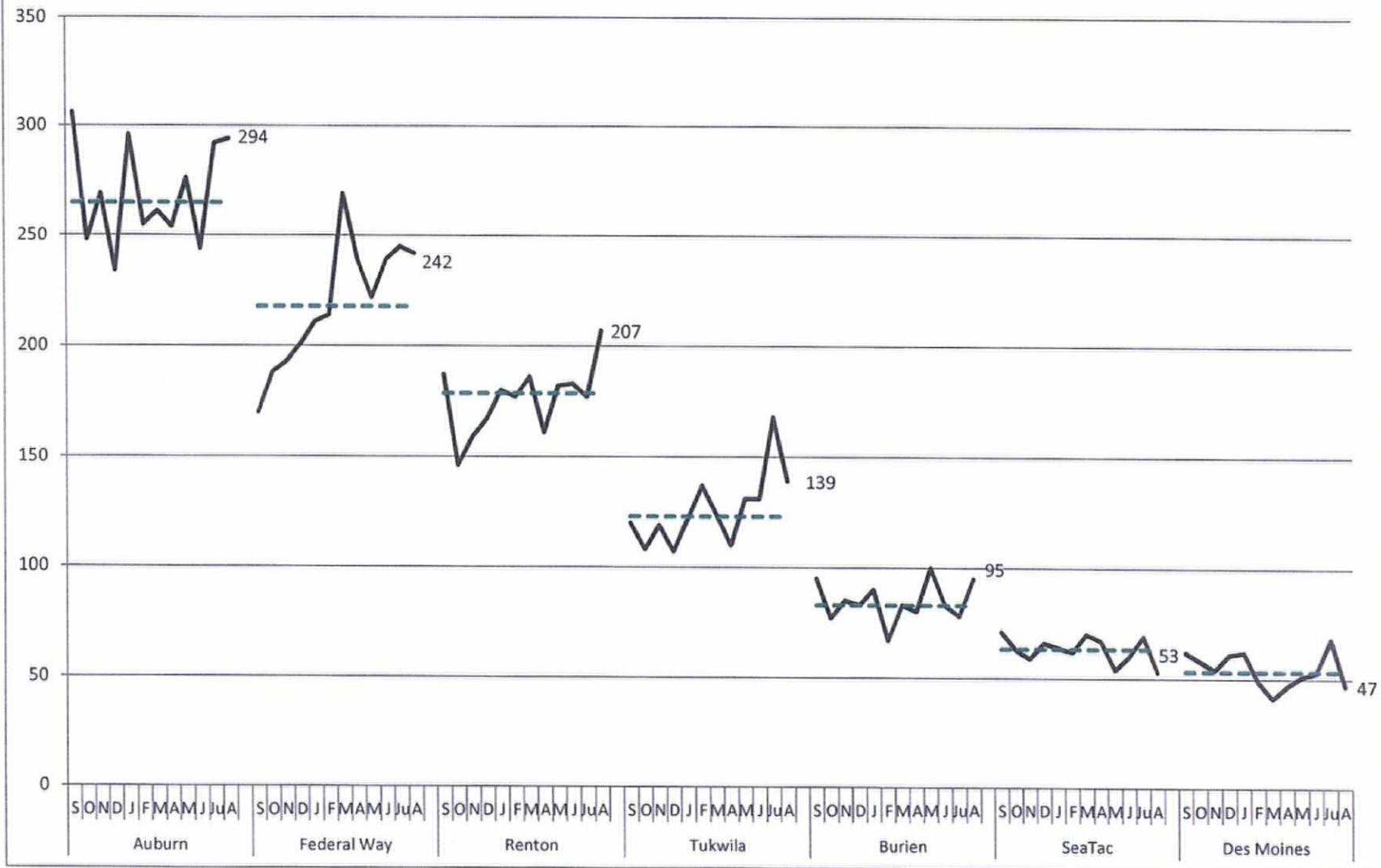
Total Bookings for Member and Contract Agencies August 2014 - August 2015



Daily Average Bookings



Member Bookings by Agency September 2014 to August 2015

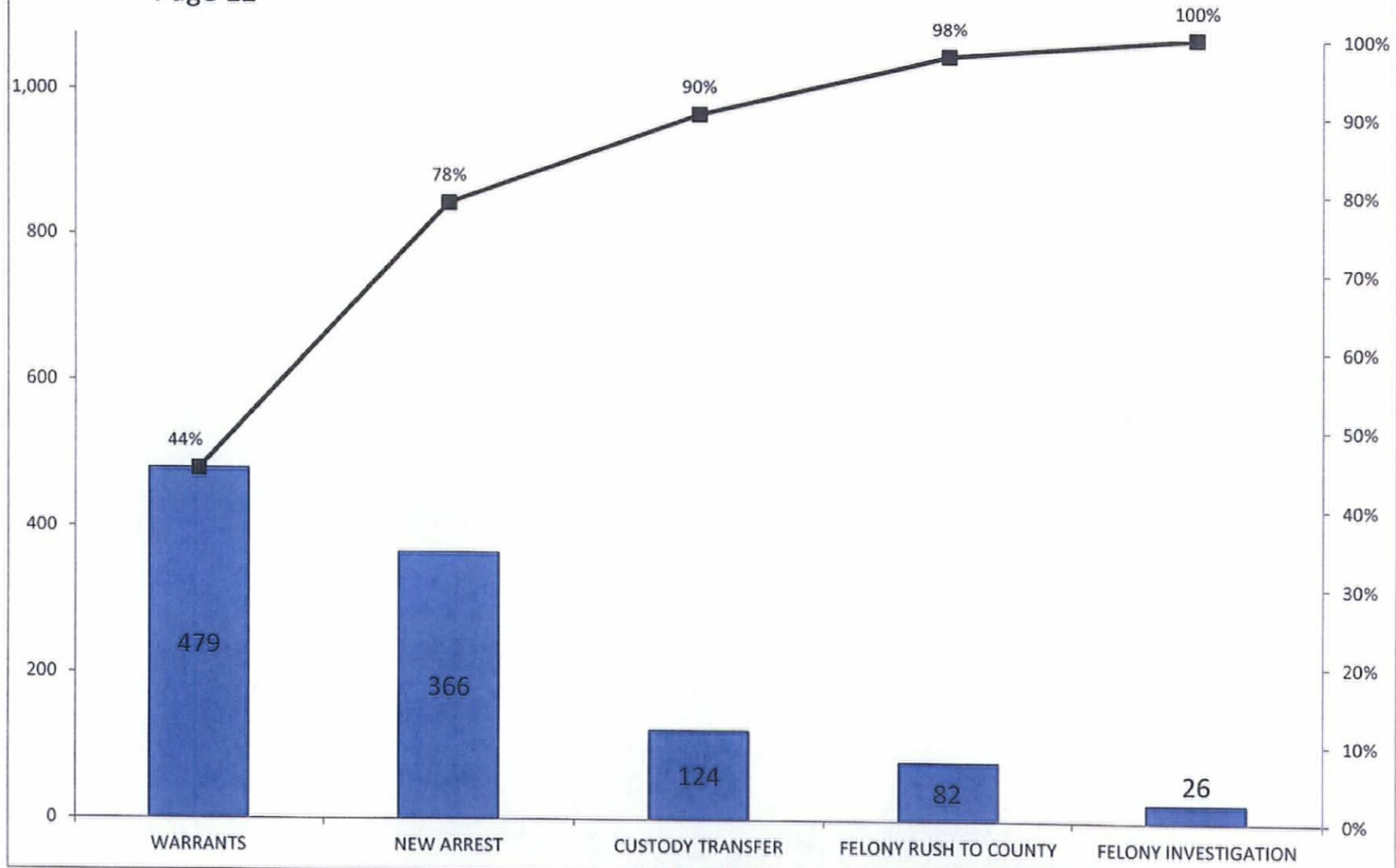




SCORE

Page 12

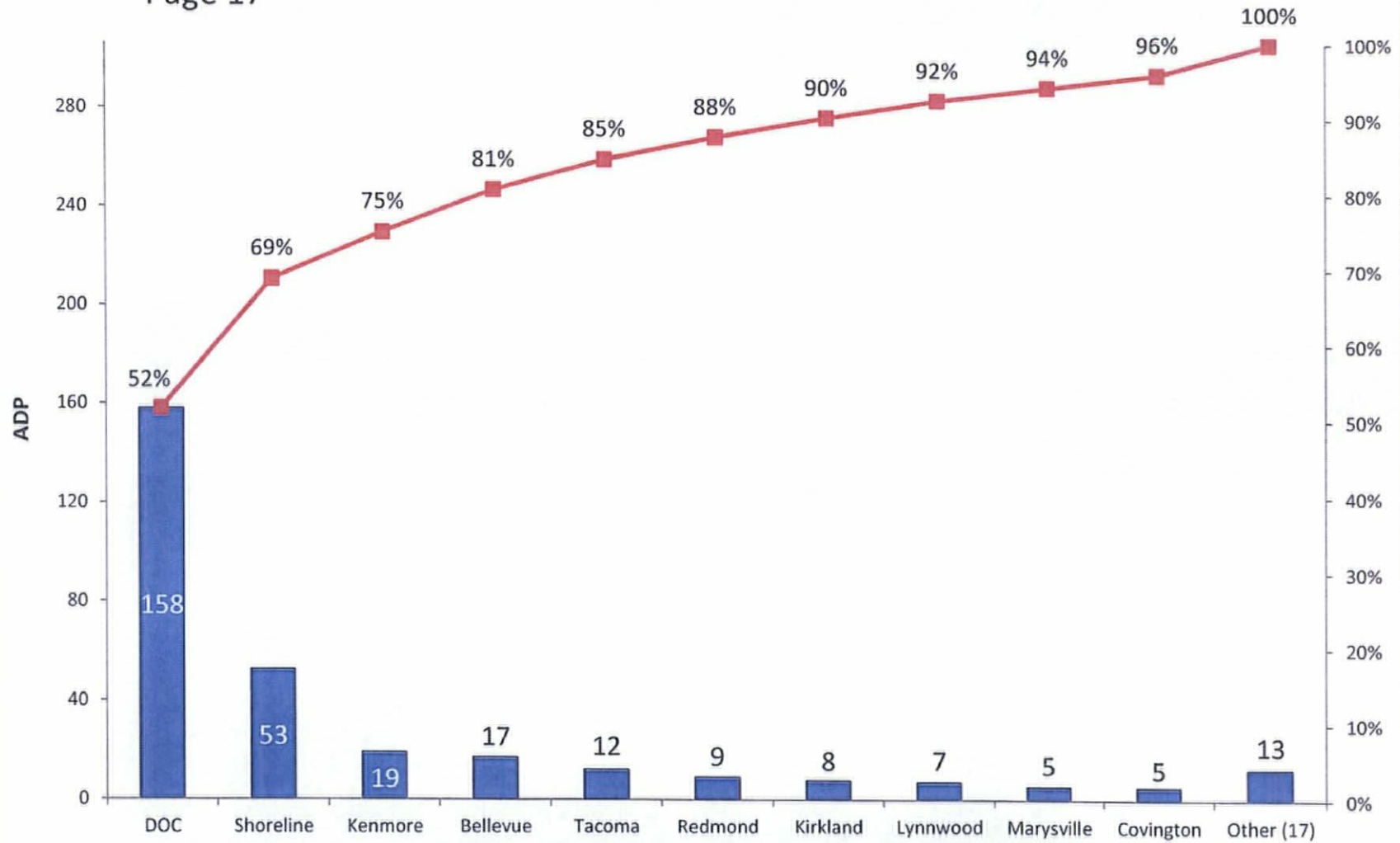
Member Agency Bookings by Type August 2015





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Contract Inmates ADP - August 2015

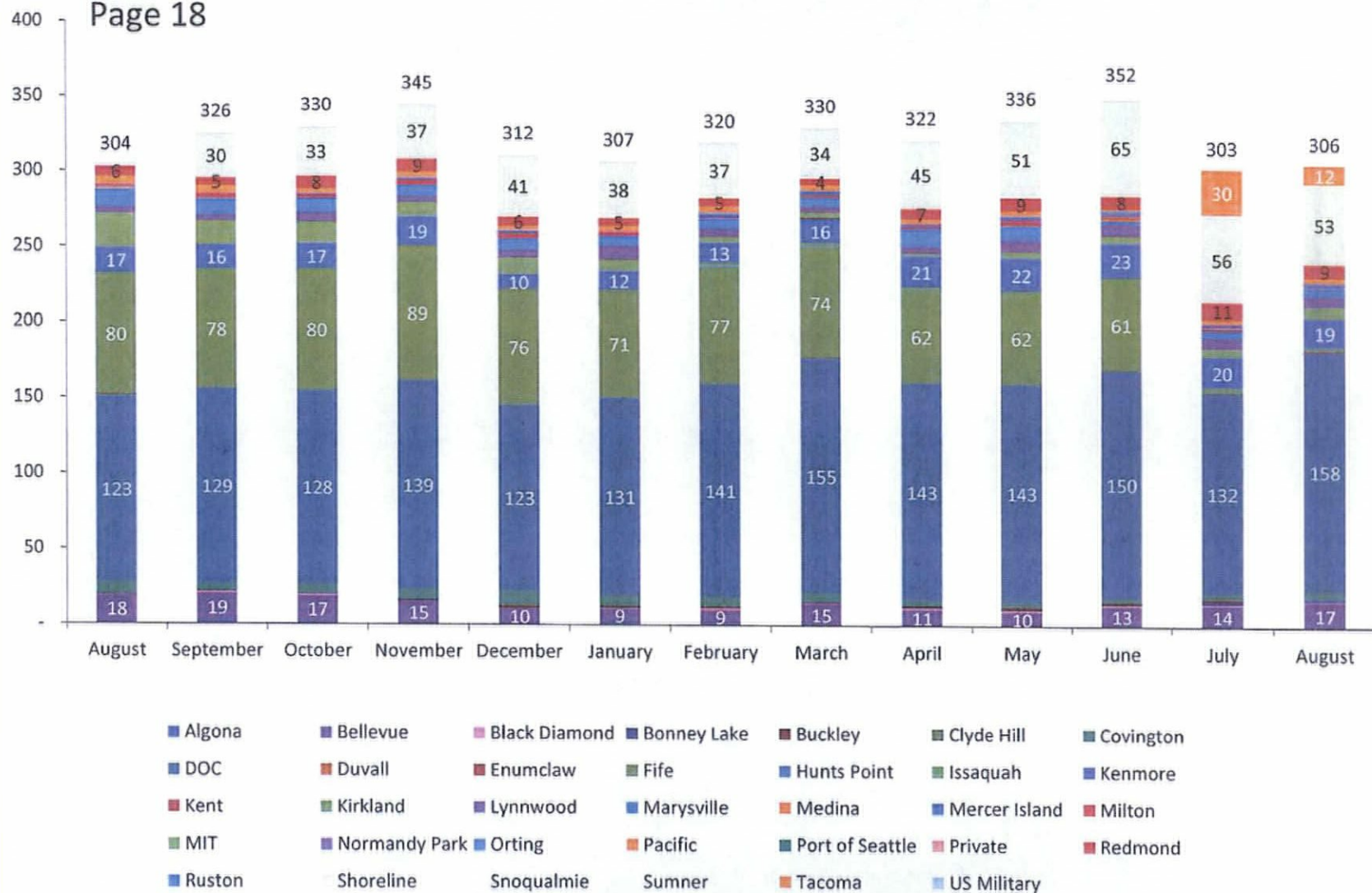




SCORE

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SCORE Contract Billable Average Daily Population 2014-2015

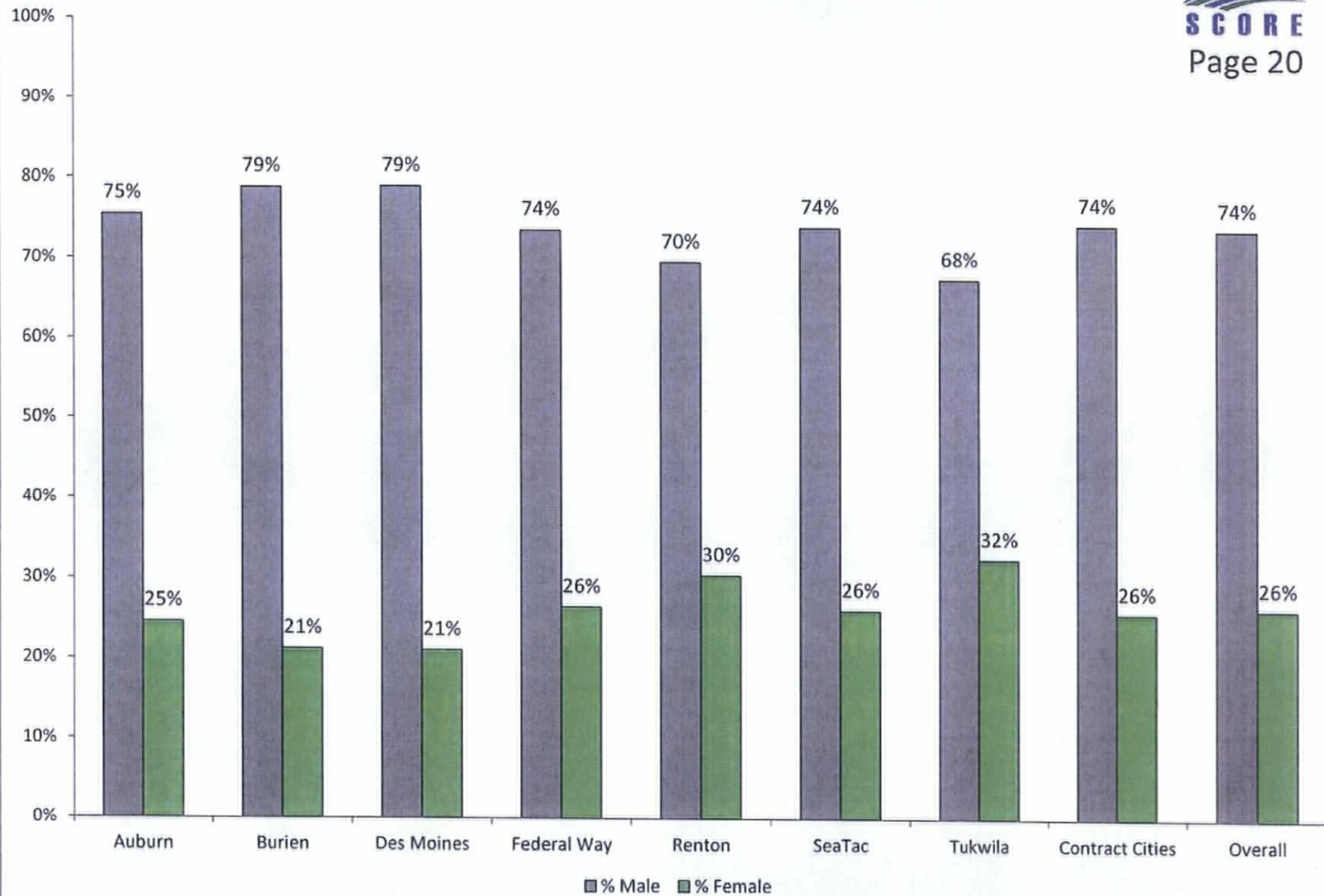


Male vs Female Bookings - 2015 YTD

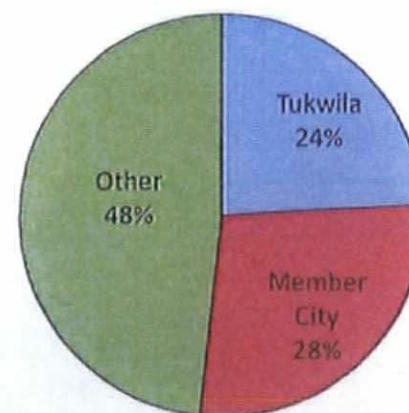
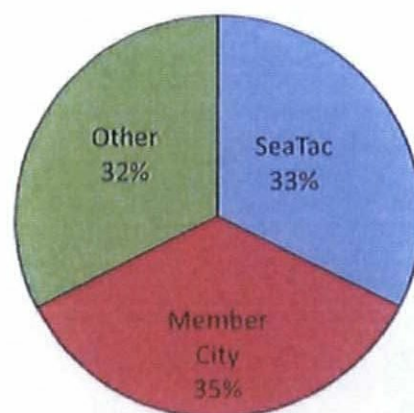
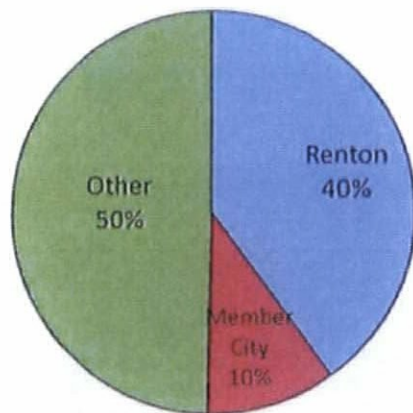
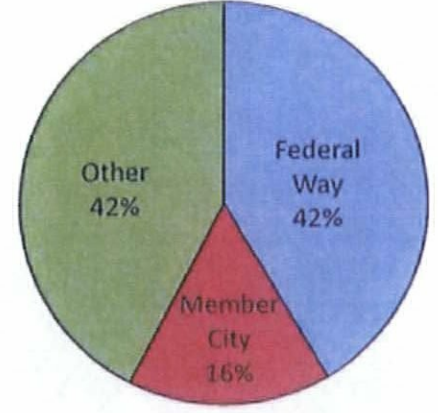
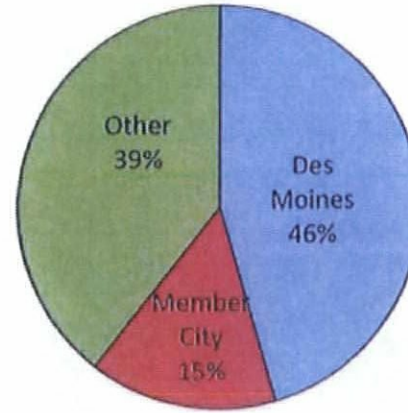
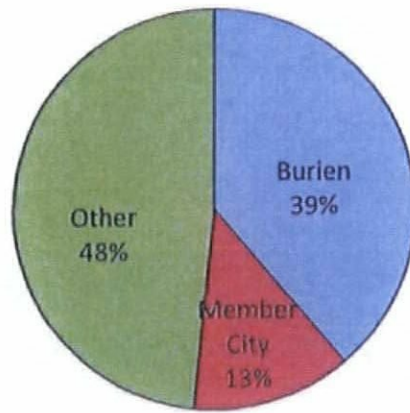
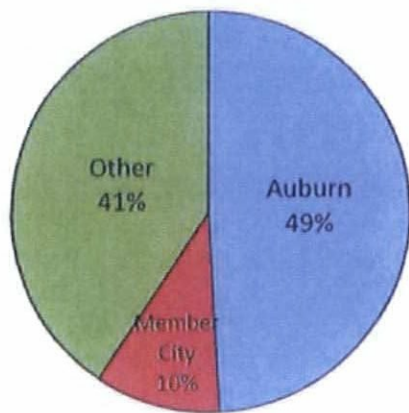


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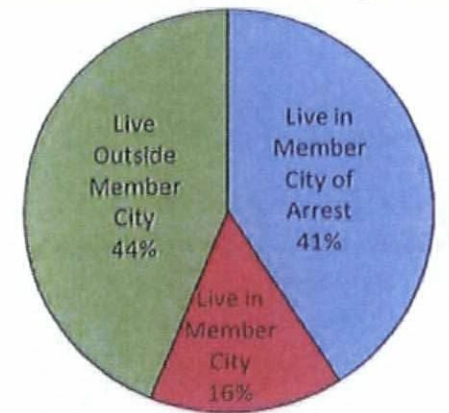
Page 20

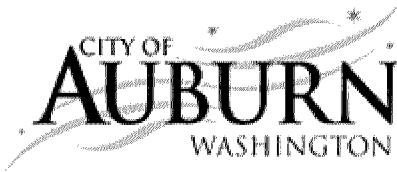


August 2015 Member Agency Arrests by Inmate's City of Residence



Combined for all Member Agencies





AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6565, First Reading

Date:

September 15, 2015

Department:

Community Development
& Public Works

Attachments:

Ordinance No. 6565

Budget Impact:

\$0

Administrative Recommendation:

City Council adopt Ordinance No. 6565.

Background Summary:

On a somewhat routine basis City Code Enforcement receives inquiries and/or complaints regarding people who are living within a Recreational Vehicle (RV) in a residential neighborhood. A typical scenario is that an RV has been placed within a residential neighborhood where the occupant of a single family residence has allowed an RV to be parked on their property and occupied by another family, friend, or renters to reside within the unit for an extended period of time.

While Auburn City Code provides definitions, permitting requirements and development regulations for RV parks it does not provide guidance on how RV living should be regulated outside of RV parks. Most cities establish regulations that describe the permitting requirements, circumstances, and durations under which living within an RV is allowed.

Staff presented initial draft code amendments to the Planning Commission on June 2, 2015 and to City Council during Study Session on June 8, 2015. Planning Commissioners and Councilmembers provided feedback and recommendations to the staff recommendation. Staff brought a modified draft back to the Planning Commission on July 7, 2015 and to a public hearing on September 9, 2015. Staff's initial recommendation precluded the use of an RV as a dwelling unit in all instances outside of an RV park except upon issuance of a Temporary Use Permit during the construction of a permanent single family residence. Planning Commissioners and City Council suggested that provisions should be included that allow an RV to be placed and used on a residential property that already has a single family home for a limited duration. Staff incorporated a provision that creates a no fee, registration program to be implemented that allows for an RV to be temporarily placed on a

residential property for up to 90 calendar days with an allowance for a single 90 day extension.

Reviewed by Council Committees:

Other: Planning Commission, Legal, and CD

Councilmember:

Staff: Snyder

Meeting Date: October 5, 2015

Item Number: ORD.A

ORDINANCE NO. 6 5 6 5

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING SECTIONS 18.04.330, 18.07.020, 18.46A.050 AND 18.46A.070 OF THE AUBURN CITY CODE RELATING TO RECREATIONAL VEHICLES AS DWELLING UNITS

WHEREAS, City of Auburn code enforcement officers routinely receive inquiries and complaints regarding people who were residing in recreational vehicles not located in recreational vehicle parks; and

WHEREAS, insofar as the use of recreational vehicles for dwelling purposes when not supported by city utility services and not located in areas that accommodate the residential use creates concerns for traffic, safety and health conditions; and

WHEREAS, other than when the use of a recreational vehicle for dwelling purposes is a temporary use associated with the construction of a permanent dwelling unit on the same site, it is appropriate to promote the location of recreational vehicles when used as dwelling units in recreational vehicle parks where suitable facilities and amenities are available; and

WHEREAS, insofar as the city code does not currently address this issue, it is appropriate to amend pertinent sections to address the use of recreational vehicles as dwelling units; and

WHEREAS, on September 9, 2015, the City of Auburn Planning Commission held a public hearing to hear comments regarding recreational vehicles as dwelling units, and following the public hearing and the receipt of comments and discussion related thereto, the Planning Commission moved to forward to the City Council its

recommendations regarding recreational vehicles as dwelling units, set forth herein below.

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

Section 1. AMENDMENT TO CITY CODE. That Section 18.04.330 of the City Code be, and the same is hereby amended to read as follows:

18.04.330 Dwelling.

“Dwelling” means a building designed exclusively for residential purposes for occupancy by a person, family, or unrelated group with one or more rooms for living and sleeping purposes, containing kitchen facilities and rooms with internal accessibility, including single-family, two-family, multiple-family dwellings, and townhouse dwellings but not including recreational vehicles, or hotels or motel units without kitchens (Ord. 6477 § 3, 2013; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

Section 2 AMENDMENT TO CITY CODE. That Section 18.07.020 of the City Code be, and the same is hereby amended to read as follows:

18.07.020 Uses.

Table 18.07.020

Permitted Use Table – Residential Zoning Designations

P = Permitted A = Administrative C =Conditional Use X = Not Permitted							
Land Uses	Zoning Designations						
	RC	R-1	R-5	R-7	R-10	R-16	R-20
A. Residential Uses.							
Accessory dwelling units	P	P	P	P	X'	X'	X'
Accessory use, residential	P	P	P	P	P	P	P
Adult family home	P	P	P	P	P	P	P
Bed and breakfast	P	P	P	P	P	P	P
Communal residence four or less individuals	P	P	P	P	P	P	P
Duplexes; provided, that minimum lot size of	X	X	A	P	P	P	X

Table 18.07.020

Permitted Use Table – Residential Zoning Designations

P = Permitted A = Administrative C = Conditional Use X = Not Permitted							
Land Uses	Zoning Designations						
	RC	R-1	R-5	R-7	R-10	R-16	R-20
zoning designation is met and subject to compliance with Chapter 18.25 ACC (Infill Residential Development Standards)							
Foster care homes	P	P	P	P	P	P	P
Group residence facilities (7 or more residents)	X	X	X	X	C	C	C
Group residence facilities (6 or fewer residents)	P	P	P	P	P	P	P
Keeping household pets ¹	P ²	P ²	P ²	P ²	P ²	P ²	P ²
Multiple-family dwellings	X	X	X	X	A	P	P
Neighborhood recreational buildings and facilities owned and managed by the neighborhood homeowners' association	A ³	A ³	A ³	A ³	A ³	P	P
<u>Use as dwelling units of (1) recreational vehicles that are not part of an approved recreational vehicle park, (2) boats, (3) automobiles, and (4) other vehicles</u>	X	X	X	X	X	X	X
Renting of rooms, for lodging purposes only, to accommodate not more than two persons in addition to the family or owner occupied unit ¹	P	P	P	P	P	P	P
Residential care facilities including but not limited to assisted living facilities, convalescent homes, continuing care retirement facilities	P	P	X	X	A	P	P
Single-family detached dwellings, new	P	P	P	P	P	P	X
Supportive housing, subject to the provisions of ACC 18.31.160	X	X	X	X	X	P	P
Swimming pools, tennis courts and similar	P	P	P	P	P	P	P

¹ An owner occupant that rents to more than two persons but no more than four persons is required to obtain a City of Auburn Rental Housing Business License and shall meet the standards of the International Property Maintenance Code.

Table 18.07.020

Permitted Use Table – Residential Zoning Designations

P = Permitted A = Administrative C = Conditional Use X = Not Permitted							
Land Uses	Zoning Designations						
	RC	R-1	R-5	R-7	R-10	R-16	R-20
outdoor recreation uses only accessory to residential or park uses							
Townhouses (attached)	X	X	X	X	P	P	P
B. Commercial Uses.							
Commercial horse riding and bridle trails	A	X	X	X	X	X	X
Commercial retail, included as part of mixed-use development and not a home occupation in compliance with Chapter 18.60 ACC	X	X	X	X	A	A	A
Daycare, limited to a mini daycare center. Daycare center, preschool or nursery school may also be permitted but must be located on an arterial	X	A	A	A	A	A	A
Home-based daycare as regulated by RCW 35.63.185 and through receipt of approved city business license	P	P	P	P	P	P	P
Home occupations subject to compliance with Chapter 18.60 ACC	P	P	P	P	P	P	P
Mixed-use development ⁹	X	X	X	X	P	P	P
Nursing homes	X	X	X	X	C	C	C
Private country clubs and golf courses, excluding driving ranges	X	X	C	C	C	X	X
Privately owned and operated parks and playgrounds and not homeowners' association-owned recreational area	X	A	A	A	A	P	P
Professional offices, included as part of mixed-use development and not a home occupation in compliance with Chapter 18.60 ACC	X	X	X	X	A	A	A
C. Resource Uses.							
Agricultural enterprise: ⁷							

Table 18.07.020

Permitted Use Table – Residential Zoning Designations

P = Permitted A = Administrative C = Conditional Use X = Not Permitted							
Land Uses	Zoning Designations						
	RC	R-1	R-5	R-7	R-10	R-16	R-20
When 50 percent, or more, of the total site area is dedicated to active agricultural production during the growing season, and with 52 or less special events per calendar year	A ⁷	X	X	X	X	X	X
When less than 50 percent of the total site area is dedicated to active agricultural production during the growing season, or with more than 52 special events per calendar year	C ⁷	X	X	X	X	X	X
Agricultural type uses are permitted provided they are incidental and secondary to the single-family use:							
Agricultural crops and open field growing (commercial)	P	X	X	X	X	X	X
Barns, silos and related structures	P	X	X	X	X	X	X
Commercial greenhouses	P	X	X	X	X	X	X
Pasturing and grazing ⁴	P	X	X	X	X	X	X
Public and private stables ⁴	P	X	X	X	X	X	X
Roadside stands, for the sale of agricultural products raised on the premises. The stand cannot exceed 300 square feet in area and must meet the applicable setback requirements	P	X	X	X	X	X	X
Fish hatcheries	C	X	X	X	X	X	X
D. Government, Institutional, and Utility Uses.							
Civic, social and fraternal clubs	X	X	X	X	A	A	A
Government facilities	A	A	A	A	A	A	A
Hospitals (except animal hospitals)	X	X	X	X	X	C	C
Municipal parks and playgrounds	A	P	P	P	P	P	P
Museums	X	X	X	X	A	A	A

Table 18.07.020

Permitted Use Table – Residential Zoning Designations

P = Permitted A = Administrative C =Conditional Use X = Not Permitted							
Land Uses	Zoning Designations						
	RC	R-1	R-5	R-7	R-10	R-16	R-20
Religious institutions, less than one acre lot size	A	A	A	A	A	A	A
Religious institutions, one acre or larger lot size	C	C	C	C	C	C	C
Transmitting towers	C	C	C	C	C	C	C
Type 1-D Wireless Communication Facility (see ACC 18.04.912(J))	P	P	P	P	P	P	P
Utility facilities and substations	C ^s	C ^s	C ^s	C ^s	C ^s	C ^s	C ^s

1. An accessory dwelling unit may be permitted with an existing single-family residence pursuant to ACC 18.31.120.
2. Please see the supplemental development standards for animals in ACC 18.31.220.
3. Individual uses that make up a mixed-use development must be permitted within the zone. If a use making up part of a mixed-use development requires an administrative or conditional use permit, the individual use must apply for and receive the administrative or conditional use approval, as applicable.
4. Proximity of pasture or livestock roaming area to wells, surface waters, and aquifer recharge zones is regulated by the King or Pierce County board of health, and property owners shall comply with the provisions of the King County board of health code.
5. Excludes all public and private utility facilities addressed under ACC 18.02.040(E).
6. Administrative use permit not required when approved as part of a subdivision or binding site plan.
7. Agricultural enterprise uses are subject to supplemental development standards under ACC 18.31.210, Agricultural enterprises development standards.

(Ord. 6560 § 9, 2015; Ord. 6477 § 8, 2013; Ord. 6369 § 2, 2011; Ord. 6363 § 3, 2011; Ord. 6269 § 3, 2009; Ord. 6245 § 5, 2009.)

Section 3 AMENDMENT TO CITY CODE. That Section 18.46A.050 of the City Code be, and the same is hereby amended to read as follows:

18.46A.050 Exemptions (Temporary Use Permits) .

The following activities are exempt from the permit requirements of this chapter, but shall comply with other substantive requirements of this chapter, unless specifically noted otherwise:

A. Garage sales and yard sales; provided, that the following are complied with:

1. Sales last no longer than three days;

2. Sales are conducted on the owner's property. Multiple-family sales are permitted if they are held on the property of no more than three contiguous properties of the participants;

3. Signs shall comply with Chapter 18.56 ACC (Signs), as applicable, and must be removed within 24 hours of completion of the sale;

B. City-sponsored events and activities;

C. Uses regulated or exempted by Chapter 18.60 ACC (Home Occupations);

D. Fireworks stands operating under a permit issued by the city of Auburn and the fire marshal's office;

E. The placement of uses and structures in response to a proclamation of civil emergency pursuant to ACC 2.75.070 to provide emergency services to individual citizens or property owners or businesses;

F. City improvement projects pursuant to ACC 18.02.040(E);

G. Temporary offices, construction staging, equipment storage and other similar activities on a site upon which public buildings or structures are being constructed, remodeled or otherwise modified.

H. On a residential property that already has a permitted single family residence, the use of one (1) recreational vehicle for temporary living when not associated with active construction of a single family dwelling shall be allowed for not more than ninety (90) calendar days in any calendar year, provided that the director may grant extensions utilizing the provisions of 18.46A.100.B for up to an additional ninety (90) days. Use of one (1) recreational vehicle on a property with a single family residence for more than ninety (90) calendar days in any calendar year, plus an additional period of up to ninety (90) days if extended by the director, shall be considered prima facie evidence of being detrimental to the neighborhood. Recreational vehicles that are utilized for temporary living shall be registered with the city of Auburn, without fee, prior to starting in order to monitor compliance with the ninety (90) day limitation(s). (Ord. 6268 § 2, 2009.)

Section 4 AMENDMENT TO CITY CODE. That Section 18.46A.070 of the

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

18.46A.070 General and specific temporary use permits.

A. General Type I Temporary Use Permits. In accordance with ACC 18.46A.030, the planning director or designee may approve the following general Type I temporary uses and structures:

1. For all zoning districts:

a. Temporary use of land to conduct nonprofit events of up to six calendar days or less, where the events are of a kind not typically used by the sponsor at the location or site of the event;

b. Temporary parking facilities for private uses for four weeks or less per year;

c. Temporary fencing for public or private uses for four weeks or less per year;

d. Temporary use of privately owned property for temporary offices, construction trailers, materials storage, equipment storage or vehicle parking essential to and only in conjunction with the construction or building of public buildings, structures, road, or utility improvements.

2. For residential zoning districts:

a. Temporary modular sales and leasing offices for on-site residential development properties;

b. Placement of tents, canopies, or membrane structures for zero to two weeks per year that meet setbacks of the underlying zone;

c. Placement of portable moving and storage containers for no greater than three weeks per year;

d. On-site temporary caretaker trailers for private or nonprofit residential construction;

e. On-site temporary construction trailers and offices and storage areas for construction materials and equipment for private or nonprofit residential construction;

f. Special events such as a community block party, neighborhood parade or similar event involving multiple properties and causing temporary impacts to public rights-of-way or potential increased need for public services.

g. Living within a recreational vehicle as a temporary dwelling unit on property when a building permit to construct a permanent single family residential dwelling unit has been issued and construction activity remains active.

3. For nonresidential zoning districts:

a. Commercial carnivals, circuses and shows;

b. Temporary sales and leasing offices for on-site commercial or industrial development properties;

c. On-site temporary construction trailers and offices and storage areas for construction materials and equipment for commercial, industrial or institutional construction;

d. On-site temporary caretaker trailers for commercial, industrial or institutional construction sites;

e. Temporary changes of uses and associated temporary structures for four weeks or less per year;

f. Temporary mobile sales for the sale of plants, flowers, books, crafts, produce, beverages, food, and other similar items in a single location for no more than two hours per day;

g. Placement of commercial storage containers for no more than three weeks per year;

h. Special events such as a weekend sales event or outdoor concert causing temporary impacts to public rights-of-way or potential increased need for public services;

i. Holiday-related seasonal sales lots along with their associated temporary structures subject to compliance with the following:

i. Applicant demonstrates written proof of property owner permission for use of the subject property;

ii. Adequate off-street parking is provided;

- iii. The use will not interfere with adequate vision clearance, as governed by the city of Auburn engineering design standards, as amended;
- iv. The use will not obstruct pedestrian access on public rights-of-way;
- v. Signage shall comply with the city's signage regulations;
- vi. Compliance to conditions required by the building official and fire marshal for minimum building, fire and life safety codes;
- vii. Adequate provisions for trash disposal and sanitary facilities are provided.

j. Agricultural seasonal sale of produce subject to compliance with the following:

- i. Demonstrates written proof of property owner permission for use of the subject property;
- ii. Adequate off-street parking is provided;
- iii. The use will not interfere with adequate vision clearance, as governed by the city of Auburn engineering design standards, as amended;
- iv. The use will not obstruct pedestrian access on public rights-of-way;
- v. Signage shall comply with the city's signage regulations;
- vi. Compliance to conditions required by the building official and fire marshal for minimum building, fire and life safety codes;
- vii. Adequate provisions for trash disposal and sanitary facilities are provided.

B. General Type II Temporary Use Permits. In accordance with ACC 18.46A.030, the planning director or designee may approve the following general Type II temporary uses and structures:

- 1. For all zoning districts:
 - a. Temporary use of land in order to conduct a nonprofit event for seven calendar days or more in any such event;
 - b. Temporary storage of buildings and structures not permanently affixed or constructed or otherwise permanently situated on a property;
 - c. Temporary parking facilities for private uses for greater than four weeks per year;
 - d. Temporary fencing for public or private uses for greater than four weeks per year.
- 2. For residential zoning districts:
 - a. Placement of tents, canopies, or membrane structures for greater than two weeks per year that meet setbacks of the underlying zone;
 - b. Placement of personal use storage containers for greater than three weeks but no more than 12 weeks per year;
 - c. Off-site temporary construction trailers and offices and storage areas for construction materials and equipment for residential construction;
 - d. Temporary use of the following equipment on private property essential to and only in conjunction with the construction or building by the city, another public agency or a private party of a road, bridge, ramp, dock, and/or jetty in proximity to the approved construction site:
 - i. Portable asphalt or concrete mixing plants;
 - ii. Portable concrete batching plants;

- iii. Portable rock crushing plants;
- iv. Accessory equipment essential to the use of the aforementioned plants.

3. For nonresidential zoning districts:

a. Off-site temporary construction trailers and offices and storage areas for construction materials and equipment for commercial, industrial or institutional construction;

b. Temporary mobile sales for the sale of plants, flowers, books, crafts, produce, beverages, food, and other similar items in a single location for more than two hours per day;

c. Temporary changes of uses and associated temporary structures for more than four weeks per year;

d. Temporary trailer or prefabricated building. The planning director or designee may approve, approve with conditions or deny a temporary trailer or prefabricated building for use on any real commercial or industrial zoned property within the city as a temporary commercial or industrial office or space associated with the primary use on the property, but for no other purpose, providing that the applicant demonstrates compliance with the following criteria in addition to the approval criteria specified in ACC 18.46A.080:

i. The temporary structure shall be located within the boundaries of the parcel of land on which it is located;

ii. The temporary structure is in conformance with all applicable building and fire codes;

iii. The property to be used for a temporary structure shall already be developed;

iv. There exists adequate and safe ingress and egress when combined with the other uses of the property;

v. There exists adequate sight distance;

vi. There exists adequate parking for the customers or users of the temporary use in conformance with the city's parking standards, as applicable;

vii. The use will pose no hazard to pedestrians in the area of the use;

viii. The use will not create adverse off-site impacts including noise, odors, vibrations, glare or lights which will affect the adjoining uses in accordance with the provisions of ACC 18.31.180;

ix. The use can adequately be served by sewer or septic system and water, if applicable; and

x. The length of time that the temporary building will be used is the maximum needed to address the hardship but no longer than one year, unless otherwise extended by the planning director or designee.

C. Specific Type I Temporary Use Permit – Temporary Gravel Parking Facilities.

1. In accordance with ACC 18.46A.030, the planning director or designee may issue a Type I temporary use permit for a temporary gravel parking facility that serves municipal purposes. The planning director or designee may issue a temporary use permit for a period up to 12 months if the planning

director or designee finds it is consistent with the following criteria in addition to the approval criteria specified in ACC 18.46A.080:

a. The use will not result in significant drainage or other adverse impacts;

b. The gravel parking area is not required for the purposes of meeting the current minimum off-street parking requirements.

2. The planning director or designee may grant additional extensions to the initial 12-month validity period if he/she finds that such extension is warranted and that the temporary use is still in compliance with all applicable approval criteria.

D. Specific Type I Temporary Use Permit – Site Specific Unforeseen/Emergency Situations.

1. In accordance with ACC 18.46A.030, the planning director or designee may approve, approve with conditions or deny a request for approval of an unforeseen/emergency situation(s) for a residential, commercial, industrial or institutional building if the planning director or designee finds it is consistent with the following criteria in addition to the approval criteria specified in ACC 18.46A.080:

a. The need for the use is the direct result of a casualty loss resulting from damage or destruction by the elements, including but not limited to earthquake or fire or windstorm or flood, or by human cause of a structure or facility previously occupied on the premises for which the permit is sought;

b. There exists adequate and safe vehicular ingress and egress when combined with the other uses of the property;

c. There exists adequate off-street or shared parking for the temporary use;

d. The use will pose no hazard to pedestrians in the area of the use;

e. The use will not create adverse off-site impacts including noise, odors, vibrations, glare or lights which will affect adjoining use, pursuant to ACC 18.31.180 and 18.46A.090;

f. The use can be adequately served by sewer or septic system and water, if applicable;

g. The length of time that the temporary building will be used is the maximum needed to address the hardship but no longer than one year, unless otherwise extended by the planning director or designee.

E. Specific Type II Temporary Use Permit – Transitional Uses.

1. Existing agricultural and associated uses, which are not permitted outright, may continue provided there are no new structures built in excess of 2,000 square feet, or the use is expanded five acres or less, unless a temporary use permit is issued. In accordance with ACC 18.46A.030, the planning director or designee may issue a Type II temporary use permit if he/she finds it is consistent with the following criteria in addition to the approval criteria specified in ACC 18.46A.080:

a. The use must be compatible or sufficient mitigating measures available to make it compatible with adjacent permitted uses;

b. The use cannot be a detriment to adjacent permitted uses;

c. The use will not result in significant adverse impacts to the area.

2. The planning director or designee may establish a longer validity period than that specified in ACC 18.46A.100 for a temporary use permit for the transitional uses specified herein.

3. Upon encroachment of permitted uses into the area authorized for a transitional use under a temporary use permit, the planning director or designee may review the temporary use permit to determine if such use is no longer compatible with the permitted uses and should be abated.

F. Specific Type II Temporary Use Permit – Homeless Encampment. In accordance with ACC 18.46A.030, the planning director or designee may issue a Type II temporary and revocable use permit for a homeless encampment subject to the following criteria and requirements:

1. Procedural Approval.

a. The sponsoring agency shall notify the city of the proposed homeless encampment a minimum of 30 days in advance of the proposed date of establishment for the homeless encampment and at least 14 days before submittal of the temporary use permit. The advance notification shall contain the following information:

- i. The date the homeless encampment will encamp;
- ii. The length of the encampment;
- iii. The maximum number of residents proposed; and
- iv. The host location.

b. The sponsoring agency shall conduct at least one public informational meeting within, or as close to, the neighborhood where the proposed homeless encampment will be located, a minimum of two weeks prior to the submittal of the temporary use permit application. The time and location of the meeting shall be agreed upon between the city and sponsoring agency. All property owners within 1,000 feet of the proposed homeless encampment shall be notified at least 14 days in advance of the meeting by the sponsoring agency. Proof of mailing shall be provided to the director of planning and development.

c. The temporary use permit application shall be accompanied by a hold harmless agreement whereby the host agency and sponsoring agency agree to indemnify the city of Auburn for, and hold it harmless from, all damages that may result from the operation of the homeless encampment by such permit grantee and shall pay all damages for which the permit grantee or the city of Auburn shall be held liable as the result of injuries suffered by any person, association or corporation by reason of the operation of the homeless encampment; provided, that in case any claim is filed with the city of Auburn or any suit or action is instituted against said city by reason of any such damage or injury, the city council shall promptly cause written notice thereof to be given to the grantee and the grantee shall have the right to defend any such suit or action.

2. Site Criteria.

a. If the sponsoring agency is not the host agency of the site, the sponsoring agency shall submit a written agreement from the host agency allowing the homeless encampment.

b. The property must be sufficient in size to accommodate tents and necessary on-site facilities, including, but not limited to, the following:

i. Sanitary portable toilets in the number required to meet capacity guidelines;

ii. Hand washing stations by the toilets and by the food areas;

iii. Refuse receptacles;

iv. Food tent and security tent.

c. The host and sponsoring agencies shall provide an adequate water source to the homeless encampment, as approved by the provider as appropriate or other water service.

d. No homeless encampment shall be located within a critical area or its buffer as defined under Chapter 16.10 ACC.

e. No permanent structures will be constructed for the homeless encampment.

f. No more than 100 residents shall be allowed. The city may further limit the number of residents as site conditions dictate.

g. Adequate on-site parking shall be provided for the homeless encampment. No off-site parking will be allowed. The number of vehicles used by homeless encampment residents shall be provided. If the homeless encampment is located on site with another use, it shall be demonstrated that the homeless encampment parking will not create a shortage of code-required on-site parking for the other uses on the property.

h. The homeless encampment shall be within a quarter mile of a bus stop with seven days per week service, whenever possible. If not located within a quarter mile of a bus stop, the sponsoring agency must demonstrate the ability for residents to obtain access to the nearest public transportation stop (such as carpools or shuttle buses).

i. The homeless encampment shall be adequately buffered and screened from adjacent right-of-way and residential properties. Screening shall be a minimum height of six feet and may include, but is not limited to, a combination of fencing, landscaping, or the placement of the homeless encampment behind buildings. The type of screening shall be approved by the city.

j. All sanitary portable toilets shall be screened from adjacent properties and rights-of-way. The type of screening shall be approved by the city and may include, but is not limited to, a combination of fencing and/or landscaping.

k. The sponsoring agency shall be responsible for the cleanup of the homeless encampment site within seven calendar days of the encampment's termination.

3. Security.

a. An operations and security plan for the homeless encampment shall be submitted and approved by the city.

b. The host agency shall provide to all residents of the homeless encampment a code of conduct for living at the homeless encampment. A copy of the code of conduct shall be submitted to the city at the time of application.

c. All homeless encampment residents must sign an agreement to abide by the code of conduct and failure to do so shall result in the noncompliant resident's immediate and permanent expulsion from the property.

d. The sponsoring agency shall keep a log of all people who stay overnight in the encampment, including names and birth dates, and dates of stay.

e. The sponsoring agency shall take all reasonable and legal steps to obtain verifiable identification, such as a driver's license, government-issued identification card, military identification or passport from prospective and existing encampment residents.

f. The sponsoring agency will use identification to obtain sex offender and warrant checks from the Pierce County or King County sheriff's office or relevant local police department.

i. If said warrant and sex offender checks reveal either: (A) an existing or outstanding warrant from any jurisdiction in the United States for the arrest of the individual who is the subject of the check; or (B) the subject of the check is a sex offender, required to register with the county sheriff or their county of residence pursuant to RCW 9A.44.130, then the sponsoring agency will reject the subject of the check for residency to homeless encampment or eject the subject of the check if that person is already a homeless encampment resident.

ii. The sponsoring agency shall immediately contact the Auburn police department if the reason for rejection or ejection of an individual from the homeless encampment is an active warrant, is due to the individual being a sex offender required to register and/or if, in the opinion of the on-duty executive committee member or the on-duty security staff, the rejected/ejected person is a potential threat to the community.

g. The sponsoring agency shall self-police and self-manage its residents and prohibit alcohol, drugs, weapons, fighting, and abuse of any kind, littering or disturbing neighbors while located on the property.

h. The sponsoring agency will appoint an executive committee member to serve on-duty at all times to serve as a point of contact for city of Auburn police and will orient the police as to how the security operates. The names of the on-duty executive committee members will be posted daily in the security tent. The city shall provide contact numbers of nonemergency personnel, which shall be posted at the security tent.

4. Timing.

a. The maximum continuous duration of a homeless encampment shall be 90 days. Citywide, the total maximum number of days homeless encampments may operate in the city shall not exceed 180 days in any 24-month period (e.g., two homeless encampments each operating 90 days (maximum 180 days total) may be allowed in a 24-month period).

b. No more than one homeless encampment may be located in the city at any time.

5. Health and Safety.

a. All temporary structures within the homeless encampment shall conform to all building codes.

b. The homeless encampment shall conform to the following fire requirements:

i. Material used as roof covering and walls shall be of flame retardant material.

ii. There shall be no open fires for cooking or heating.

iii. No heating appliances within the individual tents are allowed unless the appliance is designed and licensed for that purpose.

iv. No cooking appliances other than microwave appliances are allowed.

v. An adequate number and appropriate rating of fire extinguishers shall be provided as approved by the fire department.

vi. Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the fire department.

vii. Adequate separation between tents and other structures shall be maintained as determined by the fire department.

viii. Electrical service shall be in accordance with recognized and accepted practice; electrical cords are not to be strung together and any cords used must be approved for exterior use.

c. The sponsoring and host agencies shall permit inspections by Auburn staff and the King County health department at reasonable times without prior notice for compliance with the conditions of this permit.

6. Termination. If the sponsoring agency fails to take action against a resident who violates the terms and conditions of this permit, it may result in immediate termination of the permit. If the city learns of uncontrolled violence or acts of undisciplined violence by residents of the encampment and the sponsoring agency has not adequately addressed the situation, the temporary use permit may be immediately terminated. (Ord. 6287 § 2, 2010; Ord. 6268 § 2, 2009.)

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 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 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.

FIRST READING: _____

SECOND READING: _____

PASSED: _____

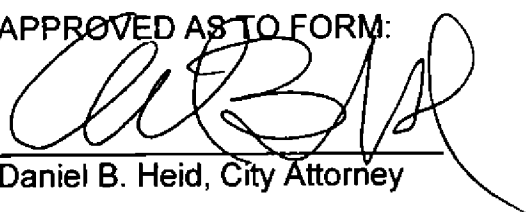
APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

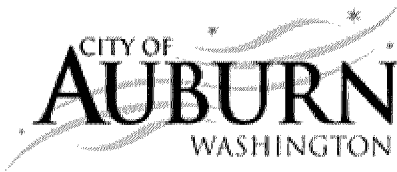
Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

PUBLISHED: _____



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6572, First Reading

Date:

September 30, 2015

Department:

CD & PW

Attachments:

Ordinance No. 6572

Budget Impact:

\$0

Administrative Recommendation:

City Council to conduct first reading of Ordinance No. 6572.

Background Summary:

Chapter 2.33 (Municipal Airport Advisory Board) establishes this advisory board to the City Council and Mayor to advise on identified issues pertaining to the Auburn Municipal Airport. Staff is recommending two amendments to Chapter 2.33. The first recommended amendment is to Section 2.33.020 (Appointment-Terms) and would remove the current language specifying that no board member have business interests at the airport other than the standard hangar or tie-down rental. Because the Airport Advisory Board is an advisory body only with no independent decision-making authority, this limitation on membership is unnecessary. Please note that the City Attorney has confirmed that this language is not necessary. The second recommended amendment is to Section 2.33.040 (Meetings of Airport Advisory Committee) would remove the requirement for monthly meetings and replace with a required quarterly meeting or as needed. This recommended change in the Board's meeting schedule will help make more efficient use of Board members' volunteer time and make more efficient use of City staff and contractor resources while insuring that there is adequate Board input. In addition, the reference to airport advisory committee was deleted and replaced with Municipal Airport Advisory Board.

The Airport Advisory Board reviewed these recommended amendments to Chapter 2.33 at its regular September 16, 2015 meeting and concurred on non-motion action with these recommended amendments.

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

Snyder

Meeting Date:

October 5, 2015

Item Number:

ORD.B

ORDINANCE NO. 6 5 7 2

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF AUBURN, WASHINGTON, AMENDING CHAPTER 2.33
OF THE AUBURN CITY CODE RELATING TO THE
MUNICIPAL AIRPORT ADVISORY BOARD**

WHEREAS, the Auburn Municipal Airport Advisory Board was previously established by Auburn City Council action; and

WHEREAS, changes to Chapter 2.33 of the Auburn City Code were identified by City staff to broaden membership opportunities and promote efficient use of time by volunteer Board members; and

WHEREAS, the Airport Advisory Board reviewed the amendments to Chapter 2.33 at its regular September 16, 2015 meeting and concurred on non-motion action with these amendments;

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

Section 1. AMENDMENT TO CITY CODE. That Chapter 2.33 of the City Code be, and the same is hereby amended to read as follows:

**Chapter 2.33
MUNICIPAL AIRPORT ADVISORY BOARD¹**

Sections:

- 2.33.010 Creation.
- 2.33.020 Appointment – Terms.
- 2.33.030 Jurisdiction.
- 2.33.040 Meetings of Municipal Airport Advisory Board ~~airport advisory committee.~~

2.33.010 Creation.

There is created a board, which shall be known as the Auburn Municipal Airport advisory board, which shall consist of five members, who shall serve without remuneration, from a list provided by the mayor to be appointed by confirmation of a majority of the members of the city council, from time to time, the first members thereof to be appointed within a reasonable time after the ordinance codified in this chapter becomes effective. (Ord. 5924 § 1, 2005; Ord. 2820 § 1, 1974.)

2.33.020 Appointment – Terms.

Immediately upon appointment, the members designated to act on the board shall assemble for organization, and for convenience of business transactions shall elect a chairman and secretary whose duties shall be the duties indicated by such designation. The term of office for the board members shall be set up to five years from the date of appointment; provided, that the term of office for any board members appointed or reappointed after December 1, 2004, shall be set up to three years from the date of appointment or reappointment. The city council shall be empowered to originally appoint one member for one year, one member for two years, one member for three years, one member for four years and one member for five years. All appointees will serve until successors are appointed and qualified. Members of the board shall be subject to removal in accordance with the provisions of Chapter 2.30 ACC as it currently exists or as it may be amended hereafter. ~~No board member shall have business interests at the airport other than the standard hangar or tie-down rental.~~ If the Board considers an issue that relates to a board member's business interest at the airport, the Board member shall disclose the fact and nature of the business interest prior to the taking of any vote bearing upon said interest. (Ord. 5924 § 1, 2005; Ord. 5879 § 1, 2004; Ord. 5803 § 3, 2003; Ord. 2820 § 2, 1974.)

2.33.030 Jurisdiction.

The board when organized shall have jurisdiction to advise the city council and/or its committees regarding the following incidents involving the operation of the Auburn Municipal Airport:

- A. Regarding construction, enlargement, improvement, maintenance, equipment and operation of the Auburn Municipal Airport facilities;
- B. Regarding adoption and amendment of all need for rules and regulations for the government and use of the Auburn Municipal Airport facilities;
- C. Regarding leasing or assignment to private parties, municipal or state governments or the national government, or departments of any of the same, for the operation or use of any space, area, improvements or equipment of the Auburn Municipal Airport;
- D. Regarding the determination of charges or rentals for the use of any properties owned or under the control of the Auburn Municipal Airport and regarding the charges for any services or accommodations and the terms and conditions under which such parties may be using it;
- E. Regarding the securing and enforcement of liens as provided by law for liens and enforcements thereof; regarding the repairs of or improvements or storage or care of any personal property to enforce the payment of any such charges;
- F. Regarding the exercise of all powers necessarily incidental to the exercising of the general and public powers granted in this chapter; and also regarding the exercise of all powers granted to the city by the laws of the state regarding the operation of municipal airports;
- G. *Repealed by Ord. 5924.*
- H. Promote and foster the development of the Auburn Municipal Airport for the benefit of the citizens of the city;
- I. Develop comprehensive and long-range plans for airport development and financing;
- J. Maintain liaison with other governmental bodies regarding municipal airport operations and financing. (Ord. 5924 § 1, 2005; Ord. 2820 § 3, 1974.)

2.33.040 Meetings of Municipal Airport Advisory Board ~~airport advisory committee.~~

The Board shall meet at least one time per quarter or as needed to perform the duties of the Board and to fulfill the role of being an advisory body to the City Council. ~~The airport advisory committee shall meet once per month at such time as the chairman thereof shall select.~~ (Ord. 5924 § 1, 2005; Ord. 2820 § 4, 1974.)

¹ For airport regulations, see Ch. 12.56 ACC.

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

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

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

FIRST READING: _____

SECOND READING: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

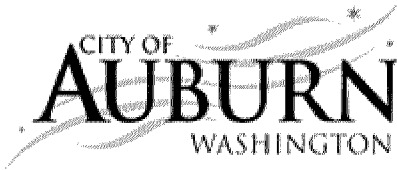
ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

Daniel B. Heid, City Attorney

PUBLISHED: _____



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6573, First Reading

Date:

September 30, 2015

Department:

CD & PW

Attachments:

Ordinance No. 6573

Budget Impact:

\$0

Administrative Recommendation:

City Council to suspend the rules and adopt Ordinance No. 6573 on first reading.

Background Summary:

Chapter 9.18 (Charitable Solicitations) of the Auburn City Code contains the City's current regulations and standards for the conduct of charitable solicitation activities within the City limits. Staff from Community Development and Public Works, Legal and Police recently reviewed these existing regulations. As a result of this review, staff identified some needed changes to existing city code. These changes are needed to more effectively balance the need for public safety and the City's interest in supporting charitable activities that employees and representatives of public agencies may want to engage in.

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

Snyder

Meeting Date: October 5, 2015

Item Number: ORD.C

ORDINANCE NO. 6 5 7 3

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING SECTIONS 9.18.010, 9.18.020 AND 9.18.050 OF THE AUBURN CITY CODE RELATING TO CHARITABLE SOLICITATIONS

WHEREAS, it is in the interest of the City of Auburn for charitable organizations therein to solicit contributions for charitable purposes; and

WHEREAS, it is also in the interest of the City of Auburn for activities occurring within its corporate boundaries to occur in a manner that accommodates public safety; and

WHEREAS, it is appropriate for the City to address instances where solicitation of charitable donations by such organizations could adversely impact public safety.

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

SECTION 1. AMENDMENT TO CITY CODE That Section 9.18.010 of the Auburn City Code be, and the same hereby is, amended to read as follows:

9.18.010 Definitions.

When used in this chapter, unless the context otherwise requires, the following definitions shall apply:

A. "Charitable organization" means any benevolent, philanthropic, patriotic, eleemosynary, religious, educational, social, recreational or fraternal organization ~~or any other person having or purporting to have a charitable nature~~ and which solicits or solicits and collects contributions for any charitable purpose. The word "charitable" includes "religious" and shall otherwise have its common law meaning unless the context in which it is used clearly requires a narrower or broader meaning.

B. "Contribution" means the donation, promise or grant, for consideration or otherwise, of any money or property of any kind or value, which contribution is wholly or partly induced by solicitation.

C. "Direct solicitation" means solicitation in which an individual making a solicitation is in the immediate physical presence of any individual being solicited.

D. "Solicitation" means any oral or written request for a contribution, including the solicitor's offer or attempt to sell any property, rights, services, or other thing in connection with which:

1. Any appeal is made for any charitable purpose; or
2. The name of any charitable organization or purpose is used as an inducement for consummating the sale; or
3. Any statement is made which implies that the whole or any part of the proceeds from the sale will be applied toward any charitable purpose or donated to any charitable organization. (Ord. 5682 § 1, 2002.)

SECTION 2. AMENDMENT TO CITY CODE That Section 9.18.020 of the Auburn City Code be, and the same hereby is, amended to read as follows:

9.18.020 Exemptions.

Except as otherwise specifically provided in other sections of this chapter, this chapter shall not apply to the following:

A. Any organizations which are organized and operated principally for charitable purposes, other than the raising of funds, when the solicitation of contributions is confined to the bona fide membership of the organization and when the solicitation is managed and conducted solely by officers and members of such organizations who are unpaid for such services. The term "membership" shall not include those persons who are granted membership upon making a contribution as a result of solicitation;

B. Any solicitation conducted exclusively within any premises owned, leased, rented, or otherwise under the lawful control of the person or organization making the solicitation.

C. Any public agency that has, as a temporary program, its employees and representatives soliciting charitable donations to support a bona fide charitable organization, provided that such solicitation does not adversely impact public safety (Ord. 5682 § 1, 2002.)

SECTION 3. AMENDMENT TO CITY CODE That Section 9.18.050 of the Auburn City Code be, and the same hereby is, amended to read as follows:

9.18.050 Unlawful solicitations.

A. It is unlawful to solicit without complying with the registration requirements hereof, unless specifically exempt as provided herein.

B. No person or entity soliciting charitable donations shall have rights to use any location in public streets, alleys or public rights-of-way. It is unlawful to solicit in public streets or alleys which are open to vehicular traffic or to make a solicitation of any person who is in or upon said public streets or alleys. It is also unlawful to make a solicitation within 10 feet of any marked pedestrian crosswalk, within 10 feet of any entrance or exit of any building then in use by the general public, or from the area of any sidewalk within 10 feet of its intersection with an alley or publicly used driveway charitable donations in any way that could impede vehicular or pedestrian traffic or that could adversely impact public safety. For the purposes hereof, the judgment of a police officer, exercising good faith, shall be

deemed conclusive as to whether any activity impede vehicular or pedestrian traffic, or could adversely impact public safety.

C. It is unlawful to solicit within any office, theater, store, factory, or other premises where business is conducted or services are rendered without the prior approval of the person or persons in charge of the premises.

D. It is unlawful to continue with any direct solicitation of any individual after the individual being solicited has indicated, by words or action, that he has no desire to make a contribution.

E. It is unlawful to solicit on public property or in the residential area of the city between the hours of 9:00 p.m. and 7:00 a.m. (Ord. 5682 § 1, 2002.)

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 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 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.

FIRST READING: _____

SECOND READING: _____

PASSED: _____

APPROVED: _____

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

Ordinance No. 6573

September 28, 2015

Page 3
ORD.C

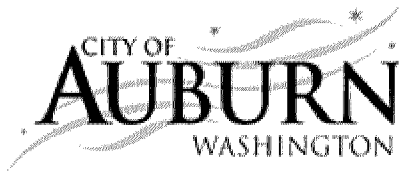
Page 60 of 78

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read 'DBH', is written over the 'APPROVED AS TO FORM:' text.

Daniel B. Heid, City Attorney

Published: _____



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5166

Date:

September 17, 2015

Department:

Finance

Attachments:

Resolution No. 5166 with Addendum

Budget Impact:

\$0

Administrative Recommendation:

City Council adopt Resolution No. 5166.

Background Summary:

The City of Auburn is nearing the end of the 2-year management agreement with Aviation Management Group, LLC (AMG). This addendum extends the contract for one year, adds wildlife hazard mitigation services, and changes the responsibility of the utility services at the terminal if the City secures a tenant in the vacant terminal space.

The contract increase for 2016 will be based on the higher of CPI or three percent (3%) to acknowledge the additional services provided by AMG for wildlife hazard mitigation.

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

Coleman

Meeting Date: October 5, 2015

Item Number: RES.A

RESOLUTION NO. 5 1 6 6

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF AUBURN, WASHINGTON, AUTHORIZING
THE MAYOR TO EXECUTE AN ADDENDUM TO
THE AGREEMENT FOR THE DAY TO DAY
OPERATION AND MANAGEMENT OF THE
AUBURN MUNICIPAL AIRPORT

WHEREAS, the City of Auburn and Aviation Management Group, LLC entered into an agreement on November 18, 2013, for the day to day operation and management of the Auburn Municipal Airport; and

WHEREAS, the Agreement is set to expire on December 31, 2015; and

WHEREAS, the parties wish to extend the term of the agreement for an additional year; and

WHEREAS, the City also wishes to modify the scope of services to include wildlife depredation; and

WHEREAS, with the extension of the contract and modification of the scope of service, it is also appropriate to adjust the compensation based on the CPI for 2016.

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

Section 1. The Mayor is authorized to execute an Addendum to the Agreement between the City of Auburn and the Aviation Management Group, LLC, for the day to day operation and management of the Auburn Municipal

Airport, which Addendum shall be in substantial conformity with the Addendum attached hereto as Exhibit "A".

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

Section 3. This resolution shall be in full force and effect upon passage and signatures hereon.

Dated and Signed this _____ day of _____, 2015.

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

ADDENDUM NO. 1

**ADDENDUM TO AGREEMENT FOR THE DAY-TO-DAY OPERATION
AND MANAGEMENT OF THE AUBURN MUNICIPAL AIRPORT
BETWEEN THE CITY OF AUBURN AND AVIATION MANAGEMENT GROUP, LLC.**

THIS ADDENDUM is made and entered into this ____ day of _____, 2015, by and between **AVIATION MANAGEMENT GROUP, LLC** and the **CITY OF AUBURN**, a municipal corporation of the State of Washington, as an addendum to the Agreement between the parties for the day-to day operations of the Auburn Municipal Airport executed on November 18, 2013 (the "Agreement").

In consideration of the mutual consideration outlined below, the sufficiency of which is acknowledged by both parties, the parties agree to modify the Agreement as follows:

ITEM ONE The term of the agreement is extended by one (1) additional year. Section 10 of the Agreement is amended to read as follows:

10. Term of Agreement.

The Term of this Agreement shall ~~be for an initial two (2) year period commencing~~ commence on the first day of January, 2014, and ~~terminating~~ terminate on the 31st day of December, ~~2015~~ 2016, unless otherwise agreed to in writing by the parties.

ITEM TWO The compensation is increased to reflect cost of living increases. Section 9(a) of the Agreement is amended to read as follows:

9. Compensation

- a. As compensation for the Contractor's performance of the services provided for herein, other than the fueling services described in Section F of Exhibit A, the City shall pay the Contractor the fees and costs specified as follows: Twenty-Nine Thousand Seven Hundred Eighty Dollars and no/100ths (\$29,780.00) per month with that amount increased annually by the cost of living as determined by the applicable Consumer Price Index. The applicable Consumer Price Index is the Consumer Price Index for All Urban Consumers 1982 1984 100 for Seattle-Tacoma as published by the United States Government for the month of August (the "CPI").

January 1, 2016 – December 31, 2016: For the period of January 1, 2016 through December 31, 2016, as compensation for the

Contractor's performance of the services provided for herein, other than the fueling services described in Section F of Exhibit A, the City shall pay the Contractor the fees and costs specified as follows: Thirty Thousand Three Hundred Sixteen Dollars and no/100ths (\$30,316.00) per month (the 2015 monthly rate), adjusted upward by the greater of three (3) percent or the CPI for 2015.

ITEM THREE: The Scope of Services set forth at Exhibit "A" is amended to add a new section "AA" governing wildlife depredation activities, as follows:

AA. Wildlife Depredation: CONTRACTOR shall, if required to maintain protect the public health and safety resulting from and relating to airport operations, engage in a program of wildlife control measures, to include wildlife depredation, so long as said activities are conducted in compliance with the provisions of a Wildlife Hazard Management Plan accepted by the Federal Aviation Administration, and provided further that for any bird species protected by the Migratory Bird Treaty Act (16 U.S.C. 703-712) the shooting activities shall comply with the terms of a current Migratory Bird Depredation Permit issued by the U.S. Fish and Wildlife Service. Shooting activities shall also comply with the Auburn City Code 9.34.030 and all other applicable federal, state and local laws, and shall be conducted so as to minimize the risk of injury to persons or to real or personal property.

ITEM FOUR: The Scope of Services set forth in Exhibit "A" is amended at Section S.6. to exclude water, sewer and electric charges for the 506 Building as follows:

6. Airport Utilities and Other Charges: CONTRACTOR agrees at its sole expense to pay all charges for the airport's electrical, water, sewer (if any), security personnel (if any), fire system monitoring, annual fire extinguisher inspection, fire system annual inspection, and portable sanitation units, that is not attributable to a specific tenant or leased property. Provided that if there is a tenant in the building known as the 506 Building, the CONTRACTOR will pay the CITY \$300.00 (THREE HUNDRED AND NO/100 DOLLARS) and all water, sewer, and electric billings for the 506 Building will be reverted back to the CITY for payment by the CITY. CONTRACTOR is not responsible for the payment or collection of any storm water charges; but it is the responsibility of the CITY Utilities for billing and collection and the airport's enterprise fund for the payment of storm water fees.

ITEM FIVE: REMAINING TERMS UNCHANGED: All other provisions of the Agreement between the parties to day operations of the Auburn Municipal Airport executed on

November 18, 2013, shall remain unchanged, and in full force and effect.

IN WITNESS WHEREOF the parties hereto have executed this Amendment as of the day and year first above written.

CITY OF AUBURN

AVIATION MANAGEMENT GROUP, LLC

Nancy Backus, Mayor

Janelle Garcia, Managing Member

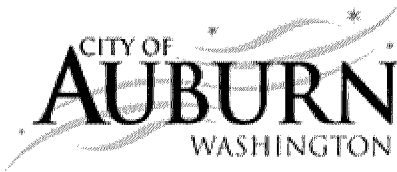
Attest:

Danielle E. Daskam, City Clerk

Approved as to form:



Daniel B. Heid, City Attorney



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5172

Date:

September 29, 2015

Department:

Community Development
& Public Works

Attachments:

Resolution No. 5172

Budget Impact:

\$0

Administrative Recommendation:

City Council adopt Resolution No. 5172.

Background Summary:

The City of Auburn conducts progressive code enforcement action in accordance with Chapter 1.25 (Civil Penalties for Violations) and other applicable Titles and Chapters of the Auburn City Code. The City of Auburn opened code compliance cases for 4 properties in the first half of 2015 related to issues such as unmaintained vegetation, graffiti, litter, junk, debris and inoperable vehicles. Consistent with standard operating procedure, code enforcement officers attempted to obtain compliance by working with the owners of the properties. A formal Notice to Correct has been issued for each property however inadequate action has been taken to remedy the subject violations. Subsequent formal Notices of Penalty and/or Infactions have been issued for each property however each property remains in a state of non-compliance.

Community Development Code Enforcement staff have determined that the current condition of these properties, pertaining to the identified public nuisances, warrant abatement action by the City of Auburn. The passage of this Resolution would authorize the Mayor or designee to engage in substantive abatement action. The condition of these properties, in staff's professional determination, present a threat to the public health, safety and welfare of the residents of the surrounding properties and negatively impacts the community's quality of life. The 4 properties are identified as follows:

- 5412 S. 331st Street – unmaintained vegetation, litter and debris, unsecure structures
Case #15-0385 – Notice to Correct issued on July 2, 2015 with a compliance deadline of July 17, 2015; Notice of Penalty issued on July 27, 2015.

- 802 A Street SE – graffiti, unmaintained vegetation
Graffiti Case #VIO15-0225 – Notice to Correct issued on May 14, 2015 with a compliance deadline of May 30, 2015; Infactions issued on June 15, 2015, July 14, 2015, and July 23, 2015.
Unmaintained Vegetation Case #VIO15-0346 – Notice to Correct issued on June 10, 2015 with a compliance deadline of June 18, 2015; Notice of Penalty issued on July 14, 2015; Infactions issued on July 14, 2015, July 15, 2015, and July 23, 2015.
- 620 D Street SE – unmaintained vegetation
Case #VIO15-0166 – Notice to Correct issued on May 28, 2015 with a compliance deadline of May 30, 2015; Notice of Civil Penalty issued on July 8, 2015.
- 1322 17th Street NE – unmaintained vegetation, litter and debris, inoperable vehicles
Case #VIO15-0093 – Notice to Correct issued on February 25, 2015 with a compliance deadline of March 6, 2015; Notice of Penalty issued on June 12, 2015; Infraction issued on June 15, 2015.

Following passage of the Resolution by the City Council, staff will contract with a qualified service provider to conduct cleanup of the exterior portions of the property. Staff anticipates that there may be a need to conduct on-going clean up and securement activity until the City can obtain compliance action from the ownership entity. All costs associated with first time and on-going abatement actions will be applied as a lien against the property that will have to be paid in order for any future sale of the property to occur.

The City will also track and apply all administrative costs (staff time, court costs, filing fees, etc.) associated with the conduct of abatement against this property and apply them as a lien against the property as well.

Community Development has adequate budget capacity within the abatement line item in our 2015 budget to cover anticipated costs associated with abatement actions potentially through the remainder of the calendar year. These anticipated costs range between \$1,500.00 and \$2,000.00 per property.

Reviewed by Council Committees:

Councilmember:

Staff: Snyder

Meeting Date: October 5, 2015

Item Number: RES.A

RESOLUTION NO. 5 1 7 2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE CITY TO EXPEND FUNDS TO ABATE THE LITTER, JUNK, WEEDS AND ATTRACTIVE NUISANCES AT 5412 S. 331ST STREET, 802 A STREET SE, 620 D STREET SE, AND 1322 17TH STREET NE, IN THE CITY OF AUBURN

WHEREAS, Article XI, section 11 of the state constitution, RCW 35.22.280, and RCW 35.21.310 authorize cities to abate nuisances within their city limits; and

WHEREAS, Title 8 of the Auburn City Code (ACC) provides a mechanism for the City to abatement nuisances and to enforce laws regulating the presence of junk, litter, debris and overgrown weeds on property; and

WHEREAS, ACC 8.12 empowers the City to take corrective action when efforts to have a property owner cure nuisances on the person's property has been unsuccessful; and

WHEREAS, the building at 5412 S. 331st Street is a nuisance property under ACC 8.20.010 and 8.12.020 due to a lack of vegetation maintenance, the presence of litter and debris, and unsecured structures; and

WHEREAS, the City's Code Enforcement staff have communicated with and given a corrective notice to the owner of the property at 5412 S. 331st Street, which efforts have been inadequate to prompt the owners to secure the building at that property; and

WHEREAS, the building at 802 A Street SE is a nuisance property under ACC 8.20.010 and 8.13.010 due to a lack of vegetation maintenance and the presence of graffiti; and

WHEREAS, the City's Code Enforcement staff have communicated with and given a corrective notice to the owner of the property at 802 A Street SE, which efforts have been inadequate to prompt the owners to maintain the vegetation and remove the graffiti; and

WHEREAS, the building at 620 D Street SE is a nuisance property under ACC 8.20.010 due to a lack of vegetation maintenance; and

WHEREAS, the City's Code Enforcement staff have communicated with and given a corrective notice to the owner of the property at 620 D Street SE, which efforts have been inadequate to prompt the owners to maintain the vegetation; and

WHEREAS, the building at 1322 17th Street NE is a nuisance property under ACC 8.20.010 and 8.12.020 due to a lack of vegetation maintenance, the presence of litter and debris, and inoperable vehicles; and

WHEREAS, the City's Code Enforcement staff have communicated with and given a corrective notice to the owner of the property at 1322 17th Street NE, which efforts have been inadequate to prompt the owners to maintain the vegetation, remove the litter and debris and remove the inoperable vehicles; and

WHEREAS, because overgrown grass and weeds, graffiti, the presence of junk vehicles and litter, inoperable vehicles, and unsecured structures present a danger to public health, safety and welfare it is appropriate that the City take

appropriate steps to abate these nuisance conditions on said properties and to take all steps provided in code to recover the City's costs of such corrective action.

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

Section 1. Findings of Nuisance. That the City Council makes the following findings:

- a) The buildings at 5412 S. 331st Street have remained vacant but unsecured for over three months which qualifies as an attractive nuisance and presents a threat to the public health and safety.
- b) That the condition of the Property may reasonably be expected to attract young children and poses a danger to such children.
- c) That the condition of the vegetation of the Property has remained unmaintained which contributes to visual blight, property value degradation, and the harborage of rodents and pests.
- d) Since at least April 2015 the commercial property at 802 A Street SE has contained grass and weeds greater than six inches in height throughout the property which contributes to visual blight, property value degradation, and the harborage of rodents and pests.
- e) Since at least April 2015, the building on the subject Property has contained graffiti which is considered a public nuisance.
- f) Since at least May 2015 the residential property at 620 D Street SE has contained grass and weeds greater than six inches in height

throughout the property which contributes to visual blight, property value degradation, and the harborage of rodents and pests.

g) Since at least February 2015 the Property at 1322 17th Street NE has contained junk, debris, litter, unmaintained vegetation and inoperable vehicles which contributes to visual blight, property value degradation, the harborage of rodents and pests, and that constitute a public nuisance.

h) That the conditions of these properties constitute a nuisance that warrant abatement under ACC 8.12 and 8.20.

i) That the condition of the properties is detrimental to health, safety and welfare of the public and necessitates corrective action to preserve the public health, safety and welfare.

j) That the City has provided persons or entities with an interest in each property with notice of the violations, the nuisance conditions, and necessary remedial action and they have all failed to take corrective action.

Section 2. Authorization for Abatement and Cost Recovery. That if the nuisance conditions herein described are not fully corrected within three days of receipt of written notice of abatement of these nuisance conditions to the person(s) or entity owning, occupying or controlling each premises, the Mayor is authorized to utilize City resources to correct and abate the nuisance conditions at any said property, to record all costs of abatement, and to take all legal steps to recover these costs from the person(s) or entity owning or controlling the property(ies).

Section 3. Continuing Abatement Authorization. That after the Mayor has exercised the authority granted in Section 2, the Mayor finds that any of the above findings describe the condition of one of the properties, the Mayor is authorized to again give notice of abatement to the person(s) or entity owning, occupying or controlling such premises and, if no corrective action is taken within three days of the date of receipt of the notice, to again utilize City resources to correct and abate the nuisance conditions at said property and take all legal steps to recover the costs from the person(s) or entity owning or controlling the premises.

Section 4. Administrative Procedures. That the Mayor is 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 take effect and be in full force upon passage and signatures.

Dated and Signed this _____ day of _____, 2015.

CITY OF AUBURN

NANCY BACKUS
MAYOR

ATTEST:

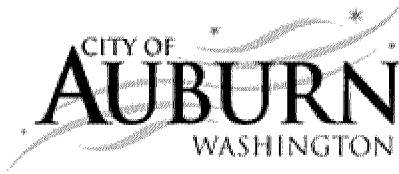
Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

Resolution No. 5172
September 24, 2015
Page 5 of 5



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5174

Date:

October 1, 2015

Department:

Planning and Development

Attachments:

Resolution No. 5174

Budget Impact:

\$0

Administrative Recommendation:

City Council adopt Resolution No. 5174.

Background Summary:

Complete information/documentation (including Exhibit A to the resolution) was not available at the printing deadline for the agenda. Additional information and documentation will be transmitted separately.

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

Snyder

Meeting Date:

October 5, 2015

Item Number: RES.B

RESOLUTION NO. 5 1 7 4

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH PARAMETRIX, INC. AND ENTER INTO FUNDING AGREEMENTS

WHEREAS, the City of Auburn wishes to engage the professional consulting services of Parametrix, Inc. to investigate and provide documentation for possible changes in the area of the City's jurisdiction for land use decision-making and regulatory authority; and

WHEREAS, there may be individuals or businesses that may be interested in financially supporting the City's efforts in investigating and providing documentation for changes in the area of the City's jurisdiction for land use decision-making and regulatory authority.

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

Section 1. That the Mayor is hereby authorized to negotiate and execute a professional services agreement with Parametrix, Inc. in substantial conformance with the Scope of Work attached hereto as Exhibit "A".

Section 2. That the Mayor is hereby authorized to negotiate and execute one (1) or more agreements with individuals or businesses that may be interested in financially supporting the City's efforts in investigating and providing documentation for changes in the area of the City's jurisdiction for land use decision-making and regulatory authority.

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

Section 4. That this Resolution shall take effect and be in full force upon passage and signatures hereon.

Dated and Signed this _____ day of _____, 2015.

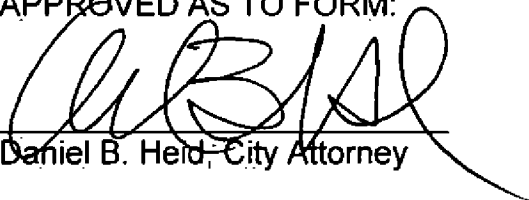
CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney