

**City Council Meeting
August 3, 2015 - 7:00 PM
Auburn City Hall
MINUTES**

I. CALL TO ORDER

A. Pledge of Allegiance

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

B. Roll Call

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

Department Directors and staff members present included: City Attorney Daniel B. Heid, Community Development and Public Works Director Kevin Snyder, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Utilities Engineering Manager Lisa Tobin, Engineering Aide Amber Price, Public Affairs and Marketing Manager Dana Hinman, Transportation Manager Pablo Para, Parks, Arts and Recreation Director Daryl Faber, Environmental Services Manager Chris Andersen, Innovation and Technology Operations Manager Ashley Riggs, Innovation and Technology Customer Support Manager Reba Stowe, Assistant Chief of Police Bill Pierson, and City Clerk Danielle Daskam.

II. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

Mayor Backus and City Councilmembers joined in wishing Deputy Mayor Holman a very happy birthday.

III. APPOINTMENTS

There was no appointment for Council consideration.

IV. AGENDA MODIFICATIONS

There was no change to the agenda.

V. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE

A. Public Hearings

1. Public Hearing for Right-of-Way Vacation V4-14 (Snyder)
City Council to conduct a public hearing on the proposed vacation of right-of-way located on the south side of South 318th Street, east of 56th Avenue South (Vacation V4-14)

Engineering Aide Amber Price presented the background on the request of Hastings 10, LLC for vacation of the right-of-way, consisting of the south five feet of South 318th Street, east of 56th Avenue South. The applicant currently owns the adjacent parcel to the south and is proposing to incorporate the right-of-way in the development of the adjacent property.

Ms. Price displayed the area sought for vacation on a map. (A version of the same map was included in the Council agenda packet.)

The right-of-way was deeded to King County for street purposes in 1944 and annexed to Auburn in 2008. Staff members support the vacation. The appraised value of the right-of-way proposed for vacation is \$4,700.00, and staff recommends full compensation for the value of the right-of-way be required since the right-of-way has been right-of-way for more than 25 years.

Mayor Backus opened the public hearing at 7:04 p.m.

Hilda Meryhew, 5641 S. 318th Street, Auburn

Mr. Meryhew submitted a letter related to her current boundary line dispute with the Hasting property and Summit Homes. Ms. Meryhew read her letter in its entirety. Ms. Meryhew acknowledged her dispute is a civil matter between her and the developer.

Genelle Smay, 5655 S. 318th Street, Auburn

Ms. Smay owns property east of the Hastings/Summit Homes project. She also provided background on the current property line dispute with Hastings/Summit Homes.

City Attorney Heid explained when the City vacates right-of-way, the vacated property goes to the adjacent property owner. The property line dispute is not affected by the vacated right-of-way.

City Attorney Heid also explained that the City cannot approve a plat development, which includes claims that are not addressed. The developer is proposing Tract B, along the easterly line of the property be set aside pending the resolution of the civil dispute. The vacation is unrelated to the boundary line dispute.

Councilmember Pelosa expressed concern with learning about the boundary line dispute at the Council meeting.

In response to questions from Councilmember Wagner, Assistant Director of Engineering Services/City Engineer Gaub explained that the current right-of-way standards are based on the street classification.

Approximately fifteen years ago, the City right-of-way standards were changed based on the street classification. The right-of-way standard for 318th is 50 feet.

Director Snyder reiterated that the property line dispute is between two private parties and emphasized a private property dispute is not a consideration in deeming whether right-of-way is needed for public purposes.

Assistant Director/City Engineer Gaub displayed a map of the area sought for vacation. Assistant Director Gaub explained the developer created a Tract B, comprised of the area in dispute, and which is not included in the lots created by the plat.

Councilmember Wagner questioned the existing rights-of-way on Lea Hill. Assistant Director/City Engineer Gaub explained the rights-of-way set

aside by King County many years ago are at 60 foot widths; however, the City's standards provide that local residential streets require less than 60 foot widths and arterials require more than 60 feet in right-of-way.

Gerald Anderson, 5671 S. 318th Street, Auburn

In response to comments made by Mr. Anderson, Director Snyder explained the right-of-way vacation process outlined in state law. The City follows state law and rules adopted by the City Council.

There being no further comments, Mayor Backus closed the public hearing at 7:34 p.m.

2. Public Hearing on 2016-2021 Transportation Improvement Program Modification (Snyder)
City Council to conduct a public hearing to receive public comments and suggestions with regard to the proposed modification to the 2016-2021 Transportation Improvement Program (TIP)

Transportation Manager Pablo Para presented the background information on the public hearing to consider an amendment to the 2016-2021 Transportation Improvement Program. State law allows the amendment or revision of the Transportation Improvement Program only after conducting a public hearing. Staff proposes to amend Transportation Improvement Program Project #69, 22nd and I Street NE Intersection, to reflect a secured grant. The project name and description are revised to be consistent with the grant agency requirements.

Mayor Backus opened the public hearing at 7:35 p.m. There being no comment, 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.

There was no audience participation.

C. Correspondence

There was no correspondence for Council review.

VI. COUNCIL AD HOC COMMITTEE REPORTS

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

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

VII. CONSENT AGENDA

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

- A. Minutes of the May 26, 2015 Study Session

- B. Minutes of the July 20, 2015 City Council Meeting
- C. Claims Vouchers (Coleman)
Claims voucher numbers 434746 through 434979 in the amount of \$1,428,938.84 and three wire transfers in the amount of \$169,568.37 and dated August 3, 2015.
- D. Payroll Vouchers (Coleman)
Payroll voucher numbers 535745 through 535765 in the amount of \$323,472.58 and electronic deposit transmissions in the amount of \$1,443,068.03 for a grand total of \$1,766,540.61 for the period covering July 16, 2015 to July 29, 2015.
- E. Public Works Project No. CP1402 (Snyder)
City Council approve Change Order No. 1 and Final Pay Estimate No. 5 in the amount of \$45,042.85 to Contract No. 15-02 and accept construction of Project No. CP1402, 2014 Citywide Pavement Patching and Overlay Project

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

The Consent Agenda includes minutes, claims and payroll vouchers, and a Public Works project contract item.

MOTION CARRIED UNANIMOUSLY. 7-0

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. NEW BUSINESS

- A. SCORE Jail Statistics (Mayor Backus)

Mayor Backus is the City's representative on the South Correctional Entity (SCORE) Board and presented a PowerPoint presentation on SCORE Jail statistics. The SCORE member cities include Auburn, Renton, Federal Way, Tukwila, Burien, SeaTac and Des Moines.

Mayor Backus reviewed SCORE Member City Billable Average Daily Population (ADP) for June, which was at 339 for member cities. Auburn's ADP in June was 83.

Mayor Backus reviewed Total ADP by Month and Year for June 2015. Contract agencies ADP in June 2015 was 351 compared to member cities ADP of 339.

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

X. ORDINANCES

- A. Ordinance No. 6564, First Reading (Snyder)
An Ordinance of the City Council of the City of Washington, vacating right-of-way of the south side of South 318th Street, east of 56th Avenue South, within the City of Auburn, Washington

Councilmember Pelozo moved and Deputy Mayor Holman seconded to adopt Ordinance No. 6564.

Councilmember Wagner stated he believes the City has a need for the right-of-way and questioned the 50 foot right-of-way standard.

Councilmember Osborne expressed concern about the alignment of the street if the vacation is granted and the plat developed while adjacent properties are not.

Assistant Director/City Engineer Gaub stated the right-of-way requirement for a residential roadway is 50 feet. The 50 foot width is driven by the cross section of the roadway: 28 feet of pavement and 10 feet for sidewalk and planter strip on each side of the street. An additional five feet of right-of-way beyond what is necessary for the roadway, results in five feet of right-of-way that is between the residents' fences and the roadway; it then becomes a maintenance issue.

Councilmember Pelozo stated he is not prepared to act on the ordinance this evening in light of the property owners' civil dispute.

Director Snyder stated the street vacation does not affect the property line dispute.

Councilmember Wales stated she does not see the urgency in adopting the ordinance and will not support the ordinance at this time.

Director Snyder reported that staff requested Council suspend the rules and adopt Ordinance No. 6464 on first reading due to the potential cancellation of the August 17th regular City Council meeting.

Director Snyder cautioned the Council that the City is not involved in the civil dispute between the property owners, but have encouraged the parties to resolve the issue.

Deputy Mayor Holman noted the vacation is for five feet of right-of-way on the north side of the property, and the area in dispute is a five foot strip on the east side of the property. The only area in common with the vacation is a five by five foot piece of property and which will go to one or the other's property upon settlement of the civil dispute. Deputy Mayor Holman stated the City's vacation of the right-of-way has nothing to do with civil dispute between the property owners. Deputy Mayor Holman stated he is not in favor of suspending the rules to adopt the ordinance tonight.

Councilmember DaCorsi spoke in favor of a second reading of the ordinance and against suspending the rules to adopt the ordinance this evening.

Councilmember Wagner reiterated his comments regarding the width of the right-of-way.

Councilmember Pelozo suggested further discussion during a study session.

XI. RESOLUTIONS

A. Resolution No. 5154 (Snyder)

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to award and execute an agreement with Ferguson Waterworks for

implementation of Contract Number 15-11 for Project CP1317, Meter and Billing System Improvements Project

Deputy Mayor Holman moved and Councilmember DaCorsi seconded to adopt Resolution No. 5154.

Resolution No. 5154 authorizes the execution of an agreement with Ferguson Waterworks for implementation of a digital and automated water meter and billing system.

MOTION CARRIED UNANIMOUSLY. 7-0

B. Resolution No. 5158 (Snyder)

A Resolution of the City Council of the City of Auburn, Washington, amending the 2016-2021 Six-Year Transportation Improvement Program of the City of Auburn pursuant to RCW Chapter 35.77

Councilmember Osborne moved and Deputy Mayor Holman seconded to adopt Resolution No. 5158.

Resolution No. 5158 amends the 2016-2021 Transportation Improvement Program to update a project for which the City has received grant funding.

MOTION CARRIED UNANIMOUSLY. 7-0

C. Resolution No. 5159 (Snyder)

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute an interlocal agreement (ILA) among the participating jurisdictions within the Green River, Duwamish River, and Central Puget Sound Watersheds within the Geographic Planning Area of Water Resources Inventory Area (WRIA) 9

Councilmember Wales moved and Councilmember Trout seconded to adopt Resolution No. 5159.

Councilmember Wales spoke in favor of Resolution No. 5159, which authorizes an interlocal agreement for Water Resource Inventory Area (WRIA) 9, and noted the agreement was reviewed at the last Council study session.

Councilmember Peloza also spoke in favor of the WRIA agreement with seventeen other cities of the Green River, Duwamish River and Central Puget Sound Watersheds.

MOTION CARRIED UNANIMOUSLY. 7-0

D. Resolution No. 5164 (Lee)

A Resolution of the City Council of the City of Auburn, Washington, declaring a certain firearm as surplus property and approving its sale to a retired police officer

Deputy Mayor Holman moved and Councilmember Peloza seconded to adopt Resolution No. 5164.

Deputy Mayor Holman explained it is a customary practice in police departments to sell a service firearm to an eligible retiring police officer. Resolution No. 5164 authorizes the surplus and sale of a Sig Sauer Model P226 to retiring Officer Sundqvist.

MOTION CARRIED UNANIMOUSLY. 7-0

XII. MAYOR AND COUNCILMEMBER REPORTS

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

A. From the Council

Councilmember DaCorsi reported on his attendance at the King County Regional Law, Justice, and Safety Committee meeting where Seattle Chief of Police O'Toole provided a presentation on her priorities and goals. The Committee also received a briefing on the new mental health legislation and mental health funding sources.

Councilmember Pelosa reported on his attendance at the South County Area Transportation Board meeting and the Water Resource Inventory Area (WRIA) 9 Management Committee meeting where the Committee discussed the capital funding projects along the Green River watershed.

Councilmember Trout reported on her participation in a ride along with Police Officer Martinez. She commended Auburn police officers for their professionalism and service to the community.

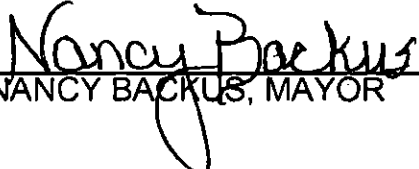
B. From the Mayor

Mayor Backus reported on a recent meeting with Sound Transit staff to discuss the need for a second parking garage in Auburn. Additional discussion regarding the need for a second transit parking garage will take place with King County Executive Dow Constantine. Mayor Backus also reported on a recent tour of local business, Global Tech Plastics (previously known as Fleck Industries), a meeting with new Auburn School District Superintendent, Dr. Alan Spicciati, and a SCORE Board meeting. Mayor Backus reminded National Night Out will take place tomorrow.

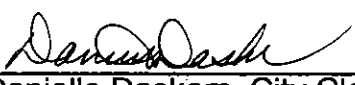
XIII. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 8:19 p.m.

APPROVED this 21st day of September, 2015.



NANCY BACKUS, MAYOR



Danielle Daskam, City Clerk