

	City Council Study Session Community Wellness Special Focus Area September 14, 2020 - 5:30 PM Virtual 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

II. Virtual Participation Link

A. Virtual Participation Link

The Auburn City Council Study Session Meeting scheduled for Monday, September 14, 2020 at 5:30 p.m. will be held virtually and telephonically. To attend the meeting virtually please click the link or enter the meeting ID into the Zoom app or call into the meeting at the phone number listed below.

Per the Governor's Emergency Proclamation 20-28, the City of Auburn is prohibited from holding an in-person meeting at this time.

City of Auburn Resolution No. 5533, designates City of Auburn meeting locations for all Council, Board and Commission meetings as virtual. All meetings will be held virtually and telephonically until King County enters into Phase 3 of Governor Inslee's Safe Start — Washington's Phased Reopening plan.

The link to the Virtual Meeting or phone number to listen to the Council Meeting is:

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. <https://zoom.us/j/96890819132>

Or join by phone:

253 215 8782
877 853 5257 (Toll Free)

Webinar ID: 968 9081 9132

B. Roll Call

III. ANNOUNCEMENTS REPORTS AND PRESENTATIONS

IV. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Ordinance No. 6782 (Gaub)(5 Minutes)

An Ordinance vacating Right-of-Way of G Street NE, South of South 277th Street

B. Ordinance No. 6789 (Thomas)(20 Minutes)

An Ordinance authorizing the issuance of one or more series of Limited Tax General Obligation Refunding Bonds for the purpose of refunding certain outstanding limited tax general obligation bonds of the City; approving the sale of the bonds; and delegating the authority to approve the final terms of the bonds

C. Auburn Arts and Culture Center Update (Faber)(30 Minutes)

Director Faber and Johnston Architects will lead a discussion of the Auburn Arts and Culture Center (Historic Auburn Post Office) preliminary design drawings and timeline

D. Livable Cities Alleyway Project Update (Faber)(10 Minutes)

In 2017 the City of Auburn and the UW Livable Cities program teamed up to create a design concept to activate the alleyway located between the Auburn Ave Theater and the Auburn. Director Faber and staff will present on the current construction timeline and design

V. COMMUNITY WELLNESS DISCUSSION ITEMS

A. Smoke Free Parks Update (Faber)(15 Minutes)

Presentation of Smoke, Vape and Tobacco Free Parks

B. Resolution No. 5547 (Tate)(20 Minutes)

A Resolution approving the South King Housing and Homelessness Partners (SKHHP) 2020-2021 Work Plan

C. Resolution No. 5548 (Tate)(5 Minutes)

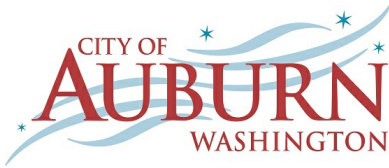
A Resolution approving the South King Housing and Homelessness Partners' (SKHHP) 2021 Budget

VI. OTHER DISCUSSION ITEMS

VII. NEW BUSINESS

VIII. ADJOURNMENT

Agendas and minutes are available to the public at the City Clerk's Office, on the City website (<http://www.auburnwa.gov>), and via e-mail. Complete agenda packets are available for review at the City Clerk's Office.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6782 (Gaub)(5 Minutes)

Department:

Public Works

Attachments:

[Draft Ordinance No. 6782](#)

[Exhibits A & B](#)

[Staff Report](#)

[Vicinity Map](#)

Date:

August 17, 2020

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For discussion only.

Background Summary:

Copper Gate North, LLC has applied to the City for vacation of the right-of-way of G Street NE, south of South 277th Street. The applicant currently owns adjacent parcels #9360600323 to the northeast and #9360600330 to the west and is proposing to incorporate the right-of-way into development of the adjacent property and cleanup right-of-way and parcel lines.

The proposed vacation area was originally conveyed to King County as right-of-way by Quit Claim Deed on April 21, 1965.

The application has been reviewed by City staff and utility purveyors who have an interest in this right-of-way. Through this review City staff has determined that the right-of-way is no longer necessary to meet the needs of the City and could be vacated with conditions outlined in Draft Ordinance no. 6782.

A public hearing for Vacation No. V1-20 is set for September 21, 2020.

Reviewed by Council Committees:

Councilmember: Brown

Staff:

Gaub

Meeting Date: September 14, 2020

Item Number:

ORDINANCE NO. 6782

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN WASHINGTON, VACATING RIGHT-OF-WAY OF G STREET NE, SOUTH OF SOUTH 277TH STREET, WITHIN THE CITY OF AUBURN, WASHINGTON

WHEREAS, the City of Auburn, Washington ("City"), has received a petition signed by at least two-thirds (2/3) of the owners of property abutting to right-of-way located at G Street NE, south of South 277th Street, within the City, requesting vacation of the right-of-way; and,

WHEREAS, as required by Chapter 12.48 of the Auburn City Code, a public hearing was held in connection with the possible vacation, with notice having been provided pursuant to statute; and,

WHEREAS, the City Council has considered all matters presented at the public hearing on the proposed vacation, held on the 21st day of September, 2020, at the Auburn City Council Chambers in Auburn, Washington.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON DO ORDAIN as a non-codified ordinance as follows:

Section 1. Vacation. That the right of way located at G Street NE, south of South 277th Street located within the City of Auburn, Washington, legally described as follows:

THE EAST 30 FEET OF THE RIGHT-OF-WAY FOR G STREET NORTHEAST AS DEDICATED BY QUIT CLAIM DEED RECORDED UNDER AUDITOR'S FILE NO. 5869551, FOR RECORDS OF KING COUNTY, WASHINGTON, MORE

PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE
W.A. COX DONATION LAND CLAIM NO. 38;
THENCE N88°59'52"W, ALONG THE NORTHLINE OF SAID
DONATION LAND CLAIM, 420.19 FEET;
THENCE S01°48'09"W 58.34 FEET TO A POINT ON THE
EASTERLY RIGHT-OF-WAY MARGIN OF G STREET
NORTHEAST AND THE POINT OF BEGINNING;
THENCE S01°48'09"W, ALONG SAID EASTERLY MARGIN,
781.69 FEET TO AN ANGLE POINT WITH THE
SOUTHERLY RIGHT-OF-WAY MARGIN OF G STREET
NORTHEAST;
THENCE N89°13'51"W, ALONG SAID SOUTHERLY
MARGIN, 30.00 FEET TO AN ANGLE POINT WITH THE
WESTERLY RIGHT-OF-WAY MARGIN OF G STREET
NORTHEAST;
THENCE N01°48'09"E, ALONG SAID WESTERLY MARGIN,
781.81 FEET TO AN ANGLE POINT WITH THE SOUTHERLY
RIGHT-OF-WAY MARGIN OF SOUTH 277TH STREET;
THENCE S88°59'48"E 30.00 FEET TO THE POINT OF
BEGINNING.

CONTAINS 23,452± SQUARE FEET (0.5384± ACRES)

[Also identified as Exhibit "A".]

and as shown on the survey, a copy of which is attached, marked Exhibit "B", is vacated
and the property lying in the right-of-way described, shall inure and belong to those persons
entitled to receive the property in accordance with RCW 35.79.040, conditioned upon the
following:

A. Reservation in favor of the City of a perpetual Nonexclusive
Easement under, over, through and across the vacated right-of-way as described above
for the purpose of laying, maintaining, and installing future and existing storm water

facilities and wetland mitigation site and including a reservation in favor of the City of the right to grant easements for utilities over, under and on all portions of the vacated right-of-way as described above.

The City shall have the absolute right, at times as may be necessary for immediate entry upon said Easement Area for the purpose of maintenance, inspection, construction, repair or reconstruction of the above improvements without incurring any legal obligation or liability.

The City shall have the absolute right to place any type of driving surface within said Easement Area deemed necessary by the City.

The owners of the adjacent properties agree and shall not in any way block, restrict or impede access and egress to or from said Easement Area, and /or in any way block, restrict or impede full use of the real property within the Easement Area by the City for the above described purposes. No building, wall, rockery, fence, trees, or structure of any kind shall be erected or planted, nor shall any fill material be placed within the boundaries of said Easement Area, without the express written consent of the City. No excavation shall be made within three feet of said facilities and the surface level of the ground within the Easement Area shall be maintained at the elevation as currently existing.

This easement shall be a covenant running with the adjacent property parcels and burden said real estate, and shall be binding on the successors, heirs and assigns of all parties.

B. It is provided, however that such reserved or granted utility and access easements as set out in Paragraph A above may be modified to accommodate a removal, relocation and sitting of the affected utility lines and facilities if the City and the property owners on whose property the utility lines and facilities are located agree to the removal relocations and sitting being paid by said property owners and with the removal relocation and sitting being done in conformity with applicable standards.

Section 2. Constitutionality or Invalidity. If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provisions to other persons or circumstances shall not be affected.

Section 3. Implementation. The mayor is authorized to implement such administrative procedures as may be necessary to carry out the directives of this location.

Section 4. Effective Date. This Ordinance shall take effect and be in force five (5) days from and after passage, approval, and publication as provided by law.

Section 5. Recordation. The City Clerk is directed to record this Ordinance with the office of the King County Auditor.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

Shawn Campbell, MMC, City Clerk

APPROVED AS TO FORM:

Kendra Comeau, City Attorney

PUBLISHED: _____

DRAFT

CORE DESIGN, INC.
BOTHELL WA 98011

CORE PROJECT NO: 19116
01/24/2020

EXHIBIT "A"

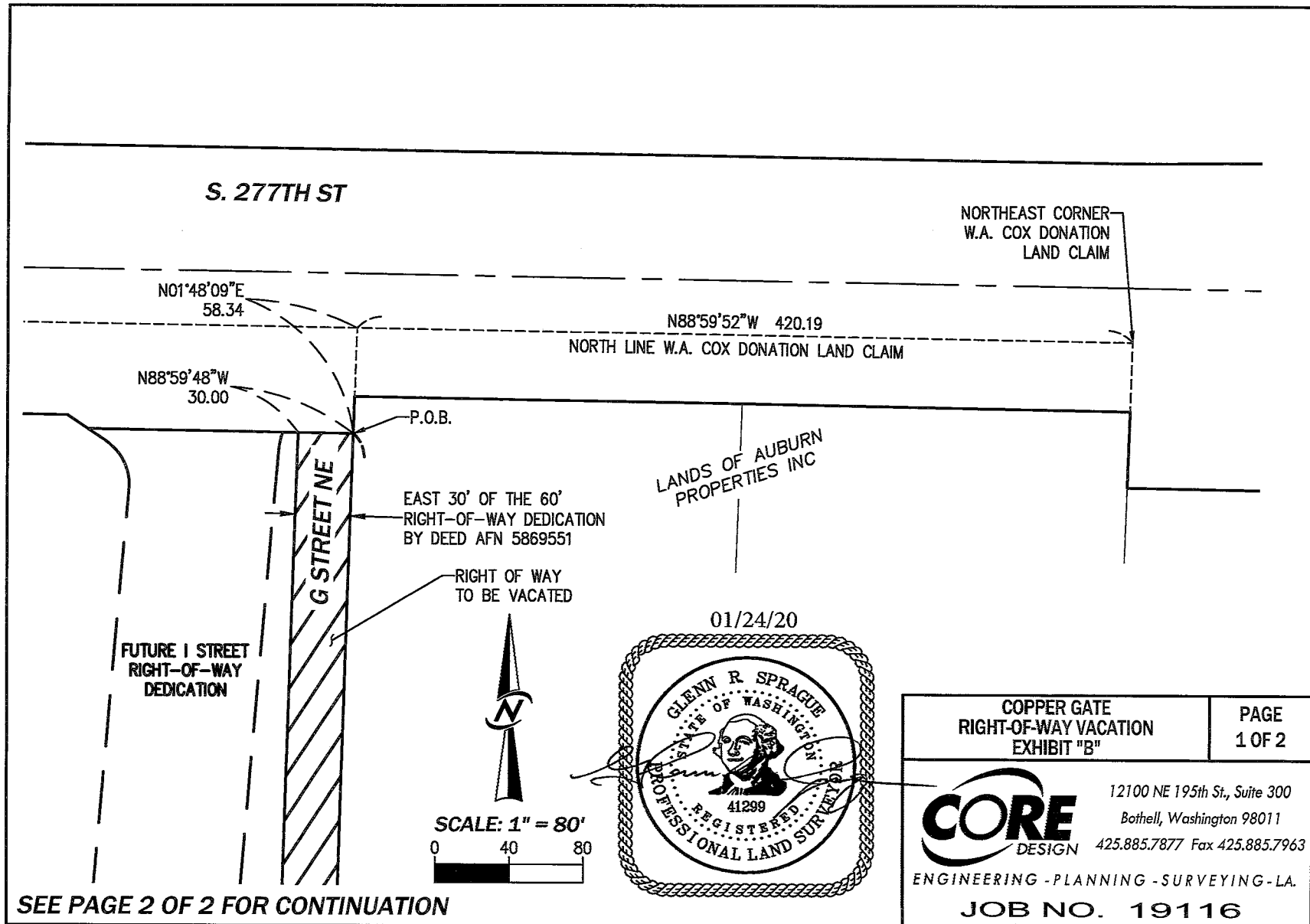
LEGAL DESCRIPTION – RIGHT-OF-WAY VACATION

THE EAST 30 FEET OF THE RIGHT-OF-WAY FOR G STREET NORTHEAST AS DEDICATED BY QUIT CLAIM DEED RECORDED UNDER AUDITOR'S FILE NO. 5869551, RECORDS OF KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

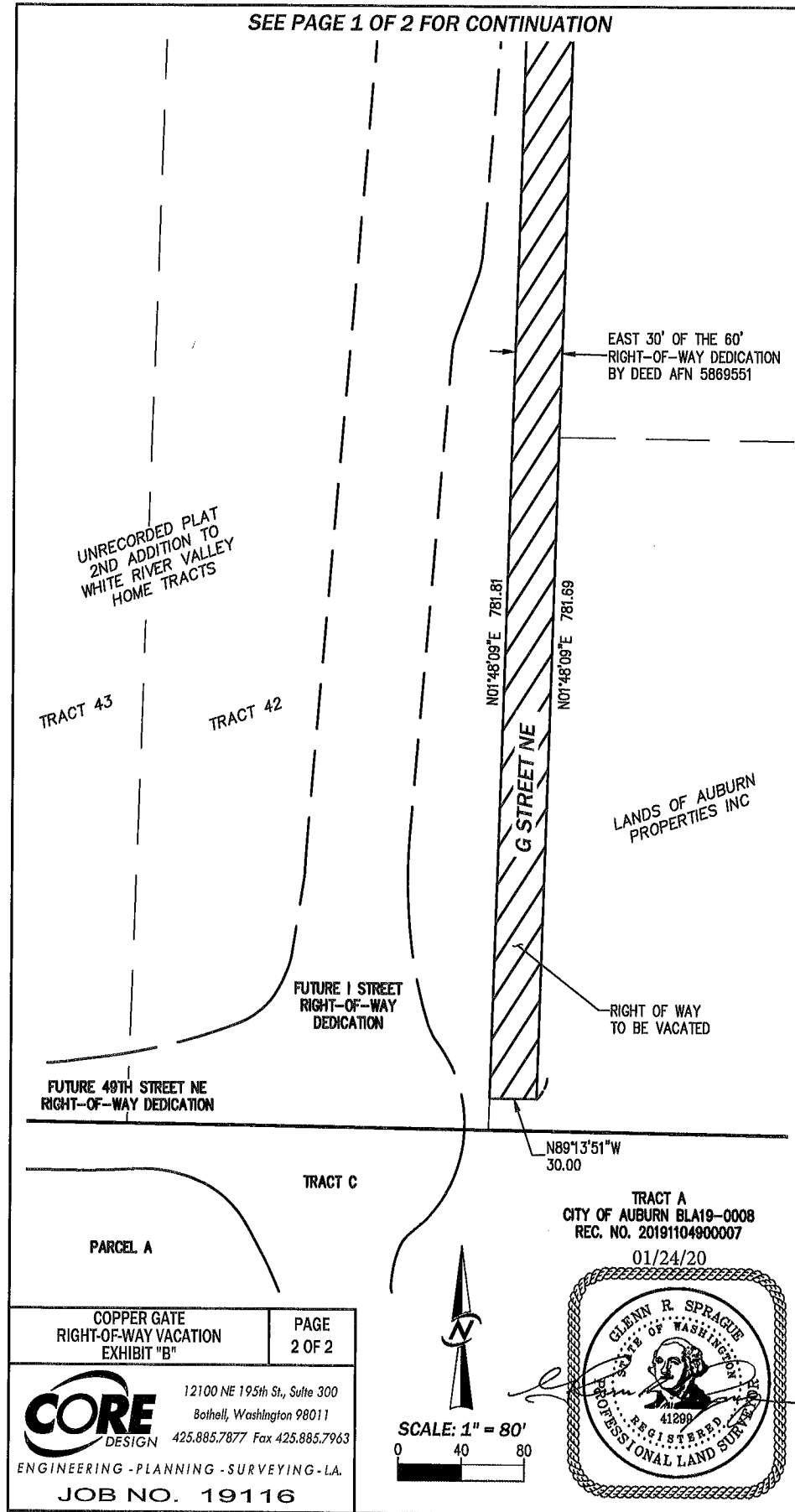
COMMENCING AT THE NORTHEAST CORNER OF THE W.A. COX DONATION LAND CLAIM NO. 38;
THENCE N88°59'52"W, ALONG THE NORTH LINE OF SAID DONATION LAND CLAIM, 420.19 FEET;
THENCE S01°48'09"W 58.34 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY MARGIN OF G STREET NORTHEAST AND THE **POINT OF BEGINNING**;
THENCE S01°48'09"W, ALONG SAID EASTERLY MARGIN, 781.69 FEET TO AN ANGLE POINT WITH THE SOUTHERLY RIGHT-OF-WAY MARGIN OF G STREET NORTHEAST;
THENCE N89°13'51"W, ALONG SAID SOUTHERLY MARGIN, 30.00 FEET TO AN ANGLE POINT WITH THE WESTERLY RIGHT-OF-WAY MARGIN OF G STREET NORTHEAST;
THENCE N01°48'09"E, ALONG SAID WESTERLY MARGIN, 781.81 FEET TO AN ANGLE POINT WITH THE SOUTHERLY RIGHT-OF-WAY MARGIN OF SOUTH 277TH STREET;
THENCE S88°59'48"E 30.00 FEET TO THE **POINT OF BEGINNING**.

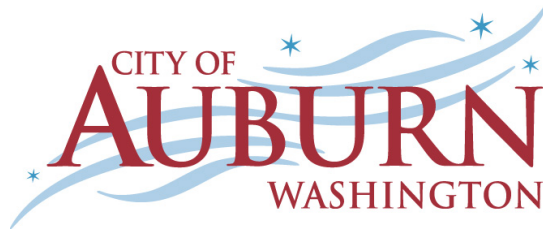
CONTAINS 23,452± SQUARE FEET (0.5384± ACRES)





SEE PAGE 1 OF 2 FOR CONTINUATION





RIGHT-OF-WAY VACATION STAFF REPORT

Right-of-Way (ROW) Vacation Number V1-20

Applicant: Copper Gate North, LLC

Property Location: Right-of-Way located at G Street NE, south of South 277th Street.

Description of right-of-way:

This ROW proposed for vacation consists of G Street NE, south of South 277th street. The proposed ROW is adjacent to Parcel No. 9360600330 on the west and south, Parcel No. 93606003323 and 9360600325 on the east, and City right-of-way to the north. The total proposed area of ROW for vacation is approximately 23,452± square feet and consists mostly of vegetation and gravel.

The proposed ROW vacation area was originally conveyed to King County as right-of-way by Quit Claim Deed under Recording No. 5869551 on April 21, 1965 and subsequently become City ROW by annexation in 1970.

See Exhibits "A" and "B" for legal description and survey.

Proposal:

Parcel No. 9360600330 is currently being developed by the applicant who is proposing to incorporate the area proposed for vacation into the development and cleanup right-of-way and parcel lines.

Applicable Policies & Regulations:

- RCW's applicable to this situation - meets requirements of RCW 35.79.
- MUTCD standards - not affected by this proposal.
- City Code or Ordinances - meets requirements of ACC 12.48.
- Comprehensive Plan Policy - not affected.
- City Zoning Code - not affected.

Public Benefit:

- The vacated area may be subject to property taxes.
- The street vacation decreases the Right-of-Way maintenance obligation of the City.

Discussion:

The vacation application was circulated to Puget Sound Energy (PSE), Comcast, CenturyLink, and City staff.

1. Puget Sound Energy (PSE) – PSE has no facilities or equipment in the proposed vacation area and do not require an easement.
2. Comcast – Comcast has no cable service facilities in the ROW Vacation area and require easements.
3. CenturyLink – CenturyLink has no objections to the Vacation of G St NE and do not require an easement.
4. Engineering –
5. Transportation – Extension of the I Street NE corridor has been dedicated and there are no traffic operations facilities located in G St NE so it is not needed for transportation purposes.
6. Water – No comments. An easement is not needed as there are no water facilities in the proposed vacation area.
7. Sewer – No Comments. An easement is not needed as there are no sewer facilities in the proposed vacation area.
8. Storm – An easement will be needed over the proposed vacation area for access to the City wetlands mitigation site and storm drainage facilities. Additionally, an access easement on Parcel No. 936060-0330 would be needed between the newly dedicated I St NE alignment and G St NE. If this easement is not provided as part of the FAC project, it will need to be a condition of the vacation.
9. Planning – The Vacation request is supported as it is consistent with achieving the site development plan that has been the subject of a revised and amended development agreement approved by the City Council. It is consistent with the realigned location of I St NE ROW alignment. An access easement across the proposed vacation area to inspect and maintain the watercourse, stream mitigation for the S 277th St widening project and its inlet, and to access the south side of the floodplain conveyance channel under s 277th St should be required.
10. Fire – No comments.
11. Police – No comments.
12. Streets – No comments.
13. Construction – No comments.
14. Innovation and Technology – No comments

Assessed Value:

ACC 12.48 states “The city council may require as a condition of the ordinance that the city be compensated for the vacated right-of-way in an amount which does not exceed one-half the value of the right-of-way so vacated, except in the event the subject property or portions thereof were acquired at public expense or have been part of a

dedicated public right-of-way for 25 years or more, compensation may be required in an amount equal to the full value of the right-of-way being vacated. The city engineer shall estimate the value of the right-of-way to be vacated based on the assessed values of comparable properties in the vicinity. If the value of the right-of-way is determined by the city engineer to be greater than \$2,000, the applicant will be required to provide the city with an appraisal by an MAI appraiser approved by the city engineer, at the expense of the applicant. The city reserves the right to have a second appraisal performed at the city's expense."

RCW 35.79.030 states the vacation "shall not become effective until the owners of property abutting upon the street or alley, or part thereof so vacated, shall compensate such city or town in an amount which does not exceed one-half the appraised value of the area so vacated. If the street or alley has been part of a dedicated public right-of-way for twenty-five years or more, or if the subject property or portions thereof were acquired at public expense, the city or town may require the owners of the property abutting the street or alley to compensate the city or town in an amount that does not exceed the full appraised value of the area vacated."

An appraisal by an MAI appraiser of the subject right-of-way was required to be submitted by the applicant. The appraisal was reviewed and found to be acceptable. The appraisal values the right-of-way in a "Fee Simple Market Value" at \$20,000.00. The right-of-way has been right-of-way for more than 25 years and was originally acquired through Quit Claim Deed on April 21, 1965

Recommendation:

Staff recommends that the street vacation be granted subject to the following conditions:

1. An easement shall be reserved for access to City wetlands mitigation site and storm drainage facilities on adjacent properties.
2. Staff recommends that compensation for the value of the right-of-way not be required as it was acquired through Quit Claim Deed at no cost to the City and the City has made very minimal improvement and incurred very little, if any, maintenance costs. In addition, the Applicant has dedicated a significant amount of new right-of-way at no cost to the City to provide for an extension of I St NE to S 277th St.

ROW Vacation #V1-20 G Street NE

Printed Date: 7/23/2020
Map Created by City of Auburn eGIS
Imagery Date: May 2015



752.3 0 376.2 752.3 Feet

NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet

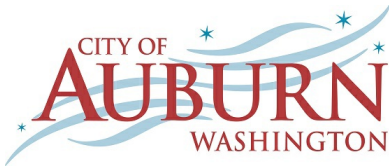
1in = 376 ft

1:4,514

Page 15 of 112



Information shown is for general reference purposes only and does not necessarily represent exact geographic or cartographic data as mapped. The City of Auburn makes no warranty as to its accuracy.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6789 (Thomas)(20 Minutes)

Date:

September 9, 2020

Department:

Finance

Attachments:

[Ordinance No. 6789](#)

Budget Impact:**Administrative Recommendation:**

For discussion only.

Background Summary:

Ordinance No. 6789 seeks City Council authorization to refund outstanding 2010B and 2010D Limited Tax General Obligation (LTGO) Bonds.

Similar to the refunding of the outstanding utility system revenue bonds in June, current market conditions present an attractive opportunity to recognize future interest cost savings for these outstanding LTGO Bonds. To lend context to this statement, as of July 30 the net present value savings of refunding the current outstanding LTGO Bonds was approximately \$4.6M or 18-20% savings. The City's policy dictates a minimum 4% savings. The financing team which assisted staff with the revenue bond refunding has been retained for this issue.

In closing, the City as a matter of practice has routinely engaged in these types of transactions in the past.

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

Thomas

Meeting Date: September 14, 2020

Item Number:

CITY OF AUBURN, WASHINGTON
LIMITED TAX GENERAL OBLIGATION REFUNDING BONDS, 2020
ORDINANCE NO. 6789

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE ISSUANCE OF ONE OR MORE SERIES OF LIMITED TAX GENERAL OBLIGATION REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$24,000,000 FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING LIMITED TAX GENERAL OBLIGATION BONDS OF THE CITY; APPROVING THE SALE OF THE BONDS; AND DELEGATING THE AUTHORITY TO APPROVE THE FINAL TERMS OF THE BONDS.

Passed September 21, 2020

PREPARED BY:
PACIFICA LAW GROUP LLP
Seattle, Washington

CITY OF AUBURN
ORDINANCE NO. 6789
TABLE OF CONTENTS*

	<u>Page</u>
Section 1. Definitions and Interpretation of Terms	2
Section 2. Findings; Purpose and Authorization of the Bonds	6
Section 3. Registration, Exchange and Payments	6
Section 4. Redemption Prior to Maturity and Purchase of Bonds	9
Section 5. Form of Bonds	11
Section 6. Execution of Bonds	11
Section 7. Application of Bond Proceeds; Plan of Refunding	11
Section 8. Tax Covenants	12
Section 9. Pledge of Funds; General Obligation	13
Section 10. Sale of Bonds	14
Section 11. Undertaking to Provide Ongoing Disclosure	16
Section 12. Defeasance	16
Section 13. Lost, Stolen or Destroyed Bonds	16
Section 14. Severability; Ratification	16
Section 15. Corrections by Clerk	16
Section 16. Effective Date of Ordinance	17
Exhibit A: Form of Bond	

* This Table of Contents is provided for convenience only and is not a part of this ordinance.

CITY OF AUBURN, WASHINGTON

ORDINANCE NO. 6789

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE ISSUANCE OF ONE OR MORE SERIES OF LIMITED TAX GENERAL OBLIGATION REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$24,000,000 FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING LIMITED TAX GENERAL OBLIGATION BONDS OF THE CITY; APPROVING THE SALE OF THE BONDS; AND DELEGATING THE AUTHORITY TO APPROVE THE FINAL TERMS OF THE BONDS.

WHEREAS, the City of Auburn, Washington (the “City”) has outstanding its Limited Tax General Obligation Bonds, 2010B (Taxable Build America Bonds – Direct Payment) (the “2010B Bonds”) and Limited Tax General Obligation Bonds, 2010D (Taxable Build America Bonds – Direct Payment) (the “2010D Bonds”), issued on May 13, 2010, pursuant to Ordinance No. 6305 passed by the City Council (the “Council”) on May 3, 2010 (the “2010 Bond Ordinance”); and

WHEREAS, the outstanding 2010B Bonds and the 2010D Bonds may be defeased and/or refunded prior to maturity as provided in the 2010 Bond Ordinance; and

WHEREAS, the 2010B Bonds and the 2010D Bonds were issued as taxable Build America Bonds with a direct federal interest subsidy payment to the City; and

WHEREAS, upon the legal defeasance of the 2010B Bonds and the 2010D Bonds, such bonds will no longer qualify as Build America Bonds, the City will no longer be able to collect federal interest payment subsidies in connection with such bonds, and the defeased 2010B Bonds and 2010D Bonds will be taxable obligations eligible for refunding on a tax-exempt basis; and

WHEREAS, the Council deems it in the best interest of the City to issue one or more series of limited tax general obligation refunding bonds (the “Bonds”) to redeem and/or defease all or a portion of the outstanding 2010B Bonds and 2010D Bonds and to pay costs of issuing the Bonds; and

WHEREAS, the City wishes to delegate authority to the Designated Representatives specified herein, for a limited time, to select the 2010B Bonds and the 2010D Bonds for defeasance and/or refunding and to approve the interest rates, maturity dates, redemption terms and principal maturities for the Bonds within the parameters set by this ordinance; and

WHEREAS, the City expects to receive a purchase contract from Piper Sandler & Co. (the “Underwriter”) to underwrite the Bonds, and now desires to issue and sell the Bonds to the Underwriter as set forth herein;

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

Section 1. Definitions and Interpretation of Terms.

(a) *Definitions.* As used in this ordinance, the following words shall have the following meanings:

Acquired Obligations means the Government Obligations acquired by the City under the terms of this ordinance and the Escrow Agreement to effect the defeasance and/or refunding of the Refunded Bonds, but only to the extent that the same are acquired at Fair Market Value.

Beneficial Owner means any person that has or shares the power, directly or indirectly, to make investment decisions concerning ownership of any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries).

Bond Counsel means Pacifica Law Group LLP or an attorney at law or a firm of attorneys, selected by the City, of nationally recognized standing in matters pertaining to the tax exempt nature of interest on bonds issued by states and their political subdivisions.

Bond Fund means the “Bond Redemption Fund” authorized to be created pursuant to this ordinance.

Bond Purchase Contract means the contract for the purchase of the Bonds between the Underwriter and City, executed pursuant to this ordinance.

Bond Register means the registration books showing the name, address and tax identification number of each Registered Owner of the Bonds, maintained for the Bonds in the manner required pursuant to Section 149(a) of the Code.

Bond Registrar means, initially, the fiscal agent of the State, for the purposes of registering and authenticating the Bonds, maintaining the Bond Register, effecting transfer of ownership of the Bonds and paying interest on and principal of the Bonds.

Bonds means the Limited Tax General Obligation Refunding Bonds, 2020 authorized to be issued by the City in one or more series pursuant to this ordinance.

Call Date means the call date for the Refunded Bonds selected by a Designated Representative and set forth in the Escrow Agreement.

City means the City of Auburn, Washington, a municipal corporation duly organized and existing under the laws of the State.

City Attorney means the duly appointed and acting City Attorney of the City, including anyone acting in such capacity for the position, or the successor to the duties of that office.

City Clerk* or *Clerk means the duly appointed and acting City Clerk or the successor to the duties of that office.

City Council or **Council** means the City Council of the City as the general legislative authority of the City, as duly and regularly constituted from time to time.

Closing means the date of delivery of the Bonds to the Underwriter.

Code means the Internal Revenue Code of 1986, as in effect on the date of issuance of the Bonds or (except as otherwise referenced herein) as it may be amended to apply to obligations issued on the date of issuance of the Bonds, together with applicable proposed, temporary and final regulations promulgated, and applicable official public guidance, published, under the Code.

Commission means the United States Securities and Exchange Commission.

Continuing Disclosure Certificate means the written undertaking for the benefit of the owners and beneficial owners of the Bonds as required by Section (b)(5) of the Rule.

Designated Representative means the Mayor and the Finance Director of the City and any successor to the functions of such offices, and their designees. The signature of one Designated Representative shall be sufficient to bind the City.

DTC means The Depository Trust Company, New York, New York, a limited purpose trust company organized under the laws of the State of New York.

Escrow Agent means the trust company or state or national bank having powers of a trust company selected by the City to serve as escrow agent pursuant to this ordinance.

Escrow Agreement means the Escrow Deposit Agreement between the City and the Escrow Agent to be dated as of the date of Closing of the Bonds.

Escrow Fund means the fund or account established by the Escrow Agent under the Escrow Agreement executed in connection with the defeasance and redemption of the Refunded Bonds.

Fair Market Value means the price at which a willing buyer would purchase an investment from a willing seller in a bona fide, arm's length transaction, except for specified investments as described in Treasury Regulations § 1.148-5(d)(6), including United States Treasury obligations, certificates of deposit, guaranteed investment contracts, and investments for yield restricted defeasance escrows. Fair Market Value is generally determined on the date on which a contract to purchase or sell an investment becomes binding, and, to the extent required by the applicable regulations under the Code, the term "investment" will include a hedge.

Federal Tax Certificate means the certificate executed by a Designated Representative setting forth the requirements of the Code for maintaining the tax exemption of interest on the Bonds, and attachments thereto.

Finance Director means the Finance Director or the successor to such officer.

Government Obligations mean those obligations now or hereafter defined as such in chapter 39.53 RCW constituting direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, as such chapter may be hereafter amended or restated.

Letter of Representations mean the Blanket Issuer Letter of Representations given by the City to DTC, as amended from time to time.

Local Option Sales and Use Tax means the local option sales and use tax levied and imposed by the City as authorized by RCW 82.14.505 and RCW 82.14.510 and Ordinance No. 6301.

Local Option Sales and Use Tax Revenue means the Local Option Sales and Use Tax credit revenues received by the City in an aggregate annual amount of approximately \$250,000.

LRF Projects mean the construction or reconstruction of the downtown improvements described in Resolution No. 4502, including, but not limited to, improvements to sidewalks, crosswalks, pedestrian street lighting, utility upgrades and other street improvements within the Revitalization Area.

Mayor means the duly elected Mayor of the City or the successor to such officer.

MSRB means the Municipal Securities Rulemaking Board or any successors to its functions.

Official Statement means the disclosure documents prepared and delivered in connection with the issuance of the Bonds.

Projects mean the capital projects refinanced with proceeds of the Refunded Bonds.

Record Date means the close of business for the Bond Registrar that is 15 days preceding any interest and/or principal payment or redemption date.

REET 1 means the real estate excise tax authorized under RCW 82.46.010(2), which is imposed, collected and allocated to expenditures for capital projects by Ordinance No. 3814 of the City.

REET 2 means the real estate excise tax authorized under RCW 82.46.035(2), which is imposed, collected and allocated to expenditures for capital projects by Ordinance No. 4871 of the City.

Refunded Bonds mean the Refunding Candidates selected by a Designated Representative for defeasance and/or refunding pursuant to this ordinance.

Refunding Account means the account by that name established pursuant to this ordinance.

Refunding Candidates mean all or a portion of the 2010B Bonds and the 2010D Bonds.

Registered Owner means the person named as the registered owner of a Bond in the Bond Register. For so long as the Bonds are held in book-entry only form, DTC shall be deemed to be the sole Registered Owner.

Revitalization Area means the Auburn Revitalization Area designated by the City as a “local revitalization area” within the meaning of chapter 39.104 RCW as provided for in City Resolution No. 4502.

Rule means the Commission’s Rule 15c2-12 under the Securities Exchange Act of 1934, as the same may be amended from time to time.

State means the State of Washington.

Underwriter means Piper Sandler & Co., and its successors.

2010 Bond Ordinance means Ordinance No. 6305 passed by the Council on May 3, 2010.

2010B Bonds mean the Limited Tax General Obligation Bonds, 2010B (Taxable Build America Bonds – Direct Payment) of the City, issued pursuant to the 2010 Bond Ordinance as described in the recitals of this ordinance.

2010D Bonds mean the Limited Tax General Obligation Bonds, 2010D (Taxable Build America Bonds – Direct Payment) of the City, issued pursuant to the 2010 Bond Ordinance as described in the recitals of this ordinance.

(b) *Interpretation.* In this ordinance, unless the context otherwise requires:

(1) The terms “hereby,” “hereof,” “hereto,” “herein,” “hereunder” and any similar terms, as used in this ordinance, refer to this ordinance as a whole and not to any particular article, section, subdivision or clause hereof, and the term “hereafter” shall mean after, and the term “heretofore” shall mean before, the date of this ordinance;

(2) Words of a gender shall mean and include correlative words of any genders and words importing the singular number shall mean and include the plural number and vice versa;

(3) Words importing persons shall include firms, associations, partnerships (including limited partnerships), trusts, corporations and other legal entities, including public bodies, as well as natural persons;

(4) Any headings preceding the text of the several articles and sections of this ordinance, and any table of contents or marginal notes appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this ordinance, nor shall they affect its meaning, construction or effect; and

(5) All references herein to “articles,” “sections” and other subdivisions or clauses are to the corresponding articles, sections, subdivisions or clauses hereof.

Section 2. Findings; Purpose and Authorization of the Bonds.

(a) *Purpose and Authorization of Bonds.* For the purpose of defeasing and/or refunding the Refunded Bonds and paying related costs of issuance, the City is hereby authorized to issue and sell one or more series of limited tax general obligation refunding bonds in an aggregate principal amount not to exceed \$24,000,000 (the “Bonds”).

The Bonds shall be general obligations of the City, shall be designated “City of Auburn, Washington, Limited Tax General Obligation Refunding Bonds, 2020,” with any series or other designation as determined by a Designed Representative. The Bonds of each series shall be dated as of the date of Closing; shall be fully registered as to both principal and interest; shall be in the denomination of \$5,000 each, or any integral multiple thereof, within a series and maturity; shall be numbered separately in such manner and with any additional designation as the Bond Registrar deems necessary for purposes of identification; shall bear interest from their date payable on the dates and commencing as provided in the Bond Purchase Contract; and shall be subject to optional and/or mandatory redemption and mature on the dates and in the principal amounts set forth in the Bond Purchase Contract.

Section 3. Registration, Exchange and Payments.

(a) *Bond Registrar/Bond Register.* The City hereby specifies and adopts the system of registration approved by the Washington State Finance Committee from time to time through the appointment of a State fiscal agent. The City shall cause a Bond Register to be maintained by the Bond Registrar. So long as any Bonds remain outstanding, the Bond Registrar shall make all necessary provisions to permit the exchange or registration or transfer of Bonds at its designated office. The Bond Registrar may be removed at any time at the option of the Finance Director upon prior notice to the Bond Registrar and a successor Bond Registrar appointed by the Finance Director. No resignation or removal of the Bond Registrar shall be effective until a successor shall have been appointed and until the successor Bond Registrar shall have accepted the duties of the Bond Registrar hereunder. The Bond Registrar is authorized, on behalf of the City, to authenticate and deliver Bonds transferred or exchanged in accordance with the provisions of such Bonds and this ordinance and to carry out all of the Bond Registrar’s powers and duties under this ordinance. The Bond Registrar shall be responsible for its representations contained in the Certificate of Authentication of the Bonds.

(b) *Registered Ownership.* The City and the Bond Registrar, each in its discretion, may deem and treat the Registered Owner of each Bond as the absolute owner thereof for all purposes (except as provided in the Continuing Disclosure Certificate), and neither the City nor the Bond Registrar shall be affected by any notice to the contrary. Payment of any such Bond shall be made only as described in Section 3(g), but such Bond may be transferred as herein provided. All such payments made as described in Section 3(g) shall be valid and shall satisfy and discharge the liability of the City upon such Bond to the extent of the amount or amounts so paid.

(c) *DTC Acceptance/Letters of Representations.* The Bonds initially shall be held by DTC acting as depository. The City has executed and delivered to DTC a Blanket Issuer Letter of Representations. Neither the City nor the Bond Registrar shall have any responsibility or

obligation to DTC participants or the persons for whom they act as nominees (or any successor depository) with respect to the Bonds in respect of the accuracy of any records maintained by DTC (or any successor depository) or any DTC participant, the payment by DTC (or any successor depository) or any DTC participant of any amount in respect of the principal of or interest on Bonds, any notice which is permitted or required to be given to Registered Owners under this ordinance (except such notices as shall be required to be given by the City to the Bond Registrar or to DTC (or any successor depository)), or any consent given or other action taken by DTC (or any successor depository) as the Registered Owner. For so long as any Bonds are held by a depository, DTC or its successor depository or its nominee shall be deemed to be the Registered Owner for all purposes hereunder, and all references herein to the Registered Owners shall mean DTC (or any successor depository) or its nominee and shall not mean the owners of any beneficial interest in such Bonds.

(d) *Use of Depository.*

(1) The Bonds shall be registered initially in the name of “Cede & Co.”, as nominee of DTC, with one Bond of a series maturing on each of the maturity dates for the Bonds in a denomination corresponding to the total principal therein designated to mature on such date. Registered ownership of such Bonds, or any portions thereof, may not thereafter be transferred except (A) to any successor of DTC or its nominee, provided that any such successor shall be qualified under any applicable laws to provide the service proposed to be provided by it; (B) to any substitute depository appointed by the Finance Director pursuant to subsection (2) below or such substitute depository’s successor; or (C) to any person as provided in subsection (4) below.

(2) Upon the resignation of DTC or its successor (or any substitute depository or its successor) from its functions as depository or a determination by the Finance Director to discontinue the system of book-entry transfers through DTC or its successor (or any substitute depository or its successor), the Finance Director may hereafter appoint a substitute depository. Any such substitute depository shall be qualified under any applicable laws to provide the services proposed to be provided by it.

(3) In the case of any transfer pursuant to clause (A) or (B) of subsection (1) above, the Bond Registrar shall, upon receipt of all outstanding Bonds together with a written request on behalf of the Finance Director, issue a single new Bond for such series for each maturity then outstanding, registered in the name of such successor or such substitute depository, or their nominees, as the case may be, all as specified in such written request of the Finance Director.

(4) In the event that (A) DTC or its successor (or substitute depository or its successor) resigns from its functions as depository, and no substitute depository can be obtained, or (B) the Finance Director determines that it is in the best interest of the beneficial owners of the Bonds that such owners be able to obtain physical Bond certificates, the ownership of such Bonds may then be transferred to any person or entity as herein provided, and shall no longer be held by a depository. The Finance Director shall deliver a written request to the Bond Registrar, together with a supply of physical Bonds, to issue Bonds as herein provided in any authorized denomination. Upon receipt by the Bond Registrar of all then outstanding Bonds together with a written request on behalf of the Finance Director to the Bond Registrar, new Bonds of such

series shall be issued in the appropriate denominations and registered in the names of such persons as are requested in such written request.

(e) *Registration of Transfer of Ownership or Exchange; Change in Denominations.* The transfer of any Bond may be registered and Bonds may be exchanged, but no transfer of any such Bond shall be valid unless it is surrendered to the Bond Registrar with the assignment form appearing on such Bond duly executed by the Registered Owner or such Registered Owner's duly authorized agent in a manner satisfactory to the Bond Registrar. Upon such surrender, the Bond Registrar shall cancel the surrendered Bond and shall authenticate and deliver, without charge to the Registered Owner or transferee therefor, a new Bond (or Bonds at the option of the new Registered Owner) of the same series, date, maturity, and interest rate and for the same aggregate principal amount in any authorized denomination, naming as Registered Owner the person or persons listed as the assignee on the assignment form appearing on the surrendered Bond, in exchange for such surrendered and cancelled Bond. Any Bond may be surrendered to the Bond Registrar and exchanged, without charge, for an equal aggregate principal amount of Bonds of the same series, date, maturity, and interest rate, in any authorized denomination. The Bond Registrar shall not be obligated to register the transfer of or to exchange any Bond during the period from the Record Date to the redemption or payment date.

(f) *Bond Registrar's Ownership of Bonds.* The Bond Registrar may become the Registered Owner of any Bond with the same rights it would have if it were not the Bond Registrar and, to the extent permitted by law, may act as depository for and permit any of its officers or directors to act as a member of, or in any other capacity with respect to, any committee formed to protect the right of the Registered Owners or beneficial owners of Bonds.

(g) *Place and Medium of Payment.* Both principal of and interest on the Bonds shall be payable in lawful money of the United States of America. Interest on the Bonds shall be calculated on the basis of a year of 360 days and twelve 30-day months. For so long as all Bonds are held by DTC, payments of principal thereof and interest thereon shall be made to Registered Owners as of the Record Date as provided in accordance with the operational arrangements of DTC referred to in the Letter of Representations. In the event that the Bonds are no longer held by DTC or other depository, interest on the Bonds shall be paid by check or draft mailed to the Registered Owners at the addresses for such Registered Owners appearing on the Bond Register on the Record Date, or upon the written request of a Registered Owner of more than \$1,000,000 of Bonds (received by the Bond Registrar at least by the Record Date), such payment shall be made by the Bond Registrar by wire transfer to the account within the United States designated by the Registered Owner. Principal of the Bonds shall be payable upon presentation and surrender of such Bonds by the Registered Owners at the designated office of the Bond Registrar.

If any Bond is duly presented for payment and funds have not been provided by the City on the applicable payment date, then interest will continue to accrue thereafter on the unpaid principal thereof at the rate stated on the Bond until the Bond is paid.

Section 4. Redemption Prior to Maturity and Purchase of Bonds.

(a) *Mandatory Redemption of Term Bonds and Optional Redemption, if any.* The Bonds of each series shall be subject to optional redemption on the dates, at the prices and under the terms set forth in the Bond Purchase Contract. The Bonds of each series shall be subject to mandatory redemption to the extent, if any, set forth in the Bond Purchase Contract.

(b) *Purchase of Bonds.* The City further reserves the right and option to purchase any or all of the Bonds offered to it at any time at any price acceptable to the City plus accrued interest to the date of purchase.

(c) *Selection of Bonds for Redemption.* For as long as the Bonds are held in book-entry only form, the selection of particular Bonds within a series and maturity to be redeemed shall be made in accordance with the operational arrangements then in effect at DTC. If the Bonds are no longer held in book-entry form, the selection of such Bonds to be redeemed and the surrender and reissuance thereof, as applicable, shall be made as provided in the following provisions of this subsection (c). If the City redeems at any one time fewer than all of the Bonds of a series having the same maturity date, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by lot (or in such manner determined by the Bond Registrar) in increments of \$5,000. In the case of a Bond of a denomination greater than \$5,000, the City and the Bond Registrar shall treat each Bond as representing such number of separate Bonds each of the denomination of \$5,000 as is obtained by dividing the actual principal amount of such Bond by \$5,000. In the event that only a portion of the principal sum of a Bond is redeemed, upon surrender of such Bond at the designated office of the Bond Registrar there shall be issued to the Registered Owner, without charge therefor, for the then-unredeemed balance of the principal sum thereof, at the option of the Registered Owner, a Bond or Bonds of like maturity and interest rate in any of the denominations herein authorized.

(d) *Notice of Redemption.*

(1) Official Notice. For so long as the Bonds are held in book-entry form, notice of redemption (which notice may be conditional) shall be given in accordance with the operational arrangements of DTC as then in effect, and neither the City nor the Bond Registrar will provide any notice of redemption to any Beneficial Owners. Thereafter (if the Bonds are no longer held in book-entry form), notice of redemption shall be given in the manner hereinafter provided. Unless waived by any owner of Bonds to be redeemed, official notice of any such redemption (which redemption may be conditioned by the Bond Registrar on the receipt of sufficient funds for redemption or otherwise) shall be given by the Bond Registrar on behalf of the City by mailing a copy of an official redemption notice by first class mail at least 20 days and not more than 60 days prior to the date fixed for redemption to the Registered Owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such Registered Owner to the Bond Registrar.

All official notices of redemption shall be dated and shall state: (A) the redemption date, (B) the redemption price, (C) if fewer than all outstanding Bonds are to be redeemed, the identification by maturity (and, in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed, (D) any conditions to redemption, (E) that (unless such

notice is conditional) on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and (F) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the designated office of the Bond Registrar.

On or prior to any redemption date, unless any condition to such redemption has not been satisfied or waived or notice of such redemption has been rescinded, the City shall deposit with the Bond Registrar an amount of money sufficient to pay the redemption price of all the Bonds or portions of Bonds which are to be redeemed on that date.

The City retains the right to rescind any redemption notice and the related optional redemption of Bonds by giving notice of rescission to the affected registered owners at any time on or prior to the scheduled redemption date. Any notice of optional redemption that is so rescinded shall be of no effect, and the Bonds for which the notice of optional redemption has been rescinded shall remain outstanding.

(2) Effect of Notice; Bonds Due. If an unconditional notice of redemption has been given and not rescinded, or if the conditions set forth in a conditional notice of redemption have been satisfied or waived, the Bonds or portions of Bonds to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and, if the Bond Registrar then holds sufficient funds to pay such Bonds at the redemption price, then from and after such date such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Bond Registrar at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. All Bonds which have been redeemed shall be canceled by the Bond Registrar and shall not be reissued.

(3) Additional Notice. In addition to the foregoing notice, further notice shall be given by the City as set out below, but no defect in said further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as above prescribed. Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (A) the CUSIP numbers of all Bonds being redeemed; (B) the date of issue of the Bonds as originally issued; (C) the rate of interest borne by each Bond being redeemed; (D) the series and maturity date of each Bond being redeemed; and (E) any other descriptive information needed to identify accurately the Bonds being redeemed. Each further notice of redemption may be sent at least 20 days before the redemption date to each party entitled to receive notice pursuant to the Continuing Disclosure Certificate and with such additional information as the City shall deem appropriate, but such mailings shall not be a condition precedent to the redemption of such Bonds.

(4) Amendment of Notice Provisions. The foregoing notice provisions of this Section 4, including but not limited to the information to be included in redemption notices and the persons designated to receive notices, may be amended by additions, deletions and changes in order to maintain compliance with duly promulgated regulations and recommendations regarding notices of redemption of municipal securities.

Section 5. Form of Bonds. The Bonds shall be in substantially the form set forth in Exhibit A, which is incorporated herein by this reference, with such changes thereto as may be approved by a Designated Representative, consistent with the provisions of Section 10 hereof.

Section 6. Execution of Bonds. The Bonds shall be executed on behalf of the City with the manual or facsimile signature of the Mayor, and shall be attested by the manual or facsimile signature of the Clerk, and shall have the seal of the City impressed or a facsimile thereof imprinted, or otherwise reproduced thereon.

In the event any officer who shall have signed or whose facsimile signatures appear on any of the Bonds shall cease to be such officer of the City before said Bonds shall have been authenticated or delivered by the Bond Registrar or issued by the City, such Bonds may nevertheless be authenticated, delivered and issued and, upon such authentication, delivery and issuance, shall be as binding upon the City as though said person had not ceased to be such officer. Any Bond may be signed and attested on behalf of the City by such persons who, at the actual date of execution of such Bond shall be the proper officer of the City, although at the original date of such Bond such persons were not such officers of the City.

Only such Bonds as shall bear thereon a Certificate of Authentication manually executed by an authorized representative of the Bond Registrar shall be valid or obligatory for any purpose or entitled to the benefits of this ordinance. Such Certificate of Authentication shall be conclusive evidence that the Bonds so authenticated have been duly executed, authenticated and delivered hereunder and are entitled to the benefits of this ordinance.

Section 7. Application of Bond Proceeds; Plan of Refunding.

(a) *Plan of Refunding.* The City proposes to defease and/or refund the Refunded Bonds as set forth herein. A portion of the proceeds of the Bonds shall be deposited, with other available funds of the City, if any, with the Escrow Agent pursuant to the Escrow Agreement to be used immediately upon receipt thereof to defease the Refunded Bonds as authorized by the 2010 Ordinance to the maturity date or Call Date and to pay costs of issuance and administrative costs of the refunding.

The proceeds of the Bonds deposited with the Escrow Agent shall be used to defease the Refunded Bonds and discharge the obligations thereon by either holding such funds uninvested as cash or by the purchase of Acquired Obligations bearing such interest and maturing as to principal and interest in such amounts and at such times which, together with any necessary beginning cash balance, will provide for the payment of interest on the Refunded Bonds due at maturity or on and prior to the Call Date, and the principal amount due (100% of par) on such date. Such Acquired Obligations shall be purchased at a yield not greater than the yield permitted by the Code and regulations relating to acquired obligations in connection with refunding bond issues.

(b) *Escrow Agent; Escrow Agreement.* The Designated Representative is hereby authorized to solicit proposals from and to select an Escrow Agent. A beginning cash balance and the Acquired Obligations, if any, shall be deposited irrevocably with the Escrow Agent in an amount sufficient to defease and/or redeem the Refunded Bonds. The proceeds of the Bonds

remaining after acquisition of the Acquired Obligations and provision for the necessary cash balance shall be used to pay expenses of the acquisition and safekeeping of the Acquired Obligations and costs of issuance of the Bonds and the administrative costs of the refunding. In order to carry out the purposes of this section, the Designated Representative is authorized and directed to execute and deliver the Escrow Agreement to the Escrow Agent.

(c) *Call for Redemption of Refunded Bonds.* The City hereby sets aside available funds of the City and sufficient funds out of the proceeds of the Bonds and the purchase of Acquired Obligations, if any, from proceeds of the Bonds to make the payments described above. The City further calls the callable Refunded Bonds for redemption on the Call Date in accordance with the provisions of the 2010 Ordinance authorizing the redemption and retirement of the Refunded Bonds prior to their fixed maturities. Said defeasance and call for redemption of the Refunded Bonds shall be irrevocable after the issuance of the Bonds and delivery of cash and/or Acquired Obligations to the Escrow Agent. The Escrow Agent is hereby authorized and directed to provide for the giving of notices of defeasance and/or redemption of the Refunded Bonds in accordance with the applicable provisions of the 2010 Ordinance. The costs of publication of such notices shall be an expense of the City.

The Escrow Agent is hereby authorized and directed to pay to the paying agent for the Refunded Bonds, sums sufficient to pay, when due, the payments specified in this section. All such sums shall be paid from the moneys and Acquired Obligations deposited with the Escrow Agent, and the income therefrom and proceeds thereof. All such sums so paid shall be credited to the Refunding Account (which is hereby authorized to be created) or other funds created under the Escrow Agreement. All moneys and Acquired Obligations deposited with the Escrow Agent and any income therefrom shall be held, invested (but only at the direction of the Finance Director) and applied in accordance with the provisions of this ordinance, the Escrow Agreement, and with the laws of the State for the benefit of the City and owners of the Refunded Bonds. The City will take such actions as are found necessary to see that all necessary and proper fees, compensation and expenses of the Escrow Agent for the Refunded Bonds shall be paid when due.

Section 8. Tax Covenants. The City will take all actions necessary to assure the exclusion of interest on the Bonds from the gross income of the owners of the Bonds to the same extent as such interest is permitted to be excluded from gross income under the Code as in effect on the date of issuance of the Bonds, including but not limited to the following:

(a) *Private Activity Bond Limitation.* The City will assure that the proceeds of the Bonds are not so used as to cause the Bonds to satisfy the private business tests of Section 141(b) of the Code or the private loan financing test of Section 141(c) of the Code.

(b) *Limitations on Disposition of Project.* The City will not sell or otherwise transfer or dispose of (i) any personal property components of the projects financed with proceeds of the Refunded Bonds (the "Projects") other than in the ordinary course of an established government program under Treasury Regulation 1.141-2(d)(4) or (ii) any real property components of the Projects, unless it has received an opinion of Bond Counsel to the effect that such disposition will not adversely affect the treatment of interest on the Bonds as excludable from gross income for federal income tax purposes.

(c) *Federal Guarantee Prohibition.* The City will not take any action or permit or suffer any action to be taken if the result of such action would be to cause the Bonds to be “federally guaranteed” within the meaning of Section 149(b) of the Code.

(d) *Rebate Requirement.* The City will take any and all actions necessary to assure compliance with Section 148(f) of the Code, relating to the rebate of excess investment earnings, if any, to the federal government, to the extent that such section is applicable to the Bonds.

(e) *No Arbitrage.* The City will not take, or permit or suffer to be taken any action with respect to the proceeds of the Bonds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken, on the date of issuance of the Bonds would have caused the Bonds to be an “arbitrage bonds” within the meaning of Section 148 of the Code.

(f) *Registration Covenant.* The City will maintain a system for recording the ownership of the Bonds that complies with the provisions of Section 149 of the Code until the Bonds have been surrendered and canceled.

(g) *Record Retention.* The City will retain its records of all accounting and monitoring it carries out with respect to the Bonds for at least three years after the Bonds mature or are redeemed (whichever is earlier); however, if the Bonds are redeemed and refunded, the City will retain its records of accounting and monitoring at least three years after the earlier of the maturity or redemption of the obligations that refunded the Bonds.

(h) *Compliance with Federal Tax Certificate.* The City will comply with the provisions of the Federal Tax Certificate with respect to the Bonds, which are incorporated herein as if fully set forth herein.

The covenants of this section will survive payment in full or defeasance of the Bonds.

Section 9. Pledge of Funds; General Obligation.

(a) *General.* The City hereby authorizes the creation of a fund to be used for the payment of debt service on the Bonds, designated as the “Bond Redemption Fund” (the “Bond Fund”). No later than the date each payment of principal of or interest on the Bonds becomes due, the City shall transmit sufficient funds, from the Bond Fund or from other legally available sources, to the Bond Registrar for the payment of such principal or interest. Money in the Bond Fund may be invested in legal investments for City funds.

(b) *Pledge of Full Faith and Credit.* The City hereby irrevocably covenants and agrees for as long as the Bonds are outstanding and unpaid that each year it will include in its budget and levy an *ad valorem* tax upon all the property within the City subject to taxation in an amount that will be sufficient, together with other revenues and money of the City legally available for such purposes, to pay the principal of and interest on the Bonds when due.

The City hereby irrevocably pledges that the annual tax provided for herein to be levied for the payment of such principal and interest shall be within and as a part of the tax levy permitted to cities without a vote of the people, and that a sufficient portion of each annual levy

to be levied and collected by the City prior to the full payment of the principal of and interest on the Bonds will be and is hereby irrevocably set aside, pledged and appropriated for the payment of the principal of and interest on the Bonds. The full faith, credit and resources of the City are hereby irrevocably pledged for the annual levy and collection of said taxes and for the prompt payment of the principal of and interest on the Bonds when due.

(c) *Pledge of REET 1.* The City hereby further pledges the proceeds of REET 1, as necessary, to the series of Bonds or the portion of a series of Bonds allocated to pay costs of the defeasance and/or refunding of all or a portion of the 2010B Bonds, and related costs of issuance.

(d) *Pledge of REET 2.* The City hereby further pledges the proceeds of REET 2, as necessary, to the series of Bonds or the portion of a series of Bonds allocated to pay costs of the defeasance and/or refunding of all or a portion of the 2010D Bonds, and related costs of issuance.

(e) *Pledge of Local Option Sales and Use Tax Revenues.* The City hereby further irrevocably pledges all Local Option Sales and Use Tax Revenues to the series of Bonds or the portion of a series of Bonds allocated to pay costs of the defeasance and/or refunding of all or a portion of the 2010D Bonds allocated to the financing of the LRF Projects, and related costs of issuance. The City further covenants to impose the Local Option Sales and Use Tax, collect the Local Option Sales and Use Tax Revenues under and in accordance with RCW 82.14.505 and RCW 82.14.510, and apply Local Option Sales and Use Tax Revenues to pay debt service on such series of Bonds or the portion of a series of Bonds.

(f) *Multipurpose Bond Issue.* In the event that the Bonds authorized herein are issued as a single series or combined with other limited tax general obligation bonds of the City and sold as a single series, REET 1 and REET 2 and Local Option Sales and Use Tax Revenues shall be pledged to the portion of the combined series of bonds allocable to the defeasance and/or refunding of all or a portion of the 2010B Bonds and the 2010D Bonds, respectively.

Section 10. Sale of Bonds.

(a) *Bond Sale.* The Bonds shall be sold by negotiated public sale to the Underwriter pursuant to the terms of a Bond Purchase Contract. The Council has determined that it would be in the best interest of the City to delegate to each Designated Representative, for a limited time, the authority to select the Refunded Bonds from the Refunding Candidates, to authorize the Bonds to be issued in one or more series, and to approve the final interest rates, maturity dates, redemption terms and principal maturities for each series of Bonds.

(b) *Sale Parameters.* Subject to the terms and conditions set forth in this Section 10, each Designated Representative is hereby authorized to select the Refunded Bonds from the Refunding Candidates, to authorize the Bonds to be issued in one or more series, and to approve the final interest rates, aggregate principal amount, principal maturities, and redemption rights for the Bonds in the manner provided hereafter so long as:

(1) the aggregate principal amount of all Bonds issued under this ordinance does not exceed \$24,000,000,

- (2) the final maturity date for the Bonds is no later than December 1, 2039,
- (3) the aggregate purchase price for the Bonds shall not be less than 95% or more than 140% of the aggregate stated principal amount of the Bonds,
- (4) the true interest cost for the Bonds (in the aggregate) does not exceed 3.00%,
- (5) the Bonds are sold for a price that results in net present value debt service savings over the Refunded Bonds (in the aggregate) of at least 4.0%, as adjusted for the federal subsidy net of the sequestration factor in effect at the time of such sale, and
- (6) the Bonds conform to all other terms of this ordinance.

Subject to the terms and conditions set forth in this section, each Designated Representative is hereby authorized to execute the Bond Purchase Contract on behalf of the City. The signature of one Designated Representative shall be sufficient to bind the City.

Following the execution of the Bond Purchase Contract, a Designated Representative shall provide a report to the Council describing the final terms of the Bonds approved pursuant to the authority delegated in this section. The authority granted to each Designated Representative by this Section 10 shall expire 180 days after the effective date of this ordinance. If a Bond Purchase Contract for the Bonds has not been executed within 180 days after the effective date of this ordinance, the authorization for the issuance of the Bonds shall be rescinded, and the Bonds shall not be issued nor their sale approved unless such Bonds are re-authorized by ordinance of the Council. The ordinance re-authorizing the issuance and sale of such Bonds may be in the form of a new ordinance repealing this ordinance in whole or in part or may be in the form of an amendatory ordinance approving a Bond Purchase Contract or establishing terms and conditions for the authority delegated under this Section 10.

(c) *Delivery of Bonds; Documentation.* Upon the passage and approval of this ordinance, the proper officials of the City, including the Designated Representatives, are authorized and directed to undertake all action necessary for the prompt execution and delivery of the Bonds to the Underwriter and further to execute all closing certificates and documents required to effect the closing and delivery of the Bonds in accordance with the terms of the Bond Purchase Contract. Such documents may include, but are not limited to, documents related to a municipal bond insurance policy delivered by an insurer to insure the payment when due of the principal of and interest on all or a portion of the Bonds as provided therein, if such insurance is determined by a Designated Representative to be in the best interest of the City.

(d) *Preliminary and Final Official Statements.* The Finance Director is hereby authorized to ratify and to deem final the preliminary Official Statement relating to the Bonds for the purposes of the Rule. The Finance Director is further authorized to ratify and to approve for purposes of the Rule, on behalf of the City, the final Official Statement relating to the issuance and sale of the Bonds and the distribution of the final Official Statement pursuant thereto with such changes, if any, as may be deemed to be appropriate.

Section 11. Undertaking to Provide Ongoing Disclosure. The City covenants to execute and deliver at the time of Closing a Continuing Disclosure Certificate consistent with the Rule. Each Designated Representative is hereby authorized to execute and deliver a Continuing Disclosure Certificate upon the issuance, delivery and sale of the Bonds with such terms and provisions as such officer shall deem appropriate and in the best interest of the City.

Section 12. Defeasance. In the event that money and/or noncallable Government Obligations, maturing at such time or times and bearing interest to be earned thereon in amounts (together with such money, if necessary) sufficient to redeem and retire part or all of the Bonds in accordance with their terms, are set aside in a special account of the City to effect such redemption and retirement, and such money and the principal of and interest on such Government Obligations are irrevocably set aside and pledged for such purpose, then no further payments need be made into the Bond Fund for the payment of the principal of and interest on the Bonds so provided for, and such Bonds shall cease to be entitled to any lien, benefit or security of this ordinance except the right to receive the money so set aside and pledged, and such Bonds shall be deemed not to be outstanding hereunder. The City shall give or cause to be given written notice of defeasance in accordance with the Continuing Disclosure Certificate.

Section 13. Lost, Stolen or Destroyed Bonds. In case any Bond or Bonds shall be lost, stolen or destroyed the Bond Registrar may execute and deliver a new Bond or Bonds of like series, date, number and tenor to the Registered Owner thereof upon the Registered Owner's paying the expenses and charges of the City and the Bond Registrar in connection therewith and upon his/her filing and the City evidence satisfactory to the City that such Bond was actually lost, stolen or destroyed and of his/her ownership thereof, upon furnishing the City and/or the Bond Registrar with indemnity satisfactory to the City and the Bond Registrar.

Section 14. Severability; Ratification. If any one or more of the covenants or agreements provided in this ordinance to be performed on the part of the City shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements, shall be null and void and shall be deemed separable from the remaining covenants and agreements of this ordinance and shall in no way affect the validity of the other provisions of this ordinance or of the Bonds. All acts taken pursuant to the authority granted in this ordinance but prior to its effective date are hereby ratified and confirmed.

Section 15. Corrections by Clerk. Upon approval of the City Attorney and Bond Counsel, the City Clerk is hereby authorized to make necessary corrections to this ordinance, including but not limited to the correction of clerical errors; references to other local, state or federal laws, codes, rules or regulations; ordinance numbering and section/subsection numbering; and other similar necessary corrections.

Section 16. Effective Date of Ordinance. This ordinance will become effective five days from and after its passage, approval and publication.

PASSED by the City Council of the City of Auburn, Washington, at a regular meeting of the City Council held on September 21, 2020.

FIRST READING: _____
SECOND READING: _____
PASSED: _____
APPROVED: _____

CITY OF AUBURN, WASHINGTON

Nancy Backus, Mayor

ATTEST:

Shawn Campbell, City Clerk

APPROVED AS TO FORM:

Pacifica Law Group LLP, Bond Counsel

EXHIBIT A

FORM OF BOND

[DTC LANGUAGE]

UNITED STATES OF AMERICA

NO. _____

\$ _____

STATE OF WASHINGTON

CITY OF AUBURN

LIMITED TAX GENERAL OBLIGATION REFUNDING BOND, 2020[___]

INTEREST RATE: % MATURITY DATE: CUSIP NO.:
REGISTERED OWNER: CEDE & Co.
PRINCIPAL AMOUNT: _____ NO/100 DOLLARS

The City of Auburn, Washington (the “City”), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns, on the Maturity Date identified above, the Principal Amount indicated above and to pay interest thereon from _____, 20__, or the most recent date to which interest has been paid or duly provided for until payment of this bond at the Interest Rate set forth above, payable on _____ 1, 20__, and semiannually thereafter on the first days of each succeeding _____ and _____. Both principal of and interest on this bond are payable in lawful money of the United States of America. The fiscal agent of the State of Washington has been appointed by the City as the authenticating agent, paying agent and registrar for the bonds of this issue (the “Bond Registrar”). For so long as the bonds of this issue are held in fully immobilized form, payments of principal thereof and interest thereon shall be made as provided in accordance with the operational arrangements of The Depository Trust Company (“DTC”) referred to in the Blanket Issuer Letter of Representations (the “Letter of Representations”) from the City to DTC.

The bonds of this issue are issued under and in accordance with the provisions of the Constitution and applicable statutes of the State of Washington and Ordinance No. _____ duly passed by the City Council on _____, 2020 (the “Bond Ordinance”). Capitalized terms used in this bond have the meanings given such terms in the Bond Ordinance.

This bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Ordinance until the Certificate of Authentication hereon shall have been manually signed by or on behalf of the Bond Registrar or its duly designated agent.

This bond is one of an authorized issue of bonds of like series, date, tenor, rate of interest and date of maturity, except as to number and amount in the aggregate principal amount of \$ _____ and is issued pursuant to the Bond Ordinance to provide a portion of the funds necessary (a) to defease and refund certain limited tax general obligation bonds of the City, and (b) to pay costs of issuance and costs related to the administration of the refunding. [Simultaneously with the issuance of this bond, the City is also issuing its Limited Tax General

Obligation Refunding Bonds, 2020[] pursuant to the Bond Ordinance to defease and refund certain limited tax general obligation bonds of the City.]

The City hereby irrevocably covenants and agrees with the owner of this bond that it will include in its annual budget and levy taxes annually, within and as a part of the tax levy permitted to the City without a vote of the electorate, upon all the property subject to taxation in amounts sufficient, together with other money legally available therefor, to pay the principal of and interest on this bond as the same shall become due on and after such date. The full faith, credit and resources of the City are hereby irrevocably pledged for the annual levy and collection of such taxes and the prompt payment of such principal and interest.

[The City has further irrevocably pledged all Local Option Sales and Use Tax Revenues to the portion of the bonds of this issue allocable to refinancing the LRF Projects. The City further covenanted to impose the Local Option Sales and Use Tax, collect the Local Option Sales and Use Tax Revenues under and in accordance with RCW 82.14.505 and RCW 82.14.510, and apply Local Option Sales and Use Tax Revenues to pay debt service on the portion of the bonds of this issue allocable to refinance the LRF Projects.

[The City has further irrevocably pledged certain real estate excise taxes to pay the principal of and interest on this bond.]

The pledge of tax levies for payment of principal of and interest on the bonds may be discharged prior to maturity of the bonds by making provision for the payment thereof on the terms and conditions set forth in the Bond Ordinance.

It is hereby certified that all acts, conditions and things required by the Constitution and statutes of the State of Washington to exist and to have happened, been done and performed precedent to and in the issuance of this bond exist and have happened, been done and performed and that the issuance of this bond and the bonds of this issue does not violate any constitutional, statutory or other limitation upon the amount of bonded indebtedness that the City may incur.

IN WITNESS WHEREOF, the City of Auburn, Washington, has caused this bond to be executed by the manual or facsimile signatures of the Mayor and the City Clerk and the seal of the City imprinted, impressed or otherwise reproduced hereon as of this ____ day of _____, 2020.

[SEAL]

CITY OF AUBURN, WASHINGTON

By _____/s/_____
Mayor

ATTEST:

_____/s/_____
City Clerk

The Bond Registrar's Certificate of Authentication on the Bonds shall be in substantially the following form:

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned Bond Ordinance and is of the Limited Tax General Obligation Refunding Bonds, 2020[___], of the City of Auburn, Washington, dated _____, 2020.

WASHINGTON STATE FISCAL AGENT, as
Bond Registrar

By _____

CERTIFICATE

I, the undersigned, City Clerk of the City of Auburn, Washington, DO HEREBY CERTIFY:

1. That the attached is a true and correct copy of Ordinance No. ____ (the “Ordinance”) of the City, duly passed at a regular meeting of the City Council (the “Council”) of the City held on September 21, 2020.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, including but not limited to Washington State Governor Inslee’s emergency proclamation No. 20-28 issued on March 24, 2020, as amended and supplemented, temporarily suspending portions of the Open Public Meetings Act (chapter 42.30 RCW), due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the passage of said Ordinance; that all other requirements and proceedings incident to the proper passage of said Ordinance have been fully fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of September, 2020.

City Clerk



AGENDA BILL APPROVAL FORM

Agenda Subject:

Auburn Arts and Culture Center Update (Faber)(30 Minutes)

Date:

September 9, 2020

Department:

Parks/Art and Recreation

Attachments:

[City Presentation of Art Center](#)

[Presentation by Johnston Arch](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For discussion only.

Background Summary:

The City of Auburn purchased the Historic Auburn Post Office in 2016. Since that date the City has been seeking funds as well as developing the design concepts to convert the building into a venue for arts and culture as well as downtown event venue. Johnston Architects will present on the renovation plans.

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

Faber

Meeting Date: September 14, 2020

Item Number:



City of Auburn Arts & Culture Center September 14, 2020 – Study Session Presentation

Project Timeline

Phase One (Main Floor) Project Timeline:

- Building Purchase (August 2016); 8,000 sq. ft.
- Fundraising and grant writing efforts (ongoing)
- Community Outreach & Input (September-November 2016)
- Initial Design Schematics and Overall Cost Estimates (December 2016)
- Historic Window Restoration (2018)
- Interior Demolition (Jan-March 2019)
Grant funds were expiring, project needed to move forward
- Final Design Documents, Bidding, Contract Award (December 2020)
- Under Construction Phase One Renovations (Spring 2021)
- Phase One Grand opening (End of 2021)
- Phase Two Renovations (2022-2023)



Phase One Renovations

- Main Floor Renovations
 - Lobby & gathering area
 - Gallery spaces
 - Classroom spaces
 - Visiting Artist Studio
 - Café/Concession
 - Bathrooms
- Roof & Cupola
- Building-wide systems



Johnston Architecture Rendering

Project Grants Secured

4Culture Building for Culture: 2016-2019 <i>Schematic designs, irrigation & phase 1 interior demolition</i>	\$200,000
4Culture Preservation Special Projects: 2017-2018 <i>Architectural Services - Planning Design</i>	\$10,000
4Culture Landmarks Capital: 2017-2018 <i>Historic Window Restoration</i>	\$10,000
4Culture Arts Facilities Grant: 2017	\$90,000
Multicare Grant	\$15,000
4Culture Building for Equity Arts Facilities Grant: 2019	\$50,000
State of Washington Dept. of Commerce: 2019	\$490,000
4Culture Landmarks Capital: 2019 <i>Wood Floor and Terrazzo flooring rehabilitation</i>	\$23,000
4Culture Preservation Emergency and Unforeseen: 2020 <i>Cupola Rehabilitation</i>	\$10,000
Total Project Grants To Date	\$898,000

***Grant Applications pending**

September 2020 Grant Application

4Culture Landmarks Capital: 2021 for Roof Replacement: \$30,000 request



Auburn Arts & Culture Center – 2019 Demo

BEFORE



AFTER



Auburn Arts & Culture Center – 2019 Demo

COVERED



DISCOVERED



Auburn Arts & Culture Center – 2019 Demo

WOOD FLOOR



TERRAZZO



4Culture Landmarks Capital Grant of \$23,000 will help fund flooring rehabilitation

Auburn Arts & Culture Center – 2019 Demo

DARK



NATURAL LIGHT



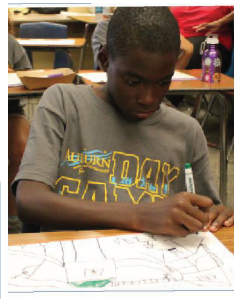
Programming Plan

Public Programming and Studio Space

- Cultural and educational classes and workshops for all ages (visual, literary, and performing arts)
- Lectures and Artist Talks
- Small Scale Performances
- Holiday Art & Craft Market
- After-school arts classes and programs
- Art and Wine/Beer Pairing Classes for adults

Visiting Artist Studio

- Artist in a featured studio with a strong emphasis on collaboration and interaction with the community



Organizational Partnerships

- Support of local arts organizations through strategic partnerships, shared programming and potential for accommodating office use in the building

Rentals

- Space available for special events, weddings, birthdays, parties and small performances



Programming Plan

Gift Shop/Store

- A portion of the lobby area will be a small gift shop selling artisan arts and craft items

Gallery Exhibitions

- Rotating exhibits & The Vault site-specific exhibition space

Food/Beverage Opportunities

- Small food, coffee, and catering space equipped to provide food and beverages on a to be determined basis for events, rentals, and operational needs

Support for Auburn Avenue Theater

- Extra rehearsal space, potential backstage facilities for shows, pre/post performance gathering space

Arts Alley Connection

- Artistically-treated features to create a dynamic community gathering place in the alley between the Arts & Culture Center and the Auburn Avenue Theater



***Johnston Architects
Presentation***



AUBURN ARTS & CULTURE CENTER

100% DESIGN DEVELOPEMENT
07.28.2020

JUXTAPOSITIONS

A PLACE OF HISTORY, A CONTINUANCE OF COMMUNITY, A VISION FOR THE FUTURE



HISTORICAL

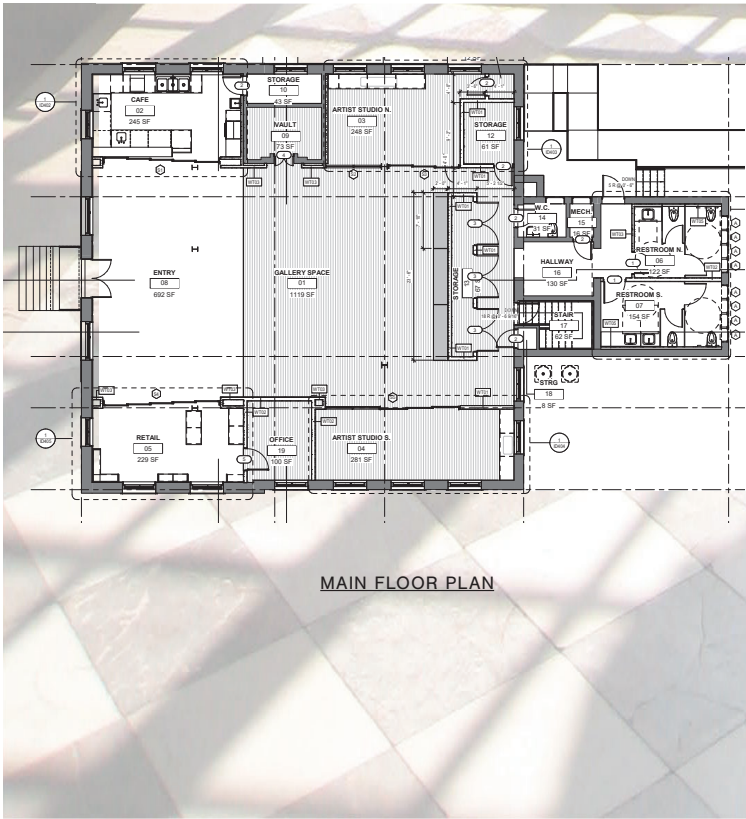


TIMELESS



MODERN

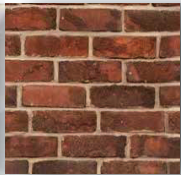
JA INTERIOR FINISH MATERIAL PALETTE



AUBURN ARTS & CULTURE CENTER



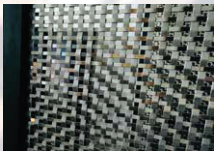
ORIGINAL WOOD CEILING



EXPOSED BRICK



SIMPLE PENDANT LIGHTS



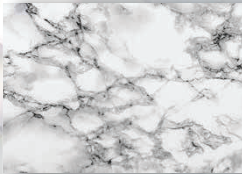
METAL MESH DETAILS



RESTORED GLOSS CEILING



METAL & GLASS WALLS



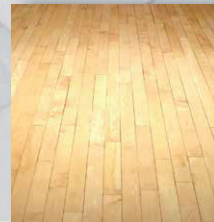
ORIGINAL MARBLE WAINSCOT



WOOD CASEWORK



CLASSIC SUBWAY TILE



ORIGINAL WOOD FLOOR



ORIGINAL TERRAZZO FLOOR



CLASSIC HEX TILE

IMAGINATIONS



HISTORIC



TIMELESS



MODERN

JA RECEPTION, RETAIL & CAFE CONCEPTS



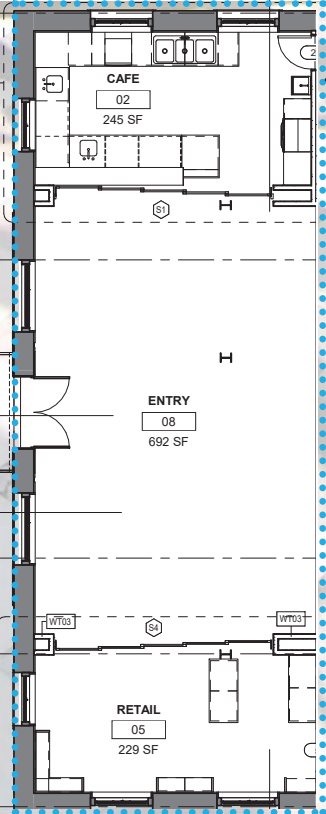
RECEPTION

SECURITY GATE (OPTION)

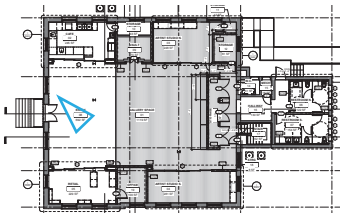
CAFE



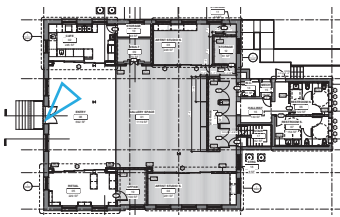
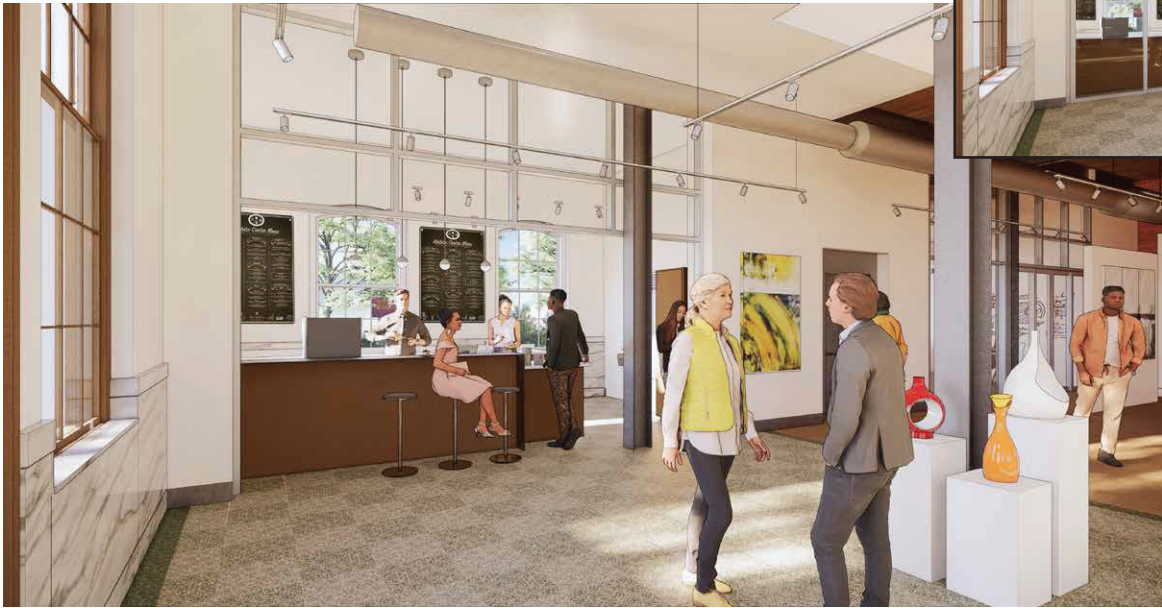
FLEXIBLE RETAIL



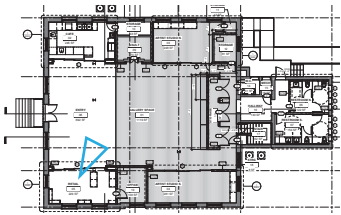
LOCATION IN FLOOR PLAN



JA CAFE RENDERING



JA ENTRY FROM RETAIL



JA MAIN GALLERY CONCEPTS



GALLERY



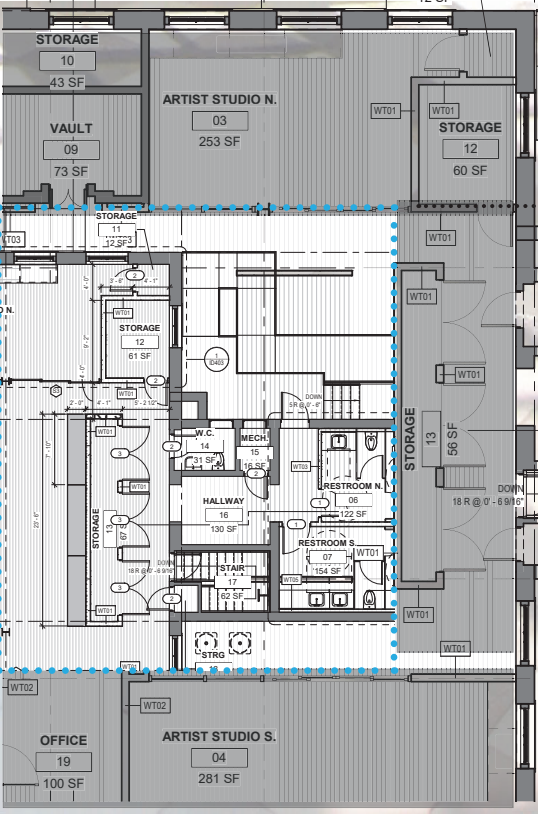
FLEXIBLE WALLS



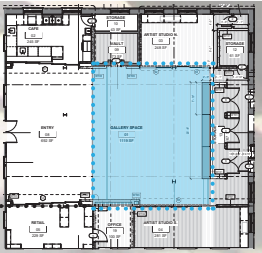
EVENTS



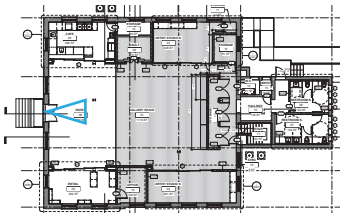
FLEXIBLE SPACES



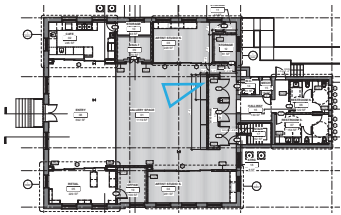
LOCATION IN FLOOR PLAN



JA MAIN GALLERY @ ENTRY RENDERING



JA MAIN GALLERY RENDERING



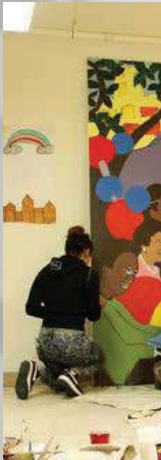
JA ARTIST STUDIO CONCEPTS



ARTIST IN RESIDENCE



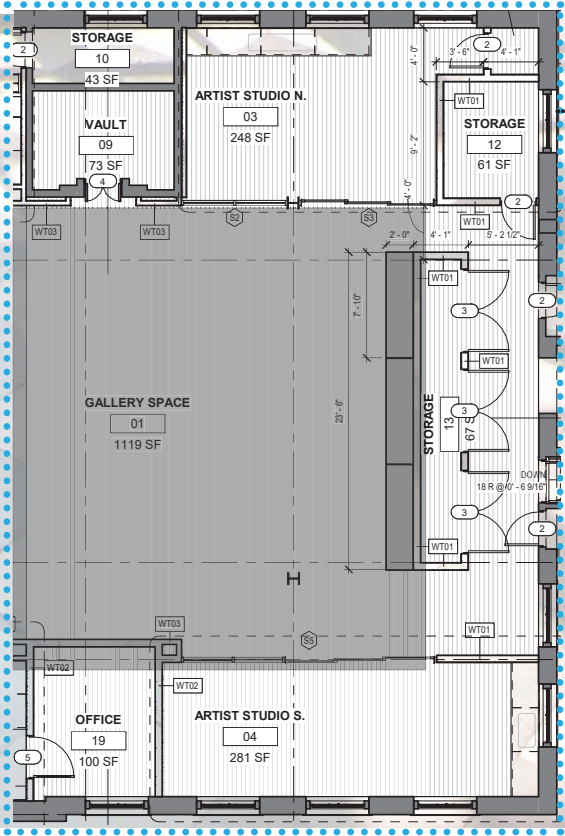
STUDIO ENCLOSURE



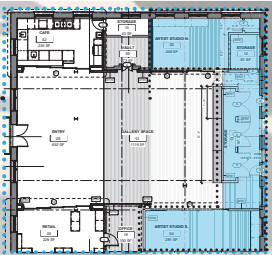
COMMUNITY ARTS



TRANSLUSCENT WALLS

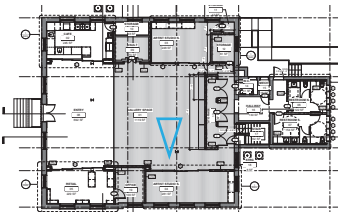


LOCATION IN FLOOR PLAN



AUBURN ARTS & CULTURE CENTER

JA STUDIO VIEW FROM GALLERY RENDERING



JA RESTROOM ELEVATION RENDERINGS



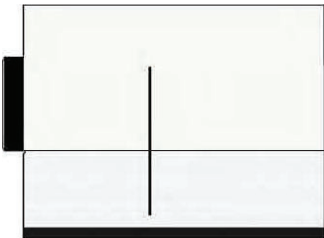
WEST ELEVATION



NORTH ELEVATION



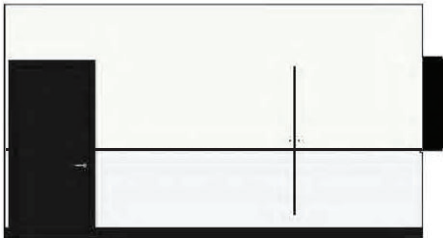
EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



AGENDA BILL APPROVAL FORM

Agenda Subject:

Livable Cities Alleyway Project Update (Faber)(10 Minutes)

Date:

September 9, 2020

Department:

Parks/Art and Recreation

Attachments:

[Alleyway Presentation](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For discussion only.

Background Summary:

Update on UW Livable Cities City of Auburn partnership on Auburn Alleyway project. Numerous grants have been secured and partners located to initiate the renovation of the alleyway located between the Auburn Avenue Theater and the Auburn Arts and Culture Center. The goal is to create a "trifecta" of awesome spaces that allow the arts and events to flourish in the downtown.

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

Faber

Meeting Date: September 14, 2020

Item Number:

Auburn Arts Alley

GOAL:

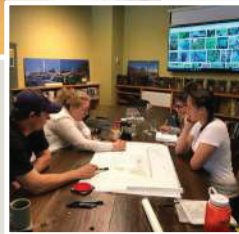
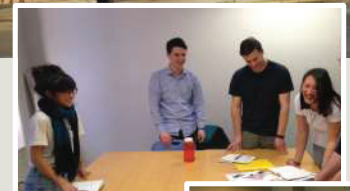
Transform the underutilized alley, between the Auburn Avenue Theater and the future Arts & Culture Center, into a space for creativity, vibrancy, and cultural connectivity.

INITIAL VISION:

A UW Livable Cities project created the initial vision for the Auburn Arts Alley. The vision was created by landscape architect students Allison Ong, Sylvia Janicki, and Jack Alderman. Their initial alleyway redesign plans noted project cost estimates at over \$500,000.

COLLABORATIVE PLAN:

The initial designs acted as a springboard for a successful \$20,000 grant award through 4Culture's Creative Consultancy program. A subsequent \$23,000 grant award from 4Culture was awarded for a second phase of the project. City funding for the project was budgeted using Local Revitalization Funds and funding from Community Development.



*UW Livable Cities
Landscape Architect
Students:
Sylvia Janicki
Allison Ong
Jack Alderman*



UW Livable Cities Vision...

A rendering of the initial Livable Cities design for Auburn Arts Alley with custom-fabricated benches, artistically altered pavers with poetry from local artists, daytime and evening activations with events and programming and food trucks.

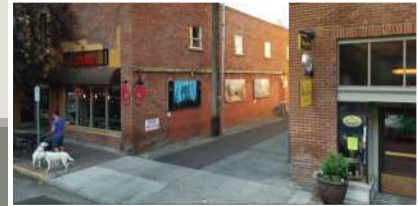


UW Livable Cities Vision...

A rendering of the initial Livable Cities design included a low stage or raised platform around the rear of the Arts & Culture Center to provide a place for performances and a raised seating area to accommodate other activities.

4Culture Creative Consultancy – \$20,000 grant award

- 4Culture program that matches Local Arts Agencies with artists for creative projects.
- City was matched with talented local artist **Kathleen Fruge Brown** to submit a formal proposal for grant consideration.
 - An outreach effort was launched to gather community input for the project. From a community-shared Pinterest idea board, to a widely-distributed email survey, and in-person stakeholder meetings, the public input process helped define and refine the project goals.
 - Lighting, seating, public art, as well as space for temporary or ‘rotating’ art and performances were items the public wanted as part of the project
 - Above all, the community conversations revealed a hunger for more visual expressions of diversity—to see their own culture and history embodied in the public space.
- Formal grant application submitted and City selected to receive a **\$20,000 grant** to move forward with the project.



Community Visioning

Overhead lighting; murals or large artworks on the theater wall; painted asphalt; interesting seating and tables

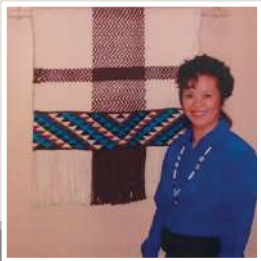


Fruge Brown Initial Rendering

Bench seating, mosaic inlaid tiles, stage surround, recessed text in seating

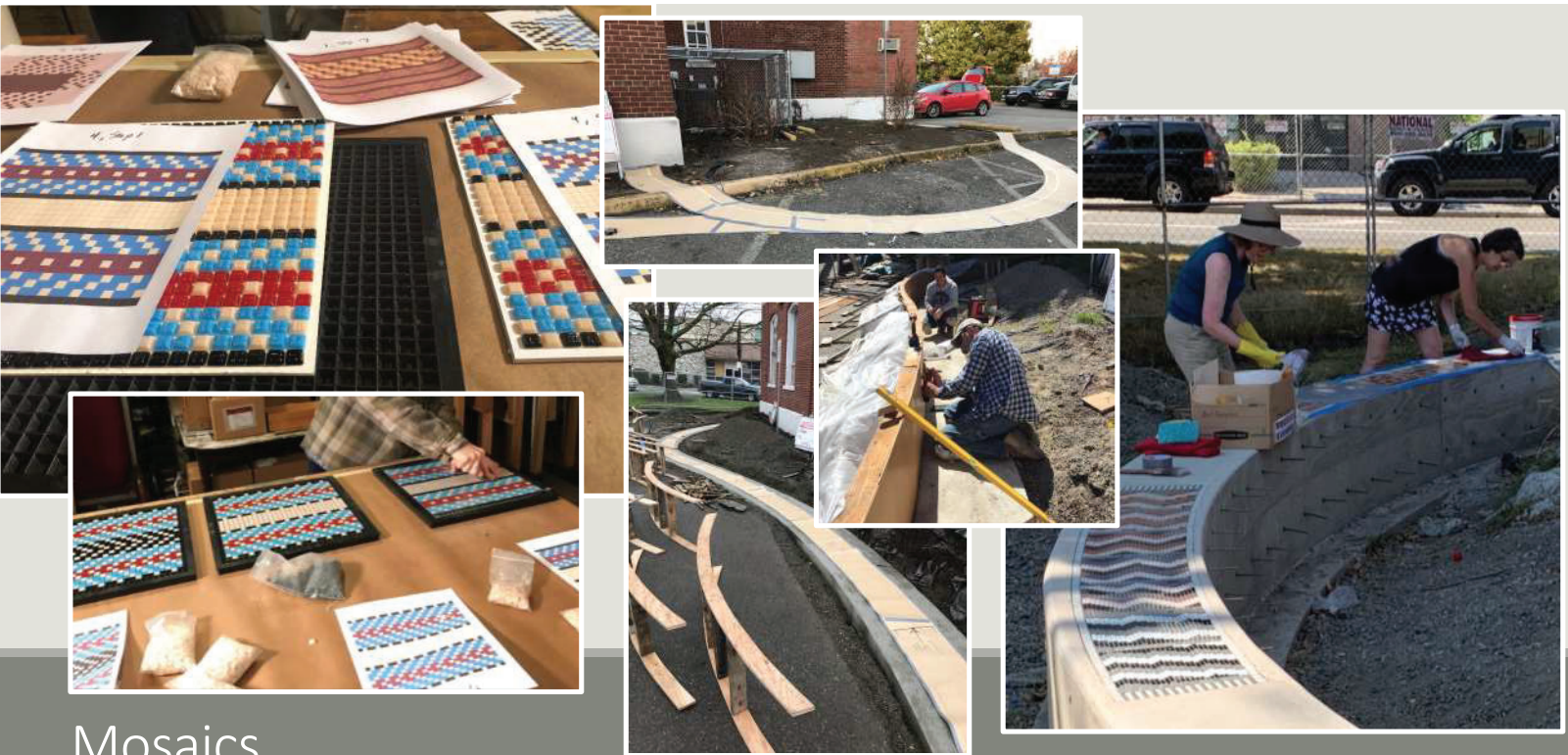
Community Collaboration

- Fruge Brown connected with the Muckleshoot Tribe to gain inspiration for the project elements.
- The series of mosaics, that are inlaid into the concrete bench, are based on traditional and contemporary weaving designs, with many of the original designs made by talented artistic collaborator Gail White Eagle, of the Muckleshoot Indian Tribe, as well as other Coast Salish weaving and basketry designs.
- The concrete bench has cast text of the Muckleshoot motto, “I am alive and strong” translated from *bəqəlšuʔucid* into ten other languages most commonly spoken in the Auburn community.
- Fruge Brown has also designed overhead lighting, with figures for the lighting created by the community during AuburnFest in 2019; the designs are intended to be lasercut in the MakerSpace with community member participation.



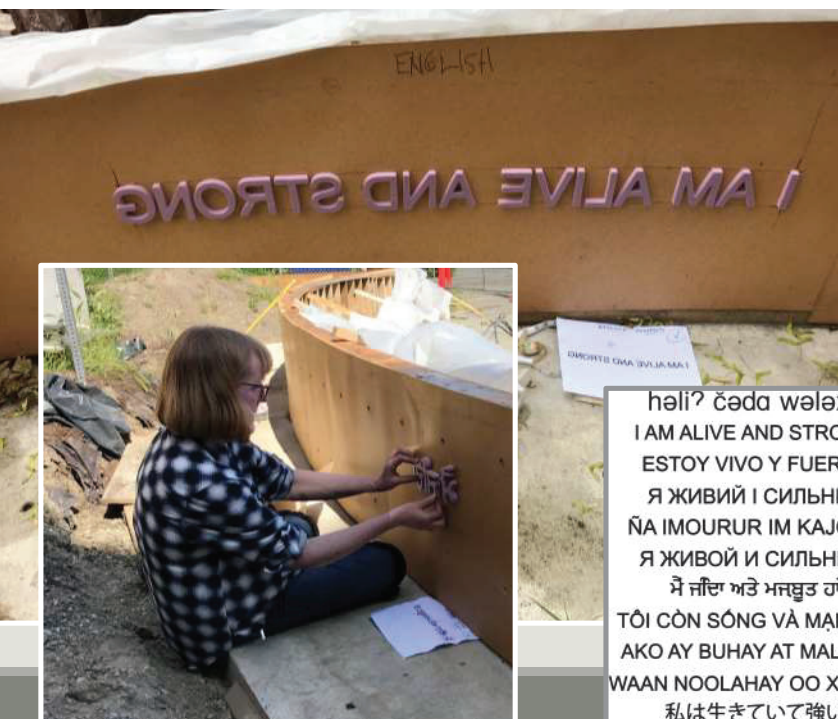
Creating an inclusive and artistically multi-faceted space

The series of mosaics, inlaid into the concrete bench, are based on traditional and contemporary weaving designs, with many of the original designs made by talented artistic collaborator Gail White Eagle, of the Muckleshoot Indian Tribe, as well as other Coast Salish weaving and basketry designs.

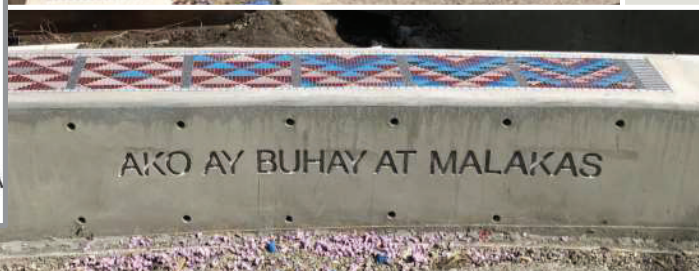


Mosaics

Fruge-Brown's series of mosaics, inlaid into the concrete bench, are based on traditional and contemporary weaving designs, with many of the original designs made by talented artistic collaborator Gail White Eagle, of the Muckleshoot Indian Tribe, as well as other Coast Salish weaving and basketry designs.



həliʔ čəda wələxʷ
 I AM ALIVE AND STRONG
 ESTOY VIVO Y FUERTE
 Я ЖИВИЙ I СИЛЬНИЙ
 ÑA IMOURUR IM KAJOOR
 Я ЖИВОЙ И СИЛЬНЫЙ
 ਮੈ ਜੀਵਾ ਅਤੇ ਮਜ਼ਬੂਤ ਹਾਂ
 TÔI CÒN SỐNG VÀ MẠNH MỀ
 AKO AY BUHAY AT MALAKAS
 WAAN NOOLAHAY OO XOOGAA
 私は生きていて強い



“I am alive and strong”

Inset text into the seating wall based on Muckleshoot tribe language and translated into ten other languages most commonly spoken in the Auburn community.



Mosaics & “I am alive and strong”

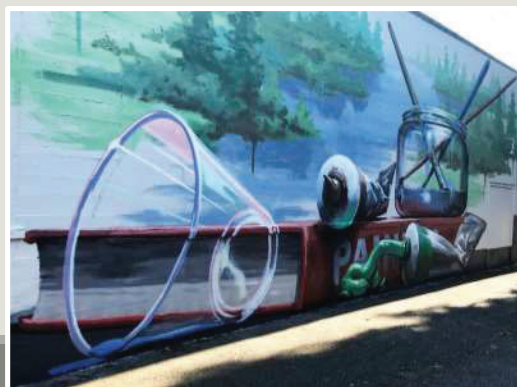




BONUS! Auburn Avenue Theater gets a new paint color – matched to background of new mural

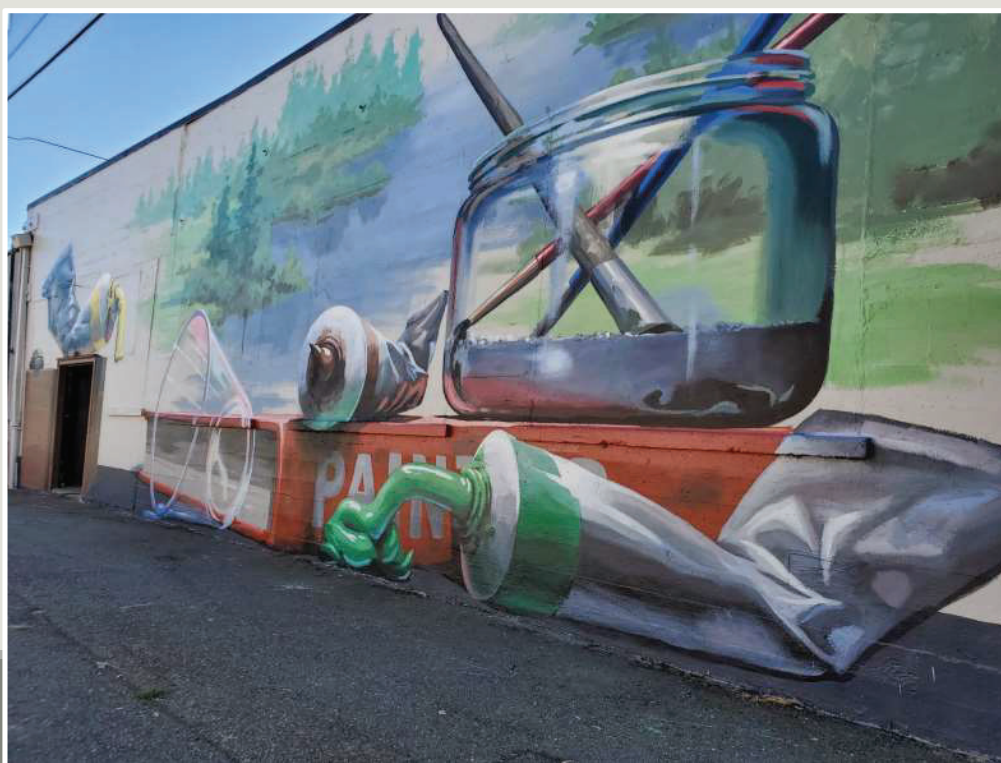


artist **Will Schlough** final rendering of Alleyway Mural



Additional art in the Alley - Mural

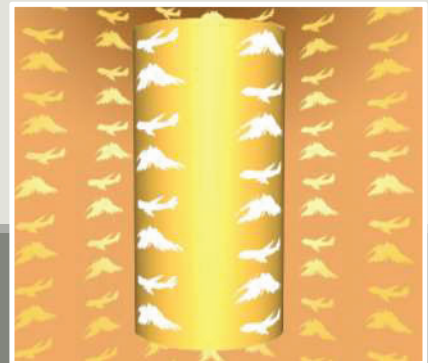
A dynamic wall mural has been designed and painted by talented public artist **Will Schlough**. The mural will also feature painting on the alleyway surfacing, once the overlay is completed.



Mural – Auburn Arts Alleyway

Still to come....

- Stage and ramp to stage to be completed; railing on stage and ramp to be installed
- Skateboard deterrents to be installed on concrete wall
- Alleyway power pole removed and power relocated to another pole
- Alleyway asphalt overlay
- Mural completion, with paint features flowing onto the asphalt from the side of the theater wall
- Overhead lighting, featuring acrylic lighting shades
- 4Culture Creative Consultancy Phase 2 – Muckleshoot Welcome Figures

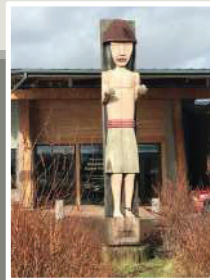


Upcoming Alleyway Elements

4Culture Creative Consultancy – Phase 2

Muckleshoot Welcome Figures - \$23,000 Grant Award

- In conjunction with the Muckleshoot Tribe Culture Division and Kathleen Fruge Brown, the City will collaborate on a more artistically robust expression of the Muckleshoot culture and history, including a one-of-a-kind carved welcome figure and land acknowledgement plaque in the Auburn Arts Alley.
- Fruge Brown will liaison with **Muckleshoot Tribe Cultural Director Willard Bill Jr.** and traditional carvers **Keith Stevenson** and **Tyson Simmons** to produce a sculpture that will bring an iconic symbol of the Muckleshoot culture into the heart of downtown Auburn.
- The tribe welcomes this opportunity and has offered a generous in-kind donation of the carvers' time and skill. The grant will help fund the purchase of the old-growth red cedar required for the carving.



Welcome Figures

Future Auburn Arts Alley Activation

- Activation of the space through arts and cultural events, musical or theater performances and pop-up experiences will seek to bring life into a once forgotten alley, and engage the community in a creative gathering space!
- Community partners will be encouraged to create collaborative programming as well, allowing the site to truly become a place for the community and activated with the community.





AGENDA BILL APPROVAL FORM

Agenda Subject:

Smoke Free Parks Update (Faber)(15 Minutes)

Department:

Parks/Art and Recreation

Attachments:

[Smoke Free Presentation](#)

Date:

September 9, 2020

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For discussion only.

Background Summary:

In 2019 the Blue Ribbon Task Force and the Auburn Park Board recommended making the Auburn Parks system tobacco free. City Council approved of the recommendation on November 2. The Smoke Free Ordinance took effect on May 4, 2020. Staff has initiated Marketing/Signage and the Internal Processes to make this effort successful for our communities health.

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

Faber

Meeting Date: September 14, 2020

Item Number:



BREATHE EASY
SMOKE, VAPE & TOBACCO FREE PARKS

CITY OF AUBURN
TOBACCO/SMOKE FREE PARKS

STUDY SESSION | SEPTEMBER 14, 2020



BREATHE EASY

SMOKE, VAPE & TOBACCO FREE PARKS

TOBACCO/SMOKE-FREE PARKS TIMELINE

Blue Ribbon Task Force
Recommendation - 2019

Auburn City Council Ordinance
Approval - November 2, 2019

Ordinance Took Effect – May 4, 2020

Marketing/Signage/Internal Processes
Updated – April 2020 – Ongoing Effort



BREATHE EASY

SMOKE, VAPE & TOBACCO FREE PARKS

AUBURN CITY CODE CHAPTER 2.22

2.22.085 Smoking, vaping and tobacco use.

- A. *In or on any park that is not a golf course, it is unlawful for any person to use tobacco products, to smoke, to vape, or to hold a smoking or vaping product that is lit or producing smoke. This prohibition includes both non-combustible products, like ecigarettes or other vaping devices that produce smoke or vapor, and dipping tobacco, chewing tobacco, snuff, or snus; and combustible products, like paper cigarettes, cigarillos, and cigars, pipes, and hookahs. If the product emits smoke, or vapor, or contains tobacco, it is prohibited.*
- B. *Violation of this section constitutes a class 3 civil infraction pursuant to 7.80 RCW*



BREATHE EASY

SMOKE, VAPE & TOBACCO FREE PARKS

PARK CHANGES

- ❑ Removal of within-park cigarette receptacles (where applicable.)
- ❑ Create stickers for current Park Rules Signs and For Our Kids Sake—Tobacco Free Parks with new information and Code references.



AUBURN PARK RULES

- PARK HOURS:** The park is open ½ hour before sunrise and closes ½ hour after sunset.ACC 2.22.220
- PERMITS:** Permits are required for all organized public gatherings and the selling of food, merchandise, or services.ACC 2.22.040; 2.22.050; 2.22.090
- NOISE:** Use of PA systems or other sound amplifying devices must be approved by specific permit. Noise beyond 50 feet may result in a fine up to \$500.ACC 8.28.010; 2.22.040; 2.22.050
- VEHICLES:** Vehicular traffic, including bicycles and skateboards, are restricted to roads and/or trails specifically designated for their use.ACC 2.22.200
- SMOKING, TOBACCO, VAPING, DRUGS & LIQUOR:** Use of any tobacco or vaping product; display, possession, or consumption of drugs and/or intoxicating liquors in any park is prohibited.ACC 2.22.085; 2.22.080; RCW 69.51A.060.1
- OVERNIGHT USE:** Camping in any park is prohibited unless designated campsite at Game Farm Wilderness Campground.ACC 2.22.210
- LITTER/DESTRUCTION OF PROPERTY:** It is unlawful to litter or damage or destroy any real or personal property within a park. Cutting, removing, or destruction of any turf, plant, shrub, tree, or flower is prohibited.ACC 2.22.070; 2.22.100; 2.22.110; 2.22.140
- FIREWORKS:** It is unlawful to possess, shoot, fire, or explode any fireworks or explosives in any park.ACC 2.22.190; ACC 8.24.010
- ANIMALS:** Dogs and cats must be on a leash unless in a designated off-leash area. You must clean-up after your pet. Feeding or disturbing any bird or animal in the park is prohibited. (Animal Control: 253-931-3062 or 911)ACC 2.22.120; ACC 2.22.130; ACC 6.02.132
- OTHER EQUIPMENT:** It is unlawful to golf, use motorized model aircraft, air guns, or other similar implements.ACC 2.22.180
- FIRES:** Fires are allowed only in park-installed or portable barbecues or by special permit.ACC 2.22.170

Any violation of a park rule, the Auburn City Code, or the revised Code of Washington can result in your exclusion from the park system as well as fines up to \$500. For a list of Auburn City Codes, visit the City Clerk's Office or find them online at www.auburnwa.gov.

Auburn Police Department:
Emergency 911 | Non-emergency 253-288-2121

City of Auburn Parks, Arts & Recreation
www.auburnwa.gov/parks | 253-931-3043

AUBURN
MORE THAN YOU IMAGINED



BREATHE EASY

SMOKE, VAPE & TOBACCO FREE PARKS

NEW SMOKE-FREE PARK SIGNAGE

- ❑ Specific stand-alone Smoke-Free Parks signage being installed as time permits at all park locations - placement will targeting high use locations within a park:
 - *Fencing around playgrounds & athletic fields*
 - *Backstops*
 - *Dugouts*
 - *Picnic shelters*
 - *Restrooms*
 - *Concession stands*
 - *Parking lot entrances*
 - *Trail entrances*
 - *Information/bulletin boards*
 - *Near garbage cans*
 - *Near water fountains*
- ❑ Phased approach to signage. Initial roll out to over sign and educate on the new ordinance and then slowly scale back to a predetermined, appropriate number/locations after one year to avoid sign saturation in parks.



BREATHE EASY

SMOKE, VAPE & TOBACCO FREE PARKS

NEW SMOKE-FREE PARK SIGNAGE

84 new signs (42 of each design)

AUBURN PARKS, ARTS & RECREATION

Breathe Easy!

**Our parks
are smoke,
vape, and
tobacco free**

En nuestros parques está
prohibido fumar, usar
cigarrillos electrónicos o
productos de tabaco.



AUBURN CITY CODE 2.22.085; 2.22.080



Let's get out and play!

AUBURN PARKS, ARTS & RECREATION

Breathe Easy!

**Our parks
are smoke, vape,
and tobacco free**

En nuestros parques está
prohibido fumar, usar
cigarrillos electrónicos o
productos de tabaco.



AUBURN CITY CODE 2.22.085; 2.22.080



**Secured funding to support new signage and
additional social media marketing:**

- *King County Public Health – Tobacco Prevention Coalition- \$2,500*
- *Auburn Prevention Coalition - \$1,700*



BREATHE EASY

SMOKE, VAPE & TOBACCO FREE PARKS

ADDITIONAL COMMUNICATION EFFORTS



Auburn Magazine Spring 2020 Edition



Parks provide safe, welcoming places for all genders, faiths, ethnicities and abilities to enjoy and pursue physical activity, healthy lifestyles and leisure experiences through nature. These positive activities in parks have proven time and again to assist in combating chronic disease, an increased prevalence of sedentary lifestyles, stress and poor nutrition habits. Parks and open spaces contribute to a healthier Auburn community. But smoking and tobacco use in parks do not.

In 2009, the Auburn City Council adopted Resolution 4475 that kicked off the Tobacco Free Parks for Kids education campaign. While that campaign didn't formally prohibit smoking in parks, the campaign produced signage that promoted no smoking around ballfields and playground at several of the City's parks. But advocates for Smoke Free Parks wanted to take it a step further and officially ban smoking from Auburn's Parks. In the fall of 2019, Auburn's Healthy Auburn 2020 Task Force and the City of Auburn Parks Board asked the city council to consider a tobacco/smoke free parks ordinance. The issue wasn't about protecting the rights of smokers, but rather about protecting the rights of everyone to have a smoke free environment while visiting their parks.

After public input and thoughtful consideration, the Auburn City Council agreed with the recommendation in November 2019 and approved a smoke-free parks ordinance that added a section to Auburn City Code Chapter 2.22 related to smoking,

Our parks are smoke, vape, and tobacco free



vaping and tobacco use. Specifically, the new code states: In or on any park that is not a golf course, it is unlawful for any person to use tobacco products, to smoke, to vape, or to hold a smoking or vaping product that is lit or producing smoke. This prohibition includes both non-combustible products, like e-cigarettes or other vaping devices that produce smoke or vapor, and dipping tobacco, chewing tobacco, snuff, or snus; and combustible products, like paper cigarettes, cigarillos, and cigars, pipes, and hookahs. If the product emits smoke, or vapor, or contains tobacco, it is prohibited. Violation of this section constitutes a class 3 misdemeanor infraction pursuant to 7.80 RCW.

The ordinance takes effect in May 2020

Similar to other park conduct expectations such as no alcohol, no littering, leash laws, no fireworks, etc., the primary enforcement tool will be signage to communicate and inform about the park rules. The park rules signs will be updated to include the Smoke Free Parks rule and additional Breathe Easy signs will be added to major gathering areas at the parks such as playgrounds, ballfields and picnic shelters.

Enforcement of the new rule will primarily be a matter of education. Trained park staff will communicate the new rule to park patrons, assisting in educating the public about the Smoke-Free Parks rule. Formal enforcement and any fines will be handled by the Auburn Police Department. The City expects a large percentage of smokers to voluntarily comply with these requests or verbal warnings.

"Auburn is proud to provide healthful and welcoming parks for all residents to enjoy," said Parks, Arts & Recreation Director Daryl Faber. "This new Smoke Free Parks policy follows similar bans in more than 1,000 other cities and jurisdictions nationwide, including our neighboring jurisdictions of Kent, Covington, SeaTac, Burien and Seattle."

The smoking ban is supported by several major organizations, including Public Health – Seattle & King County and the American Heart Association.

According to Public Health Seattle & King County, the top two leading causes of death in the City of Auburn are cancer and heart disease. Nearly 1 in 5 deaths in King County are caused by smoking. Additionally, e-cigarette use among high school students has increased from 4.8% in 2012 to 24.6% in 2018. According to the 2019 National Youth Tobacco Survey, five million youth report having used e-cigarettes in the past 30 days and nearly one million report using them daily.

The American Heart Association supported the Smoke Free Parks policy to protect the public from exposure to secondhand smoke. They note that about half of U.S. children ages 3-11 are exposed to secondhand smoke. Comprehensive smoke free laws significantly reduce secondhand smoke and vapor exposure and a growing body of research has found that exposure to secondhand smoke in outdoor areas can be as harmful as



BREATHE EASY

SMOKE, VAPE & TOBACCO FREE PARKS

INTERNAL CHANGES

- ☐ Forms and Permits updated to denote ACC Chapter 2.22 as needed
- ☐ Volunteer and Contractor notifications
- ☐ Internal policy updates as needed
- ☐ Additional communication efforts as COVID restrictions ease
- ☐ Special event signage as appropriate (*No Smoking In Park signs are featured at the Auburn Int'l Farmers Market each Sunday*)



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5547 (Tate)(20 Minutes)

Date:

September 9, 2020

Department:

Community Development

Attachments:

[Memo - Resolution to approve SKHHP 2020-2021](#)

[Work Plan](#)

[Resolution No. 5547](#)

[SKHHP 2020-2021 Workplan](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For discussion only.

Background Summary:

See attached memo.

Reviewed by Council Committees:

Councilmember: Trout-Manuel

Staff:

Tate

Meeting Date: September 14, 2020

Item Number:

Memorandum



South King Housing and Homelessness Partners

To: Auburn City Council

From: Angela San Filippo, SKHHP Executive Manager

Date: September 14, 2020

RE: Resolution 5547 to adopt South King Housing and Homelessness Partners (SKHHP) 2020-2021 Work Plan

SUMMARY

The South King Housing and Homelessness Partners (SKHHP) 2020-2021 Work Plan is a two-year work plan, subsequent work plans will be developed annually. Consistent with the SKHHP Interlocal Agreement, the SKHHP work plan must be approved by each legislative body and adopted by the SKHHP Executive Board. A draft of the 2020-2021 SKHHP Work Plan was presented to each partner jurisdiction for review and feedback prior to SKHHP Executive Board adoption on July 24, 2020, see attachment to the proposed resolution. Auburn City Council reviewed the draft work plan during the June 8 study session.

BACKGROUND

The 2020-2021 work plan operationalizes the priority action items identified by the Executive Board and staff work group in 2019; incorporates actions necessary to address opportunities created by the 2019 legislative session; and incorporates feedback from partner jurisdictions. The work plan reflects the intention to hire a Program Coordinator and also identifies key allies with goals and activities that align with SKHHP that will augment staff capacity. The work plan is structured into three work areas: governance and administration; policy and planning; and outreach and education.

Governance and administration includes start-up procedures, program-wide management activities, the annual work plan and budget process, and establishing an Advisory Board. Once established, the Advisory Board will provide recommendations to the Executive Board that will help to ensure equitable and informed decision making. The key outcomes for this work area are:

- Functioning and collaborative entity with clear measures of success.
- Implementation that supports equitable outcomes across jurisdictions, community members, and stakeholders.

Policy and Planning includes establishing a SKHHP Housing Capital Fund, inventorying affordable housing vulnerable to market pressures, supporting development of housing action plans, and collaborating to enhance local policies and programs that accelerate access, protect existing housing stock, and provide housing security. The key outcomes for this work area are:

- Pooled local resources dedicated to affordable housing in South King County.
- Increased number of South King County cities with comprehensive housing action plans.
- Number of jurisdictions with new or enhanced legislation or programs to support affordable housing strategies.

Outreach and Education includes representing South King County at local and regional forums, furthering stakeholders' and elected officials understanding of housing options and the range of needs and opportunities, and developing state and federal advocacy priorities. The key outcomes for this work area are:

- South King County is heard, considered, and supported by regional and state stakeholder groups and policy makers.
- Changes in policies, programs, and funding streams that support affordable housing and homelessness programs in South King County.
- Increased interest in South King County from non-profit and for-profit housing developers.

RECOMMENDATION

Approve Resolution No. 5547 adopting the 2020-2021 SKHHP Work Plan. This recommendation is based on the following:

1. The 2020-2021 SKHHP Work Plan is consistent with the Interlocal Agreement between Auburn, Burien, Covington, Des Moines, Federal Way, Normandy Park, Renton, Tukwila, and King County.
2. The 2020-2021 SKHHP Work Plan operationalizes the agreed upon priorities by the SKHHP Executive Board to implement the Interlocal Agreement by acting cooperatively to formulate housing policies and strategies that address housing stability, foster efforts to preserve and provide affordable housing by combining public funding and private-sector resources, and support implementation of other local policies and programs relating to affordable housing.

ATTACHMENT:

1. Resolution 5547

RESOLUTION NO. 5547

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, APPROVING THE SOUTH KING HOUSING AND HOMELESSNESS 2020-2021 WORK PLAN

WHEREAS, on February 19, 2019 the Auburn City Council enacted Resolution 5408 which authorized the Mayor to enter into an Interlocal Agreement (ILA) with 8 other south King County cities and King County to form the South King Housing and Homelessness Partners (SKHHP); and

WHEREAS, pursuant to the Interlocal Agreement, each participating jurisdiction must approve an annual work plan each year to guide the work of SKHHP staff; and

WHEREAS, due to the timing and hiring of SKHHP staff and consistency with the Interlocal Agreement timeline for adopting annual work plans, the 2020 and 2021 annual work plans are included together; and

WHEREAS, the purpose of the annual work plan is to provide management and budget guidance; and implement the overarching SKHHP goals to work together and share resources to increase the available options for South King County residents to access affordable housing and to preserve the existing affordable housing stock; and

WHEREAS, the 2020-2021 work plan includes three major streams of work: governance and administration; policy and planning; and outreach and education; and

WHEREAS, the governance and administration work stream includes program-wide management activities including establishing decision-making protocols and reporting procedures; and convening an advisory board; and

WHEREAS, the policy and planning work stream includes advocating for and establishing a SKHHP affordable housing capital fund; and collaborating with partners to

enhance local policies and programs that accelerate access to affordable housing, protect existing housing stock, and provide housing security; and

WHEREAS, the outreach and education work stream includes representing South King County at all applicable decision tables; and furthering the understanding of the spectrum of affordable housing options and related needs and opportunities; and

WHEREAS, on July 24, 2020 the SKHHP Executive Board adopted Resolution 2020-02 enacting the 2020-2021 Work Plan upon approval by the legislative body of each party.

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

Section 1. City Council adopts the SKHHP 2020-2021 Work Plan as shown in Attachment A.

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

Section 3. This Resolution will take effect and be in full force on passage and signatures.

Dated and Signed: _____

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Doug Ruth, City Attorney

DRAFT

RESOLUTION NO. 2020-02

A RESOLUTION OF THE EXECUTIVE BOARD OF THE SOUTH KING COUNTY HOUSING AND HOMELESSNESS PARTNERS (SKHHP), ADOPTING THE 2020-2021 WORK PLAN

WHEREAS, pursuant to the Interlocal Agreement, the SKHHP Executive Board approves an annual work plan each year to guide the work of SKHHP staff; and

WHEREAS, the purpose of the annual work plan is to provide management and budget guidance; and implement the overarching SKHHP goals to work together and share resources to increase the available options for South King County residents to access affordable housing and to preserve the existing affordable housing stock; and

WHEREAS, due to the timing of hiring SKHHP staff and consistency with the Interlocal Agreement timeline for adopting annual work plans, the 2020 and 2021 annual work plans are included together; and

WHEREAS, the 2020-2021 work plan includes three major streams of work: governance and administration; policy and planning; and education and outreach; and

WHEREAS, the governance and administration work stream includes program-wide management activities including establishing decision-making protocols and reporting procedures; and convening a community advisory board; and

WHEREAS, the policy and planning work stream includes advocating for and establishing a SKHHP affordable housing capital fund; and collaborating with partners to enhance local policies and programs that accelerate access to affordable housing, protect existing housing stock, and provide housing security; and

WHEREAS, the outreach and education work stream includes representing South King County at all applicable decision tables; and furthering the understanding of the spectrum of affordable housing options and related needs and opportunities; and

NOW, THEREFORE, THE EXECUTIVE BOARD RESOLVES as follows:

Section 1. The Executive Board adopts the SKHHP 2020-2021 Work Plan as shown in Attachment A.

Section 2. This Resolution will take effect and be in full force upon approval by the legislative body of each party.

Dated and Signed this 29th day of July, 2020.

SOUTH KING COUNTY HOUSING AND HOMELESSNESS PARTNERS


NANCY BACKUS, CHAIR



RESOLUTION 2020-02 – ATTACHMENT A

SOUTH KING HOUSING AND HOMELESSNESS PARTNERS

2020-2021 DRAFT WORK PLAN

Purpose: Establish a 2020-2021 SKHHP Work Plan that is consistent with the SKHHP Interlocal Agreement and shaped by member jurisdictions. The 2020-2021 SKHHP Work Plan reflects individual jurisdiction needs and interests while furthering the overall purpose of SKHHP to increase the available options for South King County residents to access affordable housing and preserve existing affordable housing stock.

Introduction: The South King Housing and Homelessness Partners (SKHHP) was established through an interlocal agreement to work together and share resources to increase the available options for South King County residents to access affordable housing and preserve the existing affordable housing stock.

The SKHHP 2020-2021 work plan includes three major areas of work that will facilitate implementation of the SKHHP Interlocal Agreement: governance and administration; policy and planning; and education and outreach. These three major work areas are broken into five objectives.

Governance and administration is covered in Objective 1 and includes program-wide management activities that will be completed annually including developing and adopting an annual work plan and budget. This work area also includes start-up procedures including establishing decision-making protocols and reporting procedures, and convening a community advisory board.

Policy and planning is covered in Objectives 2 and 3 and includes advocating for and establishing a SKHHP affordable housing capital fund; and collaborating with partners to enhance local policies and programs that accelerate access to affordable housing, protect existing housing stock, and provide housing security.

Outreach and education is covered in Objectives 4 and 5 and includes representing South King County and its unique affordable housing needs at all decision tables; and furthering the understanding of the spectrum of affordable housing options and the range of related needs and opportunities.

Background: During 2018 and 2019 staff of member jurisdictions discussed a wide range of work plan ideas for SKHHP; the goal was to identify objectives and action items for an 18-month work plan. In June 2019, each jurisdiction was asked what SKHHP “must do”, “should do”, or “could do” during the course of the first 18-months. In

June 2019, the SKHHP Executive Board reviewed and approved the list by focusing on the “must do” and “should do” items.

The 2020-2021 work plan operationalizes the list approved by the SKHHP Executive Board in 2019 and incorporates the HB 1406 sales tax credit and the sub-regional housing assessment made possible by HB 1923 grant funds. The sub-regional housing assessment is being coordinated by six of the nine SKHHP partner cities (SoKiHo). The 2020-2021 work plan also identifies allies like the Housing Development Consortium (HDC) and King County with goals that align with SKHHP that will augment staff capacity. The 2020-2021 work plan prioritizes the “must do” and “should do” activities for 2020. Activities that were part of the 2019 list of activities will be reassessed for possible incorporation in the 2022 work plan.

In February 2020 King County had its first reported case of COVID-19, the disease caused by the coronavirus. Since February, the pandemic has continued to expand and we have yet to see the full extent of the virus. On March 23, 2020 Governor Inslee announced a statewide order requiring everyone in the state to stay home for two weeks. The order required everyone to stay home except to pursue essential activities, banned all gatherings for social, spiritual, and recreational purposes, and closed all businesses except those deemed essential. The Stay Home, Stay Healthy initiative has since been extended through May, 2020 with a four phase approach to opening businesses that will begin on May 5, 2020.

In response to the impacts of the COVID-19 crisis, federal, state, and local governments have mobilized emergency operations centers, implemented temporary policies to prevent residential and business evictions, and passed unprecedented stimulus packages in the hopes to lessen the impacts of COVID-19 to individuals and businesses. The impacts of this crisis are still unfolding and much of the recovery effort has yet to be determined. During this unprecedented time, staff capacity and local resources may need to adapt. This may require SKHHP to reanalyze priorities and/or shift the timeline for the work identified in the work plan.

Progress reports: Consistent with the Interlocal Agreement, the SKHHP Executive Manager will submit quarterly budget performance and progress reports on the status of the work plan elements to the SKHHP Executive Board and the legislative body of each member jurisdiction. To be consistent with the administering agency’s finance department, quarterly progress reports will be provided as follows:

- Quarter 1: May
- Quarter 2: August
- Quarter 3: November
- Quarter 4: February

Next steps: In accordance with the Interlocal Agreement, the 2020-2021 SKHHP Work Plan will be approved by the legislative body of each member jurisdiction and the

SKHHP Executive Board. The timeline for review and adoption of the 2020 SKHHP Work Plan is as follows:

- **May-June** – Draft 2020-2021 SKHHP Work Plan and Draft 2021 operational budget reviewed by legislative body of each jurisdiction and SKHHP Executive Board.
- **July-August** – review and adoption of 2020-2021 SKHHP Work Plan and 2021 operational budget by SKHHP Executive Board.
- **August-October** – adoption of 2020-2021 SKHHP Work Plan and 2021 operational budget by legislative body of each jurisdiction.

Acronyms: The 2020-2021 work plan includes several acronyms or abbreviations defined as follows:

AdvBrd:	SKHHP Advisory Board to be formed during 2020 made up of 12 to 15 community members appointed by the Executive Board to provide advice and recommendation to the Executive Board.
EB:	SKHHP Executive Board
Enterprise:	Enterprise Community Partners
HDC:	Housing Development Consortium
SKC:	South King County
SKCJPD:	South King County Joint Planners and Developers group convened by HDC
SoKiHo:	South King County housing group (six of the nine SKHHP cities) managing the sub-regional housing needs and policy assessment

GOVERNANCE AND ADMINISTRATION

Objective 1: Establish SKHHP's governance and decision making structure, foster collaboration between partners, and provide direction to staff on implementation of the SKHHP Interlocal Agreement.

Outcomes:

- 1) Functioning and collaborative entity with clear measures of success.
- 2) Implementation supports equitable outcomes across jurisdictions, community members, and stakeholders.

Activities/Actions		Responsible	Status	2020												2021											
				Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
1	Develop Annual Work Plan (SKHHP adoption by June 1)	SKHHP staff, work group, & EB	In progress																								
1a	Partner jurisdiction review and adoption	SKHHP staff, work group, & EB	In progress																								
2	Develop Annual Budget (SKHHP adoption by June 1)	SKHHP staff, work group, & EB	In progress																								
2a	Partner jurisdiction review and adoption	SKHHP staff, work group, & EB	In progress																								
3	Establish decision-making protocols	SKHHP staff & EB	In progress																								
4	Develop quarterly reporting procedures	SKHHP staff & EB	In progress																								
4a	Quarterly progress and budget reports	SKHHP staff	Ongoing																								
5	Establish SKHHP Advisory Board	SKHHP staff & EB	Not started																								

POLICY AND PLANNING

Objective 2: Establish South King County Housing Capital Fund, develop an administration plan, and build funding support.

Outcomes:

- 1) Increase resources dedicated to affordable housing preservation, rehabilitation, and production in South King County.
- 2) Pool resources to address the growing affordable housing and homelessness needs in South King County.

Activities/Actions			Responsible	Status	2020												2021											
					Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
1	Coordinate City commitment to pool HB 1406 funds	SKHHP staff, work group, & EB	In progress																									
2	Inventory and assess existing local affordable housing funds	SKHHP staff & EB	Not started																									
3	Create inventory of expiring tax credit developments and naturally occurring affordable housing vulnerable to market pressures	SKHHP staff, SoKiHo	In progress (ongoing)																									
4	Assess physical conditions of existing subsidized and naturally occurring affordable housing stock	SKHHP staff, work group	In progress (ongoing)																									
5	Create portfolio of potential uses and allocation strategies	SKHHP staff, work group, & EB	Not started																									
6	Develop marketing materials by audience to build funding support	SKHHP staff, work group, & EB	Not started																									
7	Develop administration plan for SKHHP Housing Capital Fund that supports populations disproportionately impacted by housing cost burden	SKHHP staff, AdvBrd, & EB	Not started																									
8	Build funding support through advocacy with philanthropic and private corporations	SKHHP staff, work group, AdvBrd, & EB	In progress (ongoing)																									

Objective 3: Work with partner jurisdictions to enhance and develop new local policies and programs that protect existing affordable housing stock, provide housing security, and accelerate access to affordable housing.

Outcomes:

- 1) Increased number of South King County cities with comprehensive housing strategy plans that embed racial equity into strategies and programs.
- 2) Number of jurisdictions that adopt new or enhanced legislation or programs that support equitable affordable housing production and preservation strategies.
- 3) Increased number of affordable rental housing units in participating programs.
- 4) Improved collective efforts to address systemic and institutional racism and create greater racial equity and justice in housing.

Activities/Actions		Responsible	Status	2020												2021											
				Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
1	Support creation of housing policy assessment tool	SoKiHo & SKHHP staff	In progress																								
2	Support development of housing strategy/action plans that embed racial equity into strategies and programs and track racial equity	SKHHP staff & SoKiHo	Not started																								
3	Maintain inventory & assessment of existing city preservation programs for affordable rental & ownership housing	SKHHP staff & work group	In progress																								
4	Assist cities in enacting policies and strategies that address tenant protections through anti-displacement, fair housing, and healthy housing	SKHHP staff & work group	Ongoing																								
5	Coordinate SKC participation in identification of potential locations for future TOD to include affordable housing	SKHHP staff, Sound Transit, King County, Enterprise	Not started																								
6	Catalog successful affordable housing development projects	SKHHP staff	Ongoing																								
7	Develop examples of potential design standards and desired requirements	SKHHP staff & work group	Not started																								

OUTREACH AND EDUCATION

Objective 4: Represent South King County and its unique affordable housing needs at all decision tables.

Outcomes:

- 1) Establish credibility of SKHHP with potential partners and funders.
- 2) South King County is authentically heard, considered, and supported by regional and state stakeholders and policy makers.
- 3) Changes in policies, practices, and funding streams that support affordable housing and homelessness programs in South King County.

Activities/Actions		Responsible	Status	2020												2021											
				Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
1	Create schedule of priority meetings and designate SKC representatives	SKHHP staff, work group & EB	Not started																								
2	Represent SKHHP at local & regional meetings and forums.	SKHHP staff	In progress (ongoing)																								
3	Develop SKHHP State advocacy priorities	SKHHP staff, work group & EB	In progress																								
4	Develop SKHHP Federal advocacy priorities	SKHHP staff, work group & EB	In progress																								
5	Develop advocacy presentation and messaging toolkit	SKHHP staff, work group & EB	Not started																								
6	Conduct work sessions with state legislators	SKHHP staff, work group & EB	Not started																								

Objective 5: Further strengthen regional stakeholders' understanding of the spectrum of affordable housing options, the range of related needs and opportunities, and the housing system .

Outcomes:

- 1) South King County decision makers are informed and prepared to act based on current information and facts.
- 2) Increased interest from nonprofit and for-profit developer to partner with South King County cities to produce affordable housing.

Activities/Actions		Responsible	Status	2020												2021											
				Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
1	Coordinate and work with developers to better understand barriers to increasing construction and preservation of affordable housing	SKHHP staff, SKCJPD, HDC	In progress (ongoing)																								
2	Support SKC engagement and elected official participation in affordable housing development tours	SKHHP staff & HDC	In progress (ongoing)																								
3	Coordinate monthly educational topics that promote understanding of the full housing system and practices that have led to inequities in the system, and opportunities to address racial equity and justice.	SKHHP staff & work group	Ongoing																								
4	Develop affordable housing and homelessness awareness presentation toolkit	SKHHP staff, AdvBrd & EB	In progress																								



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5548 (Tate)(5 Minutes)

Department:

Community Development

Attachments:

[Memo - Resolution to approve SKHHP 2021](#)

[Budget](#)

[Resolution No. 5548](#)

[SKHHP 2021 Budget](#)

Date:

September 9, 2020

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For discussion only.

Background Summary:

See attached memo.

Reviewed by Council Committees:

Councilmember: Trout-Manuel

Staff:

Tate

Meeting Date: September 14, 2020

Item Number:

Memorandum



South King Housing and Homelessness Partners

To: Auburn City Council

From: Angela San Filippo, SKHHP Executive Manager

Date: September 14, 2020

RE: Resolution 5548 to adopt South King Housing and Homelessness Partners (SKHHP) 2021 Budget

SUMMARY

The South King Housing and Homelessness Partners (SKHHP) 2021 Budget provides an itemization of all categories of budgeted expenses and itemization of each Party's contribution, including in-kind services. Consistent with the SKHHP Interlocal Agreement, the SKHHP budget must be approved by each legislative body and adopted by the SKHHP Executive Board. The SKHHP Executive Board adopted the 2021 Budget on July 24, 2020, see attachment to proposed resolution.

BACKGROUND

The draft 2021 SKHHP budget was presented to each member jurisdiction for feedback. Auburn City Council reviewed the draft budget during the June 8 study session. The 2021 SKHHP Budget maintains current contribution rates for each participating jurisdiction. The jurisdiction contributions are based on population size. As shown in the resolution, Auburn's 2021 contribution is \$26,000.

In light of the revenue shortfalls and budget uncertainties in all jurisdictions because of the pandemic, maintaining current jurisdiction contributions was a priority for the SKHHP Executive Board. Maintaining jurisdiction contributions is made possible by personnel cost savings from 2019 and 2020. Personnel costs savings in 2019 are a result of SKHHP Executive Manager hire date in January 2020. Projected personnel cost savings in 2020 are a result of hiring a three-quarter time second position and delaying hiring this position until fall of 2020. Salary and benefit projections, cost savings in 2019, and projected cost savings in 2020, indicate the current jurisdiction contributions can maintain current staffing capacity through 2022. Any changes to staff capacity or increases in the operational budget will require an increase in jurisdiction contributions.

RECOMMENDATION

Approve Resolution No. 5548 adopting the 2021 SKHHP Budget.

ATTACHMENTS:

1. Resolution 5548
2. SKHHP 2021 Budget

RESOLUTION NO. 5548

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, APPROVING THE SOUTH KING HOUSING AND HOMELESSNESS 2021 BUDGET

WHEREAS, on February 19, 2019 the Auburn City Council enacted Resolution 5408 which authorized the Mayor to enter into an Interlocal Agreement (ILA) with 8 other south King County cities and King County to form the South King Housing and Homelessness Partners (SKHHP); and

WHEREAS, pursuant to the Interlocal Agreement, each participating jurisdiction must approve SKHHP's annual budget that includes an itemization of all categories of budgeted expenses and itemization of each Party's contribution, including in-kind services; and

WHEREAS, the operating budget allows for implementation of the overarching SKHHP goals to work together and share resources to increase the available options for South King County residents to access affordable housing and to preserve the existing affordable housing stock; and

WHEREAS, each Party's contribution(s) will be transmitted to SKHHP on an annual basis during the first quarter of the calendar year; and

WHEREAS, on July 24, 2020 the SKHHP Executive Board adopted Resolution 2020-04 enacting the 2021 SKHHP Budget upon approval by the legislative body of each party.

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

Section 1. City Council adopts the SKHHP 2021 Budget as shown in Attachment A.

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

Section 3. This Resolution will take effect and be in full force on passage and signatures.

Dated and Signed: _____

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Doug Ruth, City Attorney

RESOLUTION NO. 2020-04

A RESOLUTION OF THE EXECUTIVE BOARD OF THE SOUTH KING COUNTY HOUSING AND HOMELESSNESS PARTNERS (SKHHP), ADOPTING THE 2021 SKHHP BUDGET

WHEREAS, pursuant to the Interlocal Agreement, the SKHHP Executive Board adopts an annual budget that includes an itemization of all categories of budgeted expenses and itemization of each Party's contribution, including in-kind services; and

WHEREAS, upon adoption, the annual budget will be transmitted to each participating jurisdiction for approval by their legislative body; and

WHEREAS, the budget will not become effective until approved by the legislative body of each jurisdiction and adopted by the SKHHP Executive Board; and

WHEREAS, each Party's contribution(s) will be transmitted to SKHHP on an annual basis during the first quarter of the calendar year.

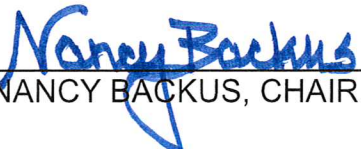
NOW, THEREFORE, THE EXECUTIVE BOARD RESOLVES as follows:

Section 1. The Executive Board adopts the SKHHP 2021 Budget as shown in Attachment A.

Section 2. This Resolution will take effect and be in full force upon approval by the legislative body of each participating jurisdiction.

Dated and Signed this 29th day of July, 2020.

SOUTH KING COUNTY HOUSING AND HOMELESSNESS PARTNERS



NANCY BACKUS, CHAIR

ATTACHMENT A

2021 SKHHP BUDGET

<i>Projected beginning fund balance</i>	\$249,095.00
REVENUES	
Auburn	\$26,000
Burien	\$15,000
Covington	\$7,500
Des Moines	\$7,500
Federal Way	\$26,000
Kent	\$34,000
Normandy Park	\$4,000
Renton	\$34,000
Tukwila	\$7,500
Unincorporated King County	\$34,000
King County Housing Authority	\$15,000
King County*	\$41,000
Office space (in-kind donation)	\$12,000
Contributions & Donations	\$ -
TOTAL	\$263,500
*Total King County contribution is \$75,000, includes line item for unincorporated King County and King County	
EXPENSES	
Executive Manager	\$131,914
Program Coordinator (30 hrs w/ benefits)	\$110,146
Misc. - travel, phone, postage	\$12,000
Office space (in-kind donation)	\$12,000
Interfund IT	\$25,800
Subtotal	\$291,860
COA 10% Administrative Fee*	\$28,000
TOTAL	\$319,860
Estimated ending fund balance	\$192,735

*10% Administrative fee is calculated as a percentage of operating costs which does not include in-kind donations, or carryforwards