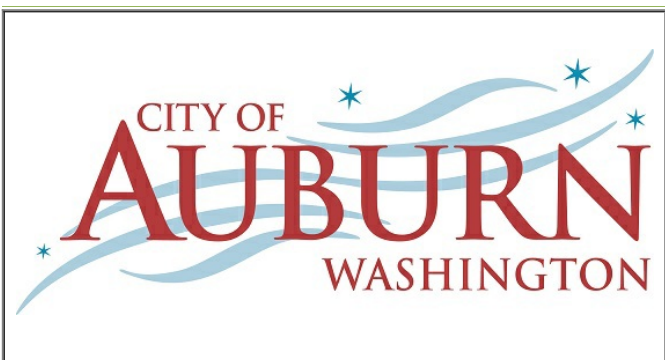


	City Council Meeting September 7, 2021 - 7:00 PM Virtual AGENDA Watch the meeting LIVE! Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. CALL TO ORDER

II. VIRTUAL PARTICIPATION LINK

1. Virtual Participation Link

The Auburn City Council Meeting scheduled for Tuesday, September 7, 2021 at 7:00 p.m. will be held virtually and telephonically. To attend the meeting virtually please click one of the below links, enter the meeting ID into the Zoom app, or call into the meeting at the phone number listed below.

Per Governor Inslee's Emergency Proclamation 20-05 and 20-28 et. seq. and City of Auburn Resolution No. 5581, City of Auburn has designated meeting locations as "virtual" for all Regular, Special and Study Session Meetings of the City Council and for the Committees, Boards and Commissions of the City.

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 one of the below URL to join.

ZOOM: <https://us06web.zoom.us/j/82344033426>

YouTube: <https://www.youtube.com/user/watchauburn/live/?nomobile=1>

Or join by phone:

253 215 8782

888 475 4499 (Toll Free)

Webinar ID: 823 4403 3426

International numbers available: <https://us06web.zoom.us/j/82344033426>

A. Pledge of Allegiance

B. Roll Call

III. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

A. Childhood Cancer Awareness Month Proclamation

Mayor Backus to proclaim September 2021 as "Childhood Cancer Awareness Month"

in the city of Auburn.

B. National Recovery Month Proclamation

Mayor Backus to proclaim September 2021 as "National Recovery Month" in the city of Auburn.

IV. **AGENDA MODIFICATIONS**

V. **NEW BUSINESS**

VI. **CITIZEN INPUT, PUBLIC HEARINGS AND CORRESPONDENCE**

A. **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

Participants can submit written comments via mail, fax or email. All written comments must be received prior to 5:00 p.m. on the day of the scheduled meeting and must be 350 words or less.

Please mail comments to:

City of Auburn

Attn: Shawn Campbell, City Clerk

25 W Main St

Auburn, WA 98001

Please fax comments to:

Attn: Shawn Campbell, City Clerk

Fax number: 253-804-3116

Email comments to: publiccomment@auburnwa.gov

B. **Correspondence - (There is no correspondence for Council 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)

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 16, 2021 Regular City Council Meeting

B. Minutes of the August 23, 2021 Council Study Session

C. Claim Vouchers (Thomas)

Claim voucher list dated September 7, 2021 which includes voucher numbers 464582 through 464826 in the amount of \$4,742,468.48 and six wire transfers in the amount of \$838,995.31

D. Payroll Vouchers (Thomas)

Payroll check numbers 539184 through 539188 in the amount of \$545,649.47, and electronic deposit transmissions in the amount of \$2,124,220.71, for a grand total of \$2,669,870.18 for the period covering August 1, 2021 to August 15, 2021 are approved for payment this 7th, day of September, 2021

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

IX. UNFINISHED BUSINESS

X. ORDINANCES

A. Ordinance No. 6832 (Thomas)

An Ordinance directing expenditure of funds appropriated to the City under the American Rescue Plan Act of 2021 (ARPA)

(RECOMMENDED ACTION: Move to adopt Ordinance No. 6832.)

XI. RESOLUTIONS

A. Resolution No. 5612 (Gaub)

A Resolution ratifying the Mayor's determination of a Stage 2 serious water shortage emergency affecting 12 customers in the Hidden Valley/Braunwood neighborhood

(RECOMMENDED ACTION: Move to adopt Resolution No. 5612.)

XII. MAYOR AND COUNCILMEMBER REPORTS

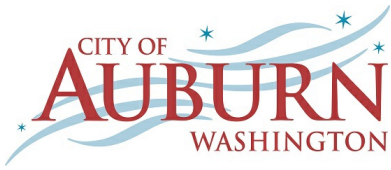
At this time the Mayor and City Council may report on significant items associated with their appointed positions on federal, state, regional and local organizations.

A. **From the Council**

B. **From the Mayor**

XIII. ADJOURNMENT

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



AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes of the August 16, 2021 Regular City Council Meeting

Department:

Administration

Attachments:

[August 16, 2021 Minutes](#)

Date:

August 27, 2021

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

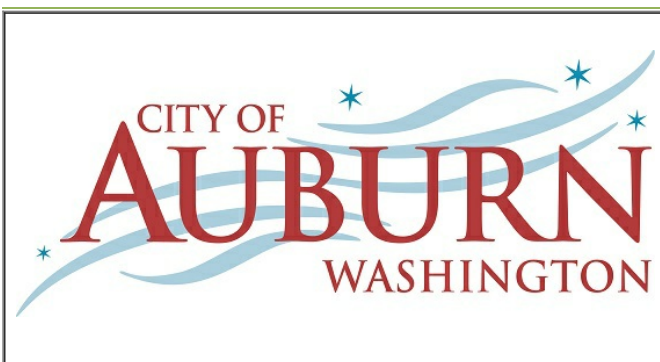
Revised Budget: \$0

Administrative Recommendation:**Background for Motion:****Background Summary:****Reviewed by Council Committees:****Councilmember:**

Meeting Date: September 7, 2021

Staff:

Item Number: CA.A

	City Council Meeting August 16, 2021 - 7:00 PM City Hall Council Chambers and 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. **PUBLIC PARTICIPATION**

1. **Public Participation**

The City Council Meeting was held in person and virtually.

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 and led those in attendance in the Pledge of Allegiance.

B. **Roll Call**

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

Mayor Nancy Backus, Director of Innovation and Technology David Travis, Chief of Police Dan O'Neil, Innovation and Technical Support Specialist Danika Olson and Deputy City Clerk Teresa Mattingly were in Chambers.

The following department directors and staff members attended the meeting virtually: City Attorney Kendra Comeau, Director of Public Works Ingrid Gaub, Director of Community Development Jeff Tate, Director of Parks, Arts, and Recreation Daryl Faber, Director of Human Resources and Risk Management Candis Martinson, Assistant Finance Director Kevin Fuhrer, Planner II Alexandria Teague and Assistant Director of Innovation and Technology Ashley Riggs.

III. **ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS**

A. **International Overdose Awareness Day Proclamation**

Mayor Backus to proclaim August 31, 2021 as "International Overdose Awareness Day" in the City of Auburn

Mayor Backus read and proclaimed August 31, 2021 as "International Overdose Awareness Day" in the City of Auburn.

IV. **APPOINTMENTS**

A. Urban Tree Board

City Council to confirm the following appointments to the Urban Tree Board for three year terms expiring December 31, 2023:

- Linda Bielejec
- Joyce Pelosa

Councilmember Trout-Manuel moved and Councilmember Brown seconded to appoint Linda Bielejec and Joyce Pelosa to the Urban Tree Board for a three-year term to expire December 31, 2023.

MOTION CARRIED UNANIMOUSLY. 5-0

V. **AGENDA MODIFICATIONS**

There were no modifications to the agenda.

VI. **NEW BUSINESS**

There was no new business.

VII. **CITIZEN INPUT, PUBLIC HEARINGS AND CORRESPONDENCE**

A. **Public Hearings - (No public hearing is scheduled for this evening.)**

B. **Audience Participation**

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

1. The public can participate in-person or submit written comments in advance.

Virginia Haugen, 2503 R St SE

Ms. Haugen apologized to the Chief of Police Dan O'Neil regarding an incident at Auburn City Hall and expressed her concerns about residents selling their homes and moving from Auburn.

C. **Correspondence**

There was no correspondence for Council to review.

VIII. 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 Jeyaraj have reviewed the claims and payroll vouchers described on the agenda this evening and recommended their approval.

2. ARPA Ad Hoc Committee (Chair Baggett)

Councilmember Baggett, Chair of the ARPA ad hoc committee, reported he, Deputy Mayor DaCorsi and Councilmember Jeyaraj have completed their review of the information provided by the Directors and the Mayor and will provide their recommendations at the August 23, 2021 City Council Study Session.

IX. 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 July 12, 2021, July 26, 2021 and August 9, 2021 Study Session

B. Minutes of the August 2, 2021 Regular Council Meeting

C. Claims Vouchers (Thomas)

Claim voucher list dated July 19, 2021 which includes voucher numbers 463882 through 464109 in the amount of \$4,174,834.08 and four wire transfers in the amount of \$1,029,988.81

Claim voucher list dated August 16, 2021 which includes voucher numbers 464382 through 464581 in the amount of \$2,758,833.13 and six wire transfers in the amount of \$534,584.79

D. Payroll Vouchers (Thomas)

Payroll check numbers 539166 through 539172 in the amount of \$74,621.78, and electronic deposit transmissions in the amount of \$2,396,805.31, for a grand total of \$2,471,427.09 for the period covering June 30, 2021 to July 14, 2021

Payroll check numbers 539177 through 539183 in the amount of \$74,806.18, and electronic deposit transmissions in the amount of \$2,298,958.46, for a grand total of \$2,373,764.64 for the period covering July 29, 2021 to August 11, 2021

Councilmember Trout-Manuel moved and Councilmember Jeyaraj seconded to approve the consent agenda.

MOTION CARRIED UNANIMOUSLY. 5-0

X. UNFINISHED BUSINESS

There was no unfinished business.

XI. ORDINANCES

A. Ordinance No. 6828 (Tate)

An Ordinance relating to the regulation of portable signs, and amending Sections 18.29.060, 18.29.070, 18.56.030 of the Auburn City Code and various sections of the Downtown Urban Center design standards

Councilmember Stearns moved and Councilmember Brown seconded to adopt Ordinance No. 6828.

MOTION CARRIED UNANIMOUSLY. 5-0

XII. RESOLUTIONS

A. Resolution No. 5607 (Gaub)

A Resolution authorizing the Mayor to execute easement agreements between the City of Auburn (The City) and Burlington Northern Santa Fe Railway (BNSF) relating to Project CP1110, A Street SE Corridor Study (Project)

Councilmember Brown moved and Councilmember Trout-Manuel seconded to adopt Resolution No. 5607.

MOTION CARRIED UNANIMOUSLY. 5-0

B. Resolution No. 5610 (Gaub)

A Resolution approving the submittal of the City's Limited Update of the 2015 Comprehensive Water Plan to the Washington State Department of Health

Councilmember Stearns moved and Councilmember Jeyaraj seconded to adopt Resolution No. 5610.

MOTION CARRIED UNANIMOUSLY. 5-0

C. Resolution No. 5611 (Gaub)

A Resolution ratifying the Mayor's August 9, 2021 declaration of Stage 1 water shortage emergency

Councilmember Stearns moved and Councilmember Jeyaraj seconded to adopt Resolution No. 5611.

MOTION CARRIED UNANIMOUSLY. 5-0

XIII. MAYOR AND COUNCILMEMBER REPORTS

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

A. From the Council

Councilmember Baggett reported on the number of new COVID cases provided by the Tacoma-Pierce County Board of Health and encouraged everyone to get vaccinated.

Councilmember Brown thanked Councilmember Baggett for his statement on encouraging everyone to get vaccinated.

Councilmember Stearns reported he attended the Water Resource Inventory Area 9 (WRIA9) Ecosystem Forum Meeting.

B. From the Mayor

Mayor Backus reported the City hosted Congresswoman Schrier who toured the Resource Center of Auburn and State Representatives Eric Robertson and Drew Stokesbary to discuss police reform concerns. She attended the Sound Transit Board Meeting and a Community Court Meeting. She also encouraged everyone to get vaccinated.

XIV. ADJOURNMENT

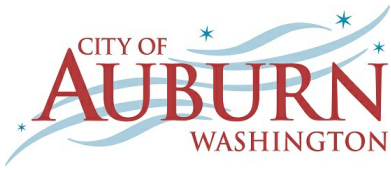
There being no further business to come before the Council, the meeting was adjourned at 7:35 p.m.

APPROVED this 7th day of September, 2021.

NANCY BACKUS, MAYOR

Teresa Mattingly, Deputy City Clerk

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AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes of the August 23, 2021 Council Study Session

Department:

Administration

Attachments:

[August 23, 2021 Study Session Minutes](#)

Date:

August 27, 2021

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

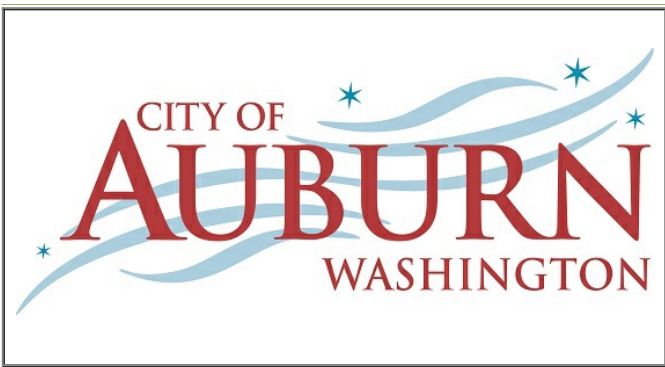
Revised Budget: \$0

Administrative Recommendation:**Background for Motion:****Background Summary:****Reviewed by Council Committees:****Councilmember:**

Meeting Date: September 7, 2021

Staff:

Item Number: CA.B

	City Council Study Session PWCD SFA August 23, 2021 - 5:30 PM City Hall Council Chambers and 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

Deputy Mayor Baggett called the meeting to order at 5:30 p.m. in the Council Chambers of Auburn City Hall, 25 West Main Street in Auburn.

II. PUBLIC PARTICIPATION

A. Public Participation

The City Council Study Session was held in person and virtually.

B. Roll Call

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

Mayor Nancy Backus, Innovation and Technical Support Specialist Danika Olson, Police Chief Dan O'Neil and City Clerk Shawn Campbell were in Chambers.

The following department directors and staff members attended the meeting virtually: City Attorney Kendra Comeau, Director of Community Development Jeff Tate, Director of Public Works Ingrid Gaub, Senior Planner Thaniel Gouk, Capital & Construction Engineering Manager Ryan Vondrak, Director of Finance Jamie Thomas, Projects Engineer Kim Truong, and Assistant Director of Innovation and Technology Ashley Riggs.

III. ANNOUNCEMENTS, REPORTS, AND PRESENTATIONS

There were no announcements, reports or presentations.

IV. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. King County Regional Homelessness Authority Presentation (KCRHA) (Tate)(20 Minutes)

A presentation by the King County Regional Homelessness Authority (KCRHA) staff providing a general overview of the agency and upcoming plans

Director Tate introduced the representatives Alexis Mercedes Rinc and Mac Dones from King County Regional Homelessness Authority. They reviewed the National Innovation Service Interlocal agreement, the purpose of King County Regional Homelessness Authority the timeline for implementation of the King County Regional Homelessness Authority the regional engagement approach, the Sub-Regional planning key components including landscape of services, investment/funding, lived experiences with homelessness response, gaps and needs, action steps for the authority, and a timeline of when the work can be completed. They reviewed outreach and communications with the community. They committed to provide a snapshot report in September 2021 to provide Council with a progress update on the first three key components.

Council discussed the method for recruiting individuals with lived experience, the size of the South King County Sub-Region, working with the City of Auburn Community Court, rebidding the contracts, current funding, and the need for urgent action.

B. Ordinance No. 6832 (Thomas)(15 Minutes)

An Ordinance directing expenditure of funds appropriated to the City under the American Rescue Plan Act of 2021 (ARPA)

Director Thomas presented Ordinance No. 6832 regarding the ARPA spending plan, the needs within the City and the allowed expenses.

Council discussed retroactive pay vs. prospective pay for hazard pay,

V. PUBLIC WORKS AND COMMUNITY DEVELOPMENT DISCUSSION ITEMS

A. Planning Services Environmental Regulation Series – Presentation 3 of 6 on the Shoreline Master Program (Tate)(30 Minutes)

Planning Services staff to provide a presentation on the Shoreline Master Program (SMP). This presentation is part three of a six part series focusing on environmental regulations within the City of Auburn

Planner Gouk provided Council with the Shoreline Management Act and Shoreline Master Program. He reviewed what the Shoreline Management act is, what the Shoreline Master Program entails, where the shoreline areas are, how the City determines where the shoreline areas are located, the City's three shoreline environments, why the City protects shorelines, the scrutiny for shoreline projects, other critical areas along the shoreline, the permitting process for shoreline areas, the shoreline decision types, typical concerns from residents, the frequency of shoreline permitting and the non-conforming developments, and future of shoreline permitting.

Council discussed variances and changes of the river location.

B. Capital Projects Status Report and Feature Project (Gaub)(20 Minutes)

Manager Vondrak and Engineer Truong provided Council with the Capital Projects Status Report. Including CP2017 Storm renewal and replacement project, CP2106 - Sidewalk and ADA Improvements project, CP1724 - 37th St NW Flood Control Phase 1 Project, and the 3rd Street SW and Lea Hill Bridge Decks preservations projects.

Council discussed road closures, anticipated longevity of sealant, timeframe for projects and other suggested projects.

VI. OTHER DISCUSSION ITEMS

There were no other discussion items.

VII. NEW BUSINESS

There was no new business.

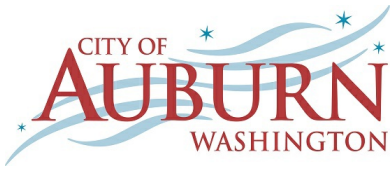
VIII. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 7:33 p.m.

APPROVED this 7th day of September, 2021.

CLAUDE DACORSI, DEPUTY 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.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Claim Vouchers (Thomas)

Date:

August 27, 2021

Department:

Administration

Attachments:

No Attachments Available

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

Approve Claims Vouchers

Background for Motion:**Background Summary:**

Claim voucher list dated September 7, 2021 which includes voucher numbers 464582 through 464826 in the amount of \$4,742,468.48 and six wire transfers in the amount of \$838,995.31

Reviewed by Council Committees:

Councilmember: Baggett

Staff:

Thomas

Meeting Date: September 7, 2021

Item Number:

CA.C



AGENDA BILL APPROVAL FORM

Agenda Subject:

Payroll Vouchers (Thomas)

Date:

August 27, 2021

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

Approve Payroll Vouchers

Background for Motion:**Background Summary:**

Payroll check numbers 539184 through 539188 in the amount of \$545,649.47, and electronic deposit transmissions in the amount of \$2,124,220.71, for a grand total of \$2,669,870.18 for the period covering August 1, 2021 to August 15, 2021 are approved for payment this 7th, day of September, 2021

Reviewed by Council Committees:

Councilmember: Baggett

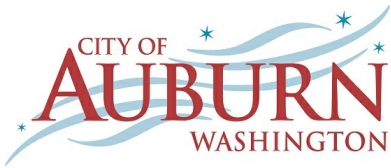
Staff:

Thomas

Meeting Date: September 7, 2021

Item Number:

CA.D



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6832 (Thomas)

Date:

September 1, 2021

Department:

Finance

Attachments:

[Ordinance No. 6832](#)

Budget Impact:**Administrative Recommendation:**

City Council to adopt Ordinance No. 6832.

Background for Motion:

Ordinance No. 6832 directs the spending plan for the \$14,751,231 in ARPA funding the City of Auburn has been awarded. The plan is in compliance with the allowable uses for the federal funds and prioritizes the City of Auburn's specific needs.

Background Summary:

Ordinance No. 6832 is a follow up to Resolution No. 5608 passed by the City Council on August 2, 2021. Resolution No. 5608 was for the council to accept \$14,751,230 in American Rescue Plan Act (ARPA) funds that were awarded to the City of Auburn. This Ordinance No. 6832 is the City Council's direction on how to allocate and spend the ARPA funds.

An ad hoc committee, consisting of three council members, was formed to review the category priorities allowed by ARPA. The ad hoc committee met with the Mayor and City Directors to review a list of potential projects that fall into one of the seven allowable categories: COVID public health response, mitigating negative impacts due to COVID, providing services to communities disproportionately impacted by COVID, premium pay for essential workers, revenue replacement to maintain government services, and investments in water, sewer, and broadband infrastructure. Based on the high level cost estimates for specific projects, the ad hoc committee recommends moving forward with a general spending plan that allocates the \$14,751,230 as follows:

ARPA Purpose	Allocated Amount
Supporting Public Health Response	\$ 4,197,500
Mitigate Negative Economic Impacts	2,211,866
Sevices to Disporportionately Impacted Communities	6,991,866
Premium Pay to Essential Workers	-
Infrastructure Projects	-
Revenue Replacment	800,000
Administrative Costs	550,000
Total	\$ 14,751,231

Any department proposing to spend ARPA funds must submit a proposal consistent with the funding allocations above, and those proposals will be reviewed by the Finance Department and

City Directors to ensure the proposal is consistent with the overall objectives of ARPA and the spending plan adopted by Council. The Finance Department will submit quarterly reports to the Council regarding the proposals received and approved, and the overall ARPA budget status.

Reviewed by Council Committees:

Councilmember: Baggett

Staff: Thomas

Meeting Date: September 7, 2021

Item Number: ORD.A

ORDINANCE NO. 6832

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON DIRECTING EXPENDITURE OF FUNDS APPROPRIATED TO THE CITY UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 (ARPA)

WHEREAS, on August 2, 2021, the City Council passed Resolution No. 5608 accepting \$14,751,230.00 that the Federal government allocated to the City under Section 9901 of the American Rescue Plan Act of 2021 (ARPA), entitled “Coronavirus State and Local Fiscal Recovery Funds” (CLFR);

WHEREAS, Resolution No. 5608 also directed the City’s future expenditure of ARPA funds in a manner consistent with ARPA and CLFR spending restrictions;

WHEREAS, ARPA and CLFR identify the following allowable City uses of ARPA funds:

- COVID public health response
- Addressing//mitigating negative economic impacts due to COVID
- Providing services to communities disproportionately impacted by COVID
- Providing premium pay to workers who performed essential work during the COVID public health emergency
- Replacing revenue used to maintain government services, to the extent that COVID reduced such revenue
- Making necessary investments in water, sewer, or broadband infrastructure

- Administrative costs to oversee the City's ARPA implementation, compliance and reporting requirements

WHEREAS, pursuant to Auburn City Council Rule of Procedure 16, upon passage of Resolution No. 5608 the City Council designated three of its members as an ad hoc committee to consider and study appropriate City expenditure of ARPA funds;

WHEREAS, the ad hoc committee consulted with City Department Directors to determine City spending priorities and to develop a plan for appropriate City ARPA fund expenditures. Following its consultation, consideration and study of the matter, the ad hoc committee has a recommended plan for City ARPA fund expenditure in a manner consistent with Resolution No. 5608 and ARPA/CLFR restrictions;

WHEREAS, the City Council intends to formally adopt the ad hoc committee's recommended City ARPA funds spending plan, and to direct the further expenditure of City allocated ARPA funds in a manner consistent with that plan;

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

Section 1. ARPA funds expenditure categories. Consistent with the requirements of ARPA and CLFR, the City allocates its \$14,751,230.00 in

accepted ARPA funds to the following allowable purposes and in the following amounts:

ARPA Purpose	Allocated Amounts
COVID Public Health Response	\$4,197,500.00
Mitigate Negative Economic Impacts	\$2,211,866.00
Services to Disproportionately Impacted Communities	\$6,991,866.00
Premium Pay to Essential Workers	\$0
Infrastructure Projects	\$0
Revenue Replacement	\$800,000.00
Administrative Costs	\$550,000.00
Total:	\$14,751,231.00

Section 2. Expenditures of City ARPA funds. Proposed expenditures of City ARPA funds shall be submitted to the City's Finance Department for review to determine the proposal's consistency with the funding allocations established in Section 1 of this ordinance and with ARPA requirements. The Finance Department is authorized to establish administrative procedures and requirements necessary to carry out this section.

Section 3. Reports to City Council. The following reports shall be submitted quarterly to the City Council:

- a) Finance Department reports showing proposed ARPA expenditures received, reviewed and approved;
- b) Reports from City departments regarding the status of any City approved ARPA funded project or expenditure.

Section 4. Implementation. The Mayor is authorized to implement those administrative procedures necessary to carry out the directives of this legislation.

Section 5. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application of it to any person or circumstance, will not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 6. Effective date. This Ordinance will take effect and be in force five days from and after its passage, approval, and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

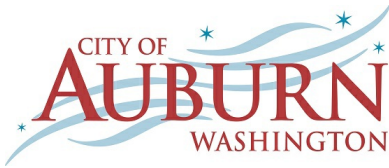
ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Kendra Comeau, City Attorney

Published: _____



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5612 (Gaub)

Date:

August 24, 2021

Department:

Public Works

Attachments:

[Resolution No. 5612](#)

[Water Emergency Declaration 2021-03](#)

[Location Map](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

City Council adopt Resolution No. 5612.

Background for Motion:

A Stage 2 Water Emergency declaration is needed because the Hidden Valley/Braunwood neighborhood's response to the Stage 1 Water Emergency declared on August 9, 2021 has not achieved the necessary reductions in water use. These reductions are necessary so that withdrawals from the single well that serves the neighborhood do not exceed the annual well limits. The Mayor declared the Stage 2 Emergency on August 23, 2021 so that City staff can provide intensified public education to the neighborhood about the critical need to conserve water.

Background Summary:

The Hidden Valley/Braunwood (HVB) neighborhood is located in the southeastern portion of Auburn along 47th Street SE as shown on the attached location map. It was developed in the late 1980s by a private developer. It contains 12 current customers plus one currently-vacant lot. Water service is provided by a single groundwater well with a State water right of 6.5 acre feet per year. The closest point of connection to the City's water system is 1.5 miles away at 53rd Street SE and Kersey Way SE. In August 1990, the City entered into a Satellite Water System Service Contract to own, operate, maintain, and manage the HVB system.

Recognizing that the well supply is limited, the agreement included certain limitations on irrigation usage.

Since May 2021, when the City discovered that several customers were using large amounts of water each week above the limits in the agreement, City staff sent a letter to all customers dated June 14, 2021 and contacted high water users directly. When water usage rates continued to increase, the Mayor proclaimed a Stage 1 Water Shortage Emergency on August 9, 2021 (Resolution No. 5611) authorizing City staff to conduct education outreach. City staff sent a letter to all customers dated August 10, 2021 describing the customer's individual water use and the maximum water usage rates to stay within the supply limitations; and conducted a virtual public meeting on August 19, 2021. Although water usage rates have declined, they are still above the levels necessary to stay within the water right limits. At these rates, the well supply will reach its annual production limit during the Fall 2021 and have to be

shut down until a new water year begins on January 1, 2022. Therefore, on August 23, 2021, the Mayor declared a Stage 2 Water Shortage Emergency and directed City staff to intensify their education efforts. Staff sent a letter dated August 23, 2021 to each customer, specifically identifying their usage during July and August, and their target usage for September through December and will continue to do outreach with the neighborhood.

Resolution No. 5612 ratifies the Mayor's August 23, 2021 proclamation of a Stage 2 Water Shortage Emergency per Auburn City Code 13.14.030.B for the Hidden Valley/Braunwood neighborhood.

Reviewed by Council Committees:

Councilmember: Stearns

Staff:

Gaub

Meeting Date: September 7, 2021

Item Number:

RES.A

RESOLUTION NO. 5612

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, RATIFYING THE MAYOR'S AUGUST 23, 2021 DECLARATION OF STAGE 2 WATER SHORTAGE EMERGENCY

WHEREAS, on July 16, 2021, the Governor declared a statewide drought emergency, which includes the City's Hidden Valley/Braunwood neighborhood (HVB);

WHEREAS, the HVB system is an isolated system and is not connected to the remainder of the City's water supply; and

WHEREAS, on August 9, 2021, the Mayor declared a Stage I water shortage emergency affecting the residents of the HVB currently serving 12 residential customers pursuant to RCW 35.21.210, RCW 38.52 and ACC 13.14;

WHEREAS, pursuant to that declaration, the City's Public Works Department conducted the following efforts to educate HVB residents regarding the benefits and necessity of water conservation: 1) a letter dated August 10, 2021 delivered to each customer comparing their individual water use to the expected average and requiring them to adhere to the irrigation limitations described above; 2) telephone calls and emails with individual customers to discuss their water use; and 3) a virtual public meeting on August 19, 2021 to present information on 2021 water use, define the maximum monthly water use for the rest of the 2021 to stay within the water right, provide suggestions on water conservation measures, and

offer individualized consultation with City staff to help customers manage their water use;

WHEREAS, although many residents reduced their water use following the Stage 1 declaration, the water usage patterns in HVB are still nearly twice their documented average, and continued water consumption at that rate will result in HVB running out of water entirely by the fall of 2021, the Mayor further determined and declared that exigent circumstances required immediate implementation and enforcement of water emergency measures without Council action; and

WHEREAS, on August 23, 2021, the Mayor declared a Stage 2 water shortage emergency affecting the residents of the City's Hidden Valley/Braunwood neighborhood (HVB) pursuant to RCW 35.21.210, RCW 38.52 and ACC 13.14;

WHEREAS, the Council has received information regarding the nature and urgency of the water emergency affecting HVB, and agrees that a water shortage emergency exists in HVB;

WHEREAS, in light of the current and continuing water shortage emergency affecting the HVB neighborhood, and the insufficiency of the Stage I water emergency measures enacted pursuant to the Mayor's August 9, 2021, declaration and ACC 13.14.030.A in ending or mitigating the HVB water emergency, to protect the public health, safety and welfare of HVB residents, and pursuant to the above legal authorities a Stage 2 water shortage emergency is necessary;

WHEREAS, the Council intends to ratify the Mayor's August 23, 2021 emergency declaration;

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

Section 1. The City Council ratifies the Mayor's determination that on and after August 23, 2021, an ACC 13.14.030.B Stage 2 water shortage emergency exists in HVB that necessitated the Mayor's immediate action without advance Council action;

Section 2. The Mayor or Mayor's designee was and continues to be authorized to implement measures necessary to address the emergency, and any action taken prior to this resolution in furtherance thereof is hereby ratified.

Section 3. This Resolution shall take effect and be in full force upon passage and signatures.

Dated and Signed this _____ day of _____, 2021.

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Kendra Comeau, City Attorney

WATER EMERGENCY DECLARATION 2021-03

A DECLARATION OF STAGE 2 WATER
EMERGENCY IN THE HIDDEN
VALLEY/BRAUNWOOD NEIGHBORHOOD, FOR THE
PROTECTION OF PUBLIC HEALTH, SAFETY AND
WELFARE

WHEREAS, RCW 35.21.210 authorizes the City to control and regulate its water supply; and

WHEREAS, RCW 38.52 and ACC 13.14 authorize the Mayor to declare emergencies and to exercise emergency powers related to the City's water supply including the implementation of water conservation measures when necessary to protect the health, welfare and safety of the City's water users; and

WHEREAS, ACC 13.14.030 establishes different stages of water emergencies depending on the immediacy and pervasiveness of a water shortage, and authorizes the Mayor to determine the geographical area(s) of the City's water supply that may be affected by a shortage and corresponding emergency; and

WHEREAS, by an agreement in 1990, the City accepted the water system serving the Hidden Valley/Braunwood (HVB) neighborhood into its water supply. The HVB water supply comes from a single well that has legally binding limits on its water production amounts to serve a maximum of 13 residential customers; there are 12 existing residential customers. Given these legal and logistical water supply limitations, the 1990 agreement included provisions requiring HVB residents to (inter alia) restrict

outdoor irrigation to a maximum of 7 properties at a time, using no more than 10 gallons of water per minute; and

WHEREAS, given observed and documented water usage patterns, the yearly average water use by HVB residents is expected to be 450 gallons per day. Since the spring of 2021, however, the water use by HVB residents has nearly tripled this expected average, to 1,025 gallons per day; and

WHEREAS, this recent excessive water use by HVB residents greatly exceeds the expected water use average and the water use restrictions in the 1990 agreement; and

WHEREAS, on August 9, 2021, I, Nancy Backus, Mayor of the City of Auburn, declared a Stage I water emergency affecting the Hidden Valley/Braunwood (HVB) neighborhood for the reasons set forth in that declaration and pursuant to RCW 35.21.210 and ACC 13.14; and

WHEREAS, pursuant to that declaration, the City's Public Works Department conducted the following efforts to educate HVB residents regarding the benefits and necessity of water conservation: 1) a letter dated August 10, 2021 delivered to each customer comparing their individual water use to the expected average and requiring them to adhere to the irrigation limitations described above; 2) telephone calls and emails with individual customers to discuss their water use; and 3) a virtual public meeting on August 19, 2021 to present information on 2021 water use, define the maximum monthly water use

for the rest of the 2021 to stay within the water right, provide suggestions on water conservation measures, and offer individualized consultation with City staff to help customers manage their water use; and

WHEREAS, Public Works took these measures in an effort to mitigate the HVB water emergency, and to avoid the need to escalate the water emergency affecting HVB to further stages identified in ACC 13.14;

WHEREAS, Public Works has and continues to monitor the water supply and consumption rates in the HVB neighborhood to determine the status of its water emergency. The water consumption data available to Public Works for the HVB neighborhood reveals that the water emergency continues to exist, despite some reductions in consumption. Specifically, consumption data shows that in September each customer's water usage will need to reduce to half of the current August usage rate and in October through December to one-quarter of the August usage rate.

WHEREAS, in light of the current and continuing water shortage emergency affecting the HVB neighborhood, and the insufficiency of the Stage I water emergency measures enacted pursuant to my August 9, 2021, declaration and ACC 13.14.030.A in ending or mitigating the HVB water emergency, to protect the public health, safety and welfare of HVB residents, and pursuant to the above legal authorities,

NOW THEREFORE I, Nancy Backus, Mayor of the City of Auburn, declare as follows:

Section 1. To protect the public health, safety and welfare of HVB residents and pursuant to RCW 35.21.210, RCW 38.50 and ACC 13.14, I declare a Stage 2 water emergency in the HVB neighborhood.

Section 2. Pursuant to Section 1, I hereby direct the City of Auburn Public Works Department to conduct an intensified public information campaign directed at the HVB residents affected by this emergency, and to coordinate this campaign to encourage HVB residents to voluntarily conserve their water supply. The Public Works campaign efforts may include those described in ACC 13.14.040(B), or any other lawful efforts reasonably necessary to accomplish the goal of water conservation in HVB.

Section 3. I further determine that pursuant to ACC 13.14.030(F), the urgency of the anticipated water shortage in HVB constitutes exigent circumstances that necessitate immediate implementation and enforcement of the requirements in a Stage 2 Serious Water Shortage emergency.

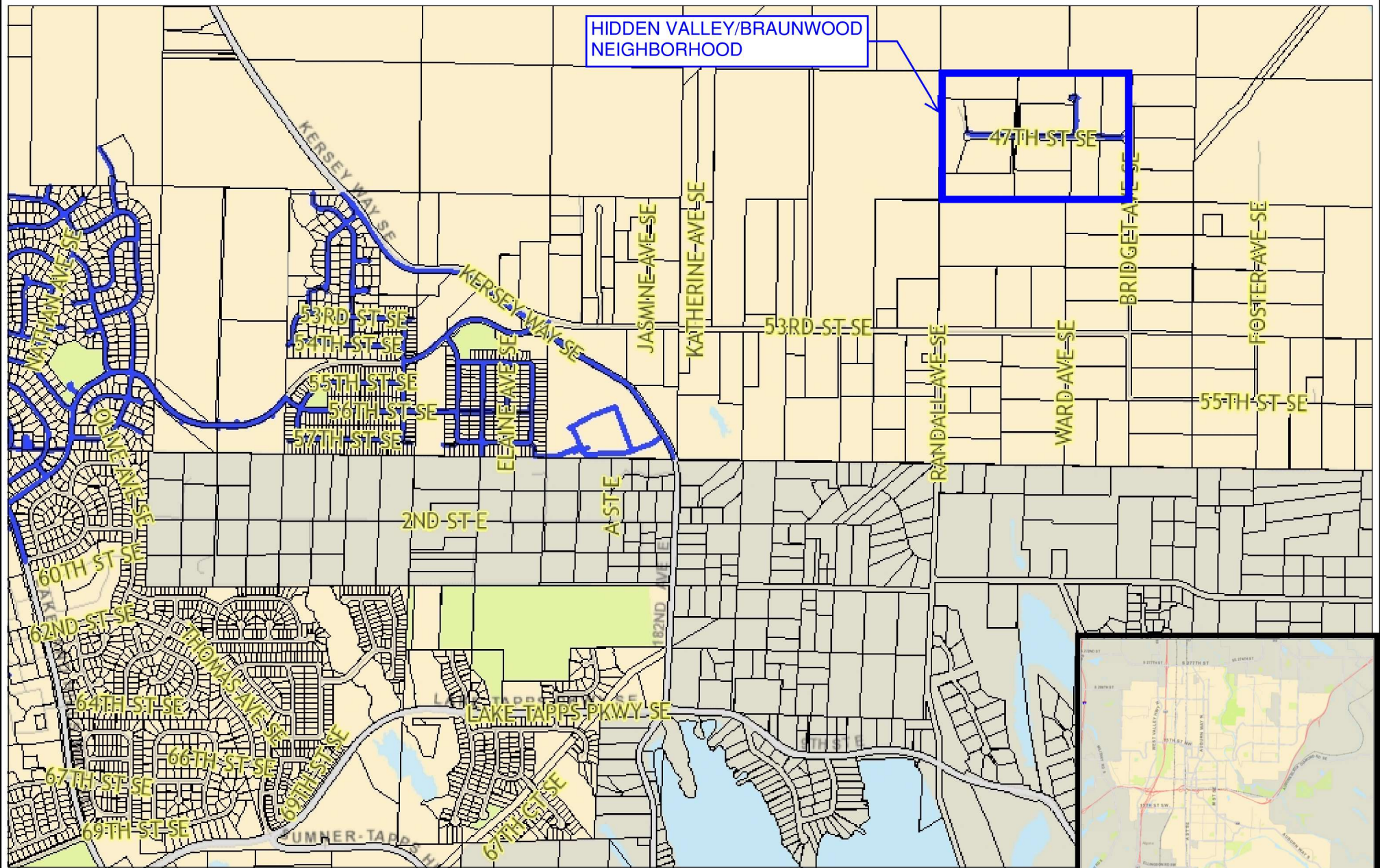
Dated and signed: August 23, 2021

CITY OF AUBURN

Nancy Backus
NANCY BACKUS, MAYOR

Hidden Valley/Braunwood Water System

Printed Date: 8/9/2021
Map Created by City of Auburn eGIS
Imagery Date: May 2015



2,666.7 0 1,333.3 2,666.7 Feet

NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet

1in = 1,333 ft

1:16,000

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