



**City Council Meeting
September 2, 2014 - 7:30 PM
Auburn City Hall
MINUTES**

I CALL TO ORDER

A. Flag Salute

Mayor Nancy Backus called the meeting to order at 7 30 p.m. and led those in attendance in the Pledge of Allegiance

B Roll Call

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

Department Directors and staff members present: Innovation and Technology Director Ron Tiedeman, City Attorney Daniel B Heid, Community Development and Public Works Director Kevin Snyder, Police Chief Bob Lee, Planning and Design Services Manager Elizabeth Chamberlain, Senior Planner David Jones, Transportation Planner Joe Welsh, Finance Director Shelley Coleman, Director of Administration Michael Hursh, Economic Development Manager Doug Lein, and Deputy City Clerk Shawn Campbell.

C. Announcements, Appointments, and Presentations

1 Constitution Week Proclamation

Mayor Backus to proclaim the week of September 17-23, 2014 as "Constitution Week" in the City of Auburn.

Mayor Backus read and presented a proclamation declaring week of September 17-23, 2014 as "Constitution Week" in the City of Auburn.

Peggy Goldneman accepted the proclamation on behalf of the Lakota Chapter of the Daughters of the Revolution. Ms. Goldneman read a quote from Justice Sandra Day O'Connor regarding the United States of America Constitution.

D. Agenda Modifications

Resolution No 5098 and 5099 were added to the agenda and an updated version of Ordinance No 6525 was provided to Council prior to the meeting.

II CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE

A. Public Hearings

- 1 Public Hearing for Franchise Agreement No 13-28 for Electric Lightwave, LLC (Osborne/Snyder)
City Council to hold a public hearing on the application of Electric Lightwave, LLC, for a non-exclusive franchise for the right of entry, use and occupation of certain public right(s)-of way within the city, expressly to install, construct, erect, operate, maintain, repair, relocate and remove its facilities in, on, upon, along and/or across those right(s)-of-way. The purpose of the public hearing is to determine public benefit and impact, applicant compliance, public right-of-way capacity to accommodate the telecommunication system, potential disruption of public right-of way, and present and future use of the public right-of-way.

Transportation Planner Joe Welsh introduced the Franchise Agreement with Electric Light Wave to operate a telecommunications network in the City of Auburn.

Mayor Backus opened the public hearing at 7.38 p m. No one present requested to speak regarding the franchise application, and the hearing was closed.

B. Audience Participation

This is the place on the agenda where the public is invited to speak to the City Council on any issue. Those wishing to speak are reminded to sign in on the form provided.

Jack Smith, 6301 35th Way SE, Auburn
Mr. Smith is a member of the City of Auburn Planning Commission. He disagrees with the recommendation of the Planning Commission. He believes the City should not allow recreational marijuana retail stores in the City or the City should issue a business license to each retail store so the City can have input on what is allowed at each location.

Mayor Backus stated each retail location would be required to have a State of Washington business license

Teressa Wreen, 2530 Forest Ridge Drive SE, Auburn
Ms Wreen stated she has lived in the City of Auburn for 18 years. She expressed her concern with the garbage and weeds in the City rights-of way. She also expressed concerns regarding the aggressive panhandling at Safeway

Mayor Backus stated both the Parks Department and Maintenance and Operations crews have been working on cleaning up the medians

around the City. The Police Department assigned two bike officers to the downtown area this summer

C Correspondence

There is no correspondence for Council review

III. COUNCIL COMMITTEE REPORTS

A. Municipal Services

Chair Peloza reported the Municipal Services Committee met on August 25, 2014. The Committee reviewed Ordinance No. 6529 regarding animal control. The Committee also received a presentation on Ordinance No. 6525 regarding the City of Auburn Planning Commission recommendations regarding commercial recreational marijuana stores within the city limits, a briefing on the shopping carts and auto theft. The next regular meeting of the Municipal Services Committee is scheduled for September 8, 2014 at 3:30 p.m.

B Planning & Community Development

Chair Holman reported the Planning and Community Development Committee met on August 25, 2014. The Committee received a presentation from the Police Department on an emphasis patrol in the downtown area. The Committee forwarded to full Council for consideration Ordinance No. 6525 regarding recreational marijuana. The committee discussed the Urban Design Standards and received an Investing in Place presentation from Jeff Tate and Kevin Snyder. The next Planning and Community Development Committee meeting is September 8, 2014.

C Public Works

Chair Osborne reported the Public Works Committee met earlier today. The Committee reviewed a right of way permit for the Veterans Day Parade, advertising for bids for the Burlington Northern Utility Crossing Project, the Annual Storm Repair and Replacement Project, and design standards for landscaping. The Committee also discussed Resolution No. 5095, Resolution No. 5098, Resolution No. 5099, capital project status report, infrastructure projects by others, and the action tracking matrix. The next regular meeting of the Public Works Committee is scheduled for September 15, 2014 at 3:30 p.m.

D Finance

Chair Wales reported the Finance Committee met this evening at 5:00. The Committee reviewed claims vouchers in the amount of \$3.2 million and payroll vouchers in the amount of \$1.5 million. The Committee forwarded to full Council for consideration Resolution Nos. 5098 and 5099. The Committee also discussed Ordinance No. 6529 and Resolution Nos. 5093 and 5095, and the Airport Hangar

Development project. The next regularly scheduled Finance Committee meeting is September 15, 2014

E. Les Gove Community Campus

The next Les Gove Community Campus Committee meeting is September 24, 2014

F Council Operations Committee

The next Council Operations Committee meeting is scheduled for September 22, 2014

G Junior City Council

The next Junior City Council meeting is scheduled for September 15, 2014.

IV 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 6, 2014 Special Council Meeting

B. August 18, 2014 Regular Meeting Minutes

C Claims Vouchers (Wales/Coleman)
Claims voucher 430217 through 430384 in the amount of \$2,064,146.34 and 3 wire transfers in the amount of \$262,043.27 and dated September 2, 2014

D Payroll Vouchers (Wales/Coleman)
Payroll check numbers 534920 through 534950 in the amount of \$271,413.58, electronic deposit transmissions in the amount of \$1,321,772.30 for a grand total of \$1,593,185.88 for the period covering August 14, 2014 to August 28th 2014

E. Public Works Project No CP1308 (Osborne/Snyder)
City Council to grant permission to advertise for bids for Project No 1308, BNSF Utility Crossings

Deputy Mayor Wagner moved and Councilmember Pelosa seconded to approve the Consent Agenda.

Deputy Mayor Wagner noted the consent agenda included claims, payroll vouchers and a Public Works project.

MOTION CARRIED UNANIMOUSLY 7-0

V UNFINISHED BUSINESS

There was no unfinished business.

VI. NEW BUSINESS

There was no new business

VII. ORDINANCES

A. Ordinance No 6525 (Holman/Snyder)

An Ordinance of the City Council of the City of Auburn, Washington, amending sections 1.04.060, 5.10 040, 9.22.010, 18 02.020 and 18 07 010 of the City of Auburn Code, relating to enforcement of the State regulations regarding production, processing, and /or retail outlets and sales of marijuana, and terminating the moratorium implemented pursuant to Resolution No 4992, passed on September 16, 2013

Councilmember Holman moved and Councilmember Wales seconded to adopt Ordinance No 6525

Councilmember Holman stated when the Planning and Community Development Committee reviewed this ordinance they chose to forward to full Council the option that follows the State of Washington law with no further City involvement.

Councilmember DaCorsi stated as a councilmember he took an oath that he would support the Constitution and Laws of the United States and the State of Washington. The voters in the State of Washington approved I-502. He believes if the Council chooses this option it will place a greater emphasis on the State for the licensing burden and enforcement. The City would act as the enforcement entity, he would like to have any enforcement burden tracked by the City

Councilmember Peloza thanked the Planning Commission and City staff for their work on this issue. He stated he would not vote for this ordinance because there are too many uncertainties between the State and Federal laws. He stated the City should enact a moratorium to allow the State Legislature time to create new laws for this issue. He does not believe a vote of 53% is a mandate by the voters. He stated some concerns of his are that the City receives no tax revenue from the sale of recreational marijuana, crime will rise and marijuana impairs people. There are too many conflicts within the law

Councilmember Wagner stated he does not see the urgency to pass this ordinance. The State laws are not adequate for enforcement. He expected the State to move faster with defining impaired driving. He believes the City should have the State issue licenses but wants to allow additional time for clarification of the laws.

MOTION CARRIED 5 - 2. Deputy Mayor Wagner and Councilmember Peloza voted no.

- B Ordinance No 6529 (Peloza/Heid)
An Ordinance of the City Council of the City of Auburn, Washington,
amending sections 6 01 050, 6 01 070 and 6.01.100 of the Auburn
City Code, relating to animal control

Councilmember Peloza moved and Councilmember Osborne
seconded to adopt Ordinance No 6529

MOTION CARRIED UNANIMOUSLY 7-0

VIII RESOLUTIONS

- A. Resolution No. 5094 (Holman/Snyder)
A Resolution of the City Council of the City of Auburn, Washington,
extending the moratorium established by Resolution No 4992 on
acceptance or processing of applications for business licenses and
other licenses, permits and approvals for marijuana/cannabis
related businesses and uses

Councilmember Holman moved and Councilmember Wales seconded
to withdraw Resolution No 5094 from the agenda.

MOTION CARRIED UNANIMOUSLY 6-1 Councilmember Peloza
voted no

- B Resolution No 5095 (Osborne/Snyder)
A Resolution of the City Council of the City of Auburn, Washington,
authorizing the Mayor to execute an agreement with the City of Kent
regarding Auburn's S 277th Street Corridor Project and jurisdiction
over the South 277th Street Corridor

Councilmember Osborne moved and Councilmember Peloza
seconded to adopt Resolution No. 5095

Deputy Mayor Wagner expressed support for this portion of 277th
Street under one jurisdiction. His concern is the additional street
maintenance cost. He requested the City try to amend the agreement
with the City of Kent to include funds for street maintenance.

Councilmember Wales stated 277th Street serves the residents of Lea
Hill. This area has a great deal of congestion that the project will help
alleviate

Councilmember Osborne stated the agreement ends upon completion
of the project. Delaying the project may put funding sources in
jeopardy

Deputy Mayor Wagner stated the City has worked with the City of
Kent in the past on projects and his concern is the ongoing
maintenance of the street.

Councilmember Pelozo asked if the City delays the vote would it delay the project. Director Snyder indicated clarification of ownership is important to secure funding for the project. The improvements to the road will be important to the economic development of the area. Staff can maintain the street with the current staffing level. Delaying the vote could impact the project with both grant funding from Pierce County Regional Council and working with outside jurisdictions, which takes a great deal of time.

Deputy Mayor Wagner withdrew his opposition to the resolution.

MOTION CARRIED UNANIMOUSLY 7-0

C Resolution No 5098

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute a lease agreement between the City of Auburn and, Seattle SMSA Limited Partnership, D/B/A Verizon Communications, for use of City facilities

Councilmember Wales moved and Councilmember Holman seconded to adopt Resolution No 5098

MOTION CARRIED UNANIMOUSLY 7-0

D Resolution No. 5099

A Resolution of the City Council of the City of Auburn, Washington, opposing closure of the King County Public Health Clinic in Auburn

Councilmember Wales moved and Councilmember Holman seconded to adopt Resolution No 5099

Mayor Backus asked City Attorney Heid to read information regarding King County Public Health.

- Resolution No. 5099 expresses the Auburn City Council's opposition to the closure of the King County Health district clinics in South King County, both in Auburn and Federal Way.

- King County is facing an approximately \$15 million annual budget deficit and, beginning in 2015, is proposing closure of the Auburn Public Health Clinic, as well as a clinic in Federal Way

Auburn is the 15th largest city in the state, with a population of 74,630 residents.

Clients of the Auburn clinic are overwhelmingly low-income and people of color with no medical insurance.

Auburn is a highly diverse community socioeconomically, and the City as well as community have strong concerns for the disadvantaged members of the community, particularly families with

small children

- Auburn commits significant resources annually to providing safety net services and programs that help lift people out of poverty
- Auburn's Human Services efforts are leveraged with partnerships with numerous community social services organizations, including, but not limited to, The Auburn Food Bank, Auburn Youth Resources, and Valley Cities.

The closure of the Auburn clinic will eliminate necessary services for 10,700 low-income clients, primarily women and children, that are critical to reducing poverty, supporting maternal and infant health, and providing family nutrition

The proposal to close both the Auburn and Federal Way clinics will leave the southernmost cities in King County – the 7th and 5th largest cities in the County respectively - unserved by a public health clinic, thereby imposing a greater and disproportionate burden on low-income residents of Auburn and Federal Way to travel to the City of Kent for health services.

In 2013, the Auburn clinic served 3,000 clients with Maternity Support Services and Infant Case Management for low-income pregnant women and infants in their first year of life

- And in 2013, the Auburn clinic served 5,700 clients with Women, Infants and Children nutrition services for low-income pregnant women and children age five and younger

Also, in 2013, the Auburn clinic provided 2,000 clients with family planning services, reducing unplanned pregnancies, teen pregnancies, and sexually transmitted diseases

Closing the Auburn clinic will eliminate 33 full-time equivalent jobs

Clients of the Auburn clinic are overwhelmingly low-income and people of color with no medical insurance

- While the City of Kent has two public health clinics, many Auburn and Federal Way public health clients are unlikely to be able to travel to Kent for public health services

- Low-income residents have fewer mobility choices and are dependent on public transit, and available public transit options are expected to be further restricted by proposed Metro service cuts, including the elimination and reduction of routes between Auburn and Kent, which compounds the burden of travel for low-income residents

- In 2007, King County adopted the King County Public Health Operational Master Plan which includes as one of four Guiding Principles, "Driven by Social Justice Public health will be a voice for the needs of the weak, the poor, minorities and the disenfranchised."

- King County further emphasized the importance of social justice regarding health in 2008 by instigating the King County Equity & Social Justice Initiative, which emphasizes the importance of equal access to basic health care, and then adopted in 2010 the King County Strategic Plan 2010-2014 Working Together for One King County, which emphasizes equitable opportunities for all people and communities.

All of these factors support the basis for opposition to the closure of the King County Health District clinics in Auburn and Federal Way.

MOTION CARRIED UNANIMOUSLY 7-0

IX. 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 Wagner reported he attended the Pierce County Regional Council meeting and the opening of a thrift store that benefits the Auburn Valley Humane Society

Councilmember DaCorsi reported he attended the Congressional Roundtable on Youth Homelessness.

Councilmember Pelloza reported he attended the Airport Advisory Board meeting, the King County Water Pollution Abatement Advisory Committee meeting, and the Association of Washington Cities ad hoc Rate Mobility Rail Committee meeting

Councilmembers Osborne, Trout, Wales and Holman had no report.

B From the Mayor

Mayor Backus reported she attended the New Educator Breakfast, the 35th Community Emergency Response Team (CERT) Training graduation, the Auburn International Farmers Market Chili Cook-Off, an interview with Puget Sound Regional Council Committee on regional transit access, a meeting at Health Point, the Sound Cities ad hoc committee meeting on transit quality and the Big 5 Sports ribbon cutting

X. EXECUTIVE SESSION

At 8 54 p m., Mayor Backus recessed the regular meeting for a five minute intermission and then to executive session for approximately twenty minutes for the purpose of discussing pending/potential litigation pursuant to RCW 42.30 100(1)(i). Department Directors and staff members required for the executive session included City Attorney Daniel B Heid, Community Development and Public Works Director Kevin Snyder, Director of Administration Michael Hursh and Finance Director Shelley Coleman. It was indicated no Council action would follow the executive session

At 9:20 p.m , the executive session was extended an additional ten minutes. At 9:33 p.m., the executive session was extended an additional five minutes.

The regular meeting was reconvened at 9:36 p.m

XI ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 9:36 p.m.

APPROVED this 15th day of September, 2014.



NANCY BACKUS, MAYOR



Shawn Campbell, Deputy City Clerk