

	City Council Meeting September 8, 2020 - 7:00 PM Virtual MINUTES Watch the meeting LIVE! Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. CALL TO ORDER

II. VIRTUAL PARTICIPATION LINK

1. Virtual Participation Link

The City Council Meeting was held virtually in the Council Chambers.

A. Pledge of Allegiance

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

B. Roll Call

Councilmembers virtually present: Deputy Mayor Claude DaCorsi, Bob Baggett, Larry Brown, James Jeyaraj, Robyn Mulenga, Chris Stearms and Yolanda Trout-Manuel.

Mayor Nancy Backus and the following department directors and staff members were present: Innovation and Technical Support Specialist Danika Olson, Director of Innovation and Technology David Travis, Chief of Police Dan O'Neil and City Clerk Shawn Campbell.

The following department directors and staff members attended the meeting virtually: Senior City Staff Attorney Harry Boesche, Director of Public Works Ingrid Gaub, Director of Community Development Jeff Tate, Director of Finance Jamie Thomas, Director of Parks, Arts, and Recreation Daryl Faber, Director of Administration Dana Hinman, Director of Human Resources and Risk Management Candis Martinson, Assistant Finance Director Kevin Fuhrer, Financial Planning Manager Bob Brooks and Outreach Program Administrator Kent Hay.

III. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

A. Mayor's Proclamation: National Recovery Month

Mayor Backus to proclaim September 2020 as "National Recovery Month" in the City of Auburn

Mayor Backus read and proclaimed September 2020 as National Recovery Month in the City of Auburn.

B. Mayor's Proclamation: Constitution Week

Mayor Backus to proclaim the week of September 17-23, 2020 as "Constitution Week" in the City of Auburn

Mayor Backus read and proclaimed September 17-23, 2020 as Constitution Week in the City of Auburn.

C. Mayor's Proclamation: Suicide Prevention Awareness Month

Mayor Backus to proclaim September 2020 as "Suicide Prevention Awareness Month" in the City of Auburn

Mayor Backus read and proclaimed September 2020 as Suicide Prevention Awareness Month in the City of Auburn.

IV. AGENDA MODIFICATIONS

There were no modifications to the agenda.

V. NEW BUSINESS

There was no new business.

VI. CITIZEN INPUT, PUBLIC HEARINGS AND CORRESPONDENCE

A. Public Hearings

1. Virtual Participation

2. Public Hearing for Pending Ordinance No. 6770 Sewer Payback Agreement for a Utilities Developer's Extension (Gaub)

A Public Hearing to consider proposed Ordinance 6770 which authorizes the Mayor to execute Sewer Payback Agreement PBK No. 18-0002 - Utilities Developer's Extension

Mayor Backus opened the public hearing at 7:13 p.m. There were no comments submitted, she closed the hearing.

3. Public Hearing for Pending Ordinance No. 6771 Water Payback Agreement for Utilities Developer's Extension (Gaub)

A Public Hearing to consider Proposed Ordinance 6771 which authorizes the Mayor to execute Payback Agreement PBK No. 18-0003 – Utilities (Water) Developer's Extension

Mayor Backus opened the public hearing at 7:15 p.m. There were no comments submitted, she closed the hearing.

4. Public Hearing for Pending Ordinance No. 6772 Street Payback Agreement for Traffic Signal (Gaub)

A Public Hearing to consider proposed Ordinance No. 6772 which authorizes the Mayor to execute Street Payback Agreement PBK No. 18-0004 – Traffic Signal

Mayor Backus opened the public hearing at 7:15 p.m. There were no comments submitted, she closed the hearing.

B. Audience Participation

This is the place on the agenda where the public is invited to speak to the City Council on any issue.

1. Virtual Participation

Brian Pickrell expressed concerns about City Leadership and Police training.

Edmund Witter from King County Bar Association spoke in support of Ordinance No. 6786.

Rob Davis expressed concerns for bikers safety.

Terri Anderson with the Tenants Union of Washington State expressed support for Ordinance No. 6786.

Chad Keck spoke in opposition of Ordinance No. 6786.

Bob Zimmerman expressed concerns regarding the City's readiness for a natural disaster.

C. Correspondence

There was no correspondence for Council to review.

VII. COUNCIL AD HOC COMMITTEE REPORTS

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

1. Finance Ad Hoc Committee (Chair Baggett)

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

VIII. CONSENT AGENDA

All matters listed on the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion in the form listed.

A. Minutes of the August 17, 2020 Regular City Council Meeting

B. Minutes of the August 24, 2020 and August 31, 2020 Study Session

C. Minutes of the August 27, 2020 Special City Council Meeting

D. Claim Vouchers (Thomas)

Claim voucher list dated September 8, 2020 which includes voucher numbers 460034 through 460448 in the amount of \$4,225,888.04 and seven wire transfers in the amount of \$941,673.90

E. Payroll Vouchers (Thomas)

Payroll check numbers 538965 through 538970 in the amount of \$526,694.17, and an electronic deposit transmissions in the amount of \$1,949,435.34, for a grand total of \$2,476,129.51 for the period covering August 13, 2020 to August 31, 2020

Deputy Mayor DaCorsi moved and Councilmember Jeyaraj seconded to approve the consent agenda.

MOTION CARRIED UNANIMOUSLY. 7-0

IX. UNFINISHED BUSINESS

There was no unfinished business.

X. ORDINANCES

A. Ordinance No. 6757 (O'Neil)

An Ordinance amending Section 6.35.030 of the Auburn City Code relating to the restraint and registration of potentially dangerous dogs

Deputy Mayor DaCorsi moved and Councilmember Stearns seconded to suspend City Council Procedure Rule 3.1(N)(2) requiring any Ordinance to be included on a Study Session agenda prior to being included in a Council Meeting agenda for consideration.

MOTION CARRIED UNANIMOUSLY. 7-0

Deputy Mayor DaCorsi moved and Councilmember Stearns seconded to adopt Ordinance No. 6757.

MOTION CARRIED UNANIMOUSLY. 7-0

B. Ordinance No. 6770 (Gaub)

An Ordinance authorizing the Mayor to execute a Sewer Payback Agreement for a Utilities Developer's Extension between the City of Auburn and DCT Hudson Distribution Center, LLC

Councilmember Mulenga moved and Councilmember Brown seconded to adopt Ordinance No. 6770.

MOTION CARRIED UNANIMOUSLY. 7-0

C. Ordinance No. 6771 (Gaub)

An Ordinance authorizing the Mayor to execute a Water Payback Agreement for a Utilities Developer's Extension between the City of Auburn and DCT Hudson Distribution Center, LLC

Councilmember Brown moved and Councilmember Trout-Manuel seconded to adopt Ordinance No. 6771.

MOTION CARRIED UNANIMOUSLY. 7-0

D. Ordinance No. 6772 (Gaub)

An Ordinance authorizing the Mayor to execute a Street Payback Agreement for a Traffic Signal between the City of Auburn and DCT Hudson Distribution Center, LLC

Councilmember Stearns moved and Deputy Mayor DaCorsi seconded to adopt Ordinance No. 6772.

MOTION CARRIED UNANIMOUSLY. 7-0

E. Ordinance No. 6781 (Tate)

An Ordinance relating to camping and occupying public property, and amending Chapters 2.22.210, 2.22.220, 9.50.020, 9.78.010, 12.32.020, 13.12.020, and 13.48.170 and adding a new Section to Chapter 9.50 of the Auburn City Code

Director Tate provided Council with a presentation on Ordinance No. 6781. He reviewed the changes to the proposed ordinance over the last several meetings.

Councilmember Stearns moved and Councilmember Jeyaraj seconded to amend the ordinance to remove the criminal penalties in Section 2.22.220(A) and Section 9.50.030(E) and make them civil infractions, by adding the following language, "Violation of this section constitutes Class 1 civil infraction pursuant to Chapter 7.80 RCW".

Council discussed criminal penalties, civil infractions, local shelters, officers discretion during homeless interactions, substance abuse, employment opportunities for people with criminal records, mental illness, the homelessness lifestyle, resources for homeless residents and options for breaking the cycle of homelessness. Council also requested data on the impacts of homelessness when this Ordinance goes into effect.

Administrator Hay provided Council with a typical interaction with a homeless individual and how having accountability would assist him.

MOTION CARRIED 4-3 Deputy Mayor DaCorsi, Councilmember Baggett and Councilmember Brown voted no.

Councilmember Stearns moved and Councilmember Trout-Manuel seconded to amend Section 9.50.030(C) by adding a new exception under exception number 2 and changing exception 3 to 4 and 4 to 5. Exception number 3 would state the following, "That the City staff will implement administrative practices where housing, mental health, drug addition, employment, and other types of services are offered prior to punitive enforcement action.

Councilmember Stearns and Councilmember Trout-Manuel agreed to withdraw the motion to amend Section 9.50.030(C).

Councilmember Stearns moved and Councilmember Trout-Manuel seconded to amend Section 2.22.210 by striking the first sentence, "Unless for a city-permitted event, no person shall erect, maintain, use or occupy in any City of Auburn park a tent or shelter that does not have an unobstructed view through such tent or shelter from at least two sides.

Council discussed shelters, protection from the elements and privacy and safety concerns.

Director Faber shared concerns with tents in open space parks.

MOTION CARRIED UNANIMOUSLY. 7-0

Councilmember Stearns moved and Deputy Mayor DaCorsi seconded to adopt Ordinance No. 6781 as amended.

MOTION CARRIED UNANIMOUSLY. 7-0

F. Ordinance No. 6776 (Gaub)

An Ordinance updating Section 10.36.191 of the Auburn City Code, related to the parking of Recreational Vehicles in the right-of-way

Councilmember Mulenga moved and Councilmember Jeyaraj seconded to adopt Ordinance No. 6776.

MOTION CARRIED UNANIMOUSLY. 7-0

G. Ordinance No. 6783 (Thomas)

An Ordinance amending Ordinance No. 6693, the 2019-2020 biennial budget Ordinance, as amended by Ordinance No. 6712, Ordinance No. 6719, Ordinance No. 6720, Ordinance No. 6751, and Ordinance No. 6764, authorizing amendment to the City of Auburn 2019-2020 budget as set forth in Schedule "A" and Schedule "B"

Councilmember Baggett moved and Councilmember Brown seconded to adopt Ordinance No. 6783.

MOTION CARRIED UNANIMOUSLY. 7-0

H. Ordinance No. 6785 (Thomas)

An Ordinance amending Sections 3.40.020, 3.41.010, 3.42.020, 3.84.040 and 3.88.040 of the Auburn City Code relating to the use of taxes imposed on utilities

Deputy Mayor DaCorsi moved and Councilmember Baggett seconded to adopt Ordinance No. 6785.

MOTION CARRIED UNANIMOUSLY. 7-0

I. Ordinance No. 6786 (Tate)

An Ordinance creating a new Chapter 5.23 of the City Code regarding a City of Auburn Rental Housing Policy

Director Tate provided Council with an update on Ordinance No. 6786 and discussed public comments that were received.

Council discussed protections for tenants and the option of adding language regarding single family properties.

Councilmember Jeyaraj moved and Councilmember Stearns seconded to adopt Ordinance No. 6786.

MOTION CARRIED UNANIMOUSLY. 7-0

J. Ordinance No. 6787 (Comeau)

An Ordinance amending Sections 10.36.360 and 10.40.010 of the Auburn City Code relating to vehicle impounds

Councilmember Mulenga moved and Councilmember Jeyaraj seconded to adopt Ordinance No. 6787.

MOTION CARRIED UNANIMOUSLY. 7-0

K. Ordinance No. 6788 (Thomas)

An Ordinance amending Ordinance No. 6777, extending the temporary waiver of late fees for Utility Accounts and Airport Fees, superseding certain Sections of Auburn City Code requiring payment of such late fees as set forth in Auburn City Code 12.56.045; 13.06.300; 13.06.511; 13.20.390; and 13.48.120, in light of a declared public health emergency related to COVID-19

Councilmember Jeyaraj moved and Councilmember Baggett seconded to adopt Ordinance No. 6788.

MOTION CARRIED UNANIMOUSLY. 7-0

XI. RESOLUTIONS

A. Resolution No. 5543 (Comeau)

A Resolution amending the City Council Rules of Procedure

Councilmember DaCorsi moved and Councilmember Brown seconded to adopt Resolution No. 5543.

MOTION CARRIED UNANIMOUSLY. 7-0

B. Resolution No. 5542 (Faber)

A Resolution authorizing the Mayor to execute a Capital Grant agreement with King County, Washington for Youth and Amateur Sports Grant Funds, and to appropriate and expend the grant funds

Councilmember Mulenga moved and Councilmember Jeyaraj seconded to adopt Resolution No. 5542.

MOTION CARRIED UNANIMOUSLY. 7-0

C. Resolution No. 5545 (Hinman)

A Resolution in support of the Mayor's appointment nomination of Fife Mayor Kim Roscoe to the Pierce Transit Board

Councilmember Brown moved and Councilmember Stearns seconded to adopt Resolution No. 5545.

MOTION CARRIED UNANIMOUSLY. 7-0

XII. MAYOR AND COUNCILMEMBER REPORTS

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

A. From the Council

Deputy Mayor DaCorsi thanked Councilmember Trout-Manuel, Councilmember Jeyaraj, City Attorney Comeau and former City Attorney Heid for their work on the Council Rules of Procedure.

Councilmember Stearns reported that the King County Flood Control District approved Auburn as a member. He also stated he appreciated the Mayor's proclamation on National Recovery Month.

Councilmember Jeyaraj thanked City staff for their work on setting up a COVID-19 testing site in Auburn.

B. From the Mayor

There was no report from the Mayor.

XIII. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:35 p.m.

APPROVED this 21st day of September, 2020.



NANCY BACKUS, MAYOR



Shawn Campbell, City Clerk

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