

	City Council Meeting July 6, 2020 - 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 Monday, July 6, 2020 at 7:00 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 City of Auburn Resolution No. 5533, the City of Auburn meeting location for all Council, Board and Commission meetings is 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/95202974017>

Or join by phone:

253 215 8782
877 853 5257 (Toll Free)

Webinar ID: 952 0297 4017

A. Pledge of Allegiance

B. Roll Call

III. AGENDA MODIFICATIONS

IV. NEW BUSINESS

V. 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. Virtual Participation

Participants can submit written comments via mail, fax or email. All written comments must be received prior to 7:00 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:

scampbell@auburnwa.gov

C. Correspondence - (There is 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 recommendation to the City Council, if any.

1. Finance Ad Hoc Committee (Chair Baggett)

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 June 8, 2020 and June 22, 2020 Study Session

B. Minutes of the June 15, 2020 Regular Council Meeting

C. Minutes of the June 22, 2020 Special Council Meeting

D. Claim Vouchers (Thomas)

Claim voucher list dated July 6th, 2020 which includes voucher numbers 459073 through 459287 in the amount of \$4,260,620.62 and five wire transfers in the amount of \$766,138.01

E. Payroll Vouchers (Thomas)

Payroll check numbers 538936 through 538942 in the amount of \$573,866.50 and electronic deposit transmissions in the amount of \$1,977,733.25 for a grand total of \$2,551,599.75 for the period covering June 16, 2020 to June 29, 2020

- F. Setting date for Public Hearing for Puget Sound Energy
Electrical Franchise (Gaub)

Set date for Public Hearing for Franchise Agreement No. FRN20-0002 for Puget
Sound Energy, Inc. Electrical Franchise

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

VIII. UNFINISHED BUSINESS

IX. RESOLUTIONS

- A. Resolution No. 5534 (Gaub)

A Resolution authorizing the Mayor to execute an agreement between the City of
Auburn and King County, Metro Transit Department relating to Project CP1902 –
Pedestrian Safety Sidewalk and ADA Improvements

(RECOMMENDED ACTION: Move to adopt Resolution No. 5534.)

- B. Resolution No. 5536 (O'Neil)

A Resolution regarding enforcement by Auburn Police Officers of the face-
covering requirements of the Governor's Proclamation number 20-60 and the
Secretary of Health's Order number 20-03

(RECOMMENDED ACTION: Move to adopt Resolution No. 5536.)

X. MAYOR AND COUNCILMEMBER REPORTS

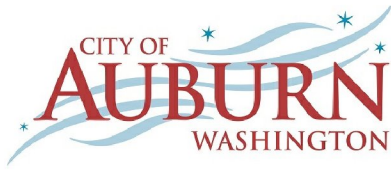
*At this time the Mayor and City Council may report on significant items associated with
their appointed positions on federal, state, regional and local organizations.*

- A. **From the Council**

- B. **From the Mayor**

XI. 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 June 8, 2020 and June 22, 2020 Study Session

Date:

June 22, 2020

Department:

City Council

Attachments:

[06-08-2020 Minutes](#)

[06-22-2020 Minutes](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

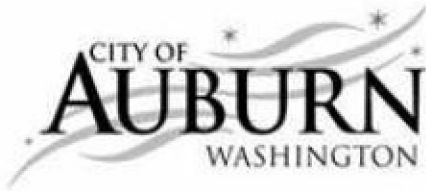
Revised Budget: \$0

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

Meeting Date: July 6, 2020

Staff:

Item Number: CA.A



City Council Study Session PWCD SFA
June 8, 2020 - 5:30 PM
Virtual
MINUTES

📺 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

Deputy Mayor DaCorsi 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. Virtual Participation Link

A. Virtual Participation Link

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

B. Roll Call

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

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: Police Commander Steve Stocker, Director of Community Development Jeff Tate, Director of Finance Jamie Thomas, Senior Transportation Planner Cecile Malik, Capital and Construction Engineering Manager Ryan Vondrak, Senior Traffic Engineer James Webb, Director of Public Works Ingrid Gaub, Economic Development Manager Doug Lein, Director of Administration Dana Hinman and Director of Human Resources and Risk Management Candis Martinson.

III. ANNOUNCEMENTS, REPORTS, AND PRESENTATIONS

There were no announcements, reports or presentations.

IV. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Use of Force and Commendations, Inquiries, Allegations (CIA) Update (O'Neil)(30 Minutes)

Commander Stocker presented Council with the Use of Force and Commendations, Inquiries, Allegations (CIA) Update. The Police Department received 93 accommodations in 2019, conducted 18 internal investigations with 11 findings of misconduct and 11 supervisory inquiries with 7 findings of unacceptable performance. He reviewed types of allegations, number of collision and use of force reports and allegations. There were 19 collisions with 14 of those being deemed preventable, there were 214 Use of Force Reports completed with 3 allegations of excessive force, all three were deemed acceptable use of force. He also reviewed the force types, effectiveness of force, force used resulting in injury, the time of day for use of force and reason for use of force.

Council discussed the Vascular Neck Restraint (VNR) training, the "Other" category for use of force, what macular tension pulled away means, lethal use of force, types of employee misconduct, use of force types and escalation of force, policy for use of force regarding gender, who reviews allegations, how complaints are made and the possibility of having an independent review board.

B. SKHHP Progress Update and Draft 2020-2021 Work Plan (Tate)(25 Minutes)

South King Housing and Homelessness Partners (SKHHP) 2019 End of the Year Report and draft 2020-2021 Work Plan and overview of proposed 2021 and 2022 jurisdiction contributions to SKHHP

Director Tate provided a brief overview on the South King Housing and Homelessness Partners (SKHHP) 2019 End of Year Report, the draft 2020-2021 Work Plan and the proposed 2021 and 2022 contributions to SKHHP.

SKHHP Executive Manager Angela San Filippo provided Council with an update on the 2019 End of Year Report, the draft 2020-2021 Work Plan and the 2021-2022 Budget, and how the COVID-19 pandemic affected the cost-burdened households in King County.

Council discussed the challenges tenants will have making up their back rent after the eviction moratorium ends, contractors building affordable housing and what safe and affordable housing means.

C. Ordinance No. 6777 (Thomas)(10 Minutes)

An Ordinance amending Ordinance No. 6767 extending the temporary waiver of late fees for utility accounts and airport fees in light of a declared Public Health Emergency related to COVID- 19

Director Thomas explained this ordinance is an extension through August

31, 2020 of Ordinance No. 6767 temporarily waiving late fees for utility accounts and airport fees.

V. PUBLIC WORKS AND COMMUNITY DEVELOPMENT DISCUSSION ITEMS

A. Pierce Transit Long Range Plan Presentation (Gaub)(20 Minutes)

Councilmember Stearns presided over the Public Works section of the meeting.

Senior Planner Malik introduced Principal Planner Darin Stavish from Pierce Transit who provided Council with an update on Destination 2040 Pierce Transit Long Range Plan (LRP) and discussed the purpose, goals, and objectives of the LRP. He also reviewed projects that have moved forward, expected expansion of ridership, proposed routes and frequencies of future routes, web-based engagement and next steps including; adoption of the long range plan and requested a formal comment letter from the City of Auburn.

B. Lea Hill Road Corridor Study (Gaub)(20 Minutes)

Manager Vondrak provided Council with an update on the Lea Hill Corridor Study. He reviewed the project background, corridor challenges, study objectives, public involvement and existing pedestrian and transit facilities. He also discussed crash data for the corridor, the level of service at intersections, the level of service if no updates are made, performance metrics for the study, corridor recommendations, plan implementation and next steps.

Council discussed the order of projects, data on pedestrian injuries, the intersection grading review process and the options for bus lanes or pull outs.

C. Americans with Disabilities Act (ADA) Transition Plan and Resolution No. 5514 to adopt ADA policies (Gaub)(20 Minutes)

Senior Planner Malik provided Council with a presentation on the draft Americans with Disability Act (ADA) transition plan for facilities in the Public Right-of-Way. She reviewed the elements of the plan and the types of public outreach completed. She also discussed the legal background of the plan, a self-evaluation for the requirements and compliance, the existing and new policies in the transition plan, the plan for transitioning to full ADA compliance and next steps.

Council requested an annual update on the status of the ADA projects.

Deputy Mayor DaCorsi called for a 5 minute recess at 7:42 p.m. The meeting reconvened at 7:47 p.m.

D. Ordinance No. 6778 (Gaub)(10 Minutes)

An Ordinance 6778 providing a temporary waiver of Right-of-Way Use Permit fees, for outside restaurant seating in the public right-of-way, in response to the phased opening of commercial businesses following the COVID-19 declared Public Health Emergency

Director Gaub presented Council with information on Ordinance No. 6778 and discussed a temporary waiver of the non-refundable permit application fee for Right-of-Way Use permits applied for by restaurants to temporarily allow outdoor seating.

E. CARES Small Business Assistance (Hinman)(10 Minutes)

Overview of a draft approach for distributing Small Business Assistance Grants using the City's allocation of CARES funding

Manager Lein provided Council with an update on the CARES Small Business Assistance Program. He reviewed the purpose of the CARES funding and the criteria that defines the types of businesses that are eligible to receive grant funds.

Council discussed the criteria for CARES funding.

F. Resolution No. 5525 (Tate)(10 Minutes)

A Resolution authorizing the Mayor to enter into a contract for professional services with the eCityGov Alliance for the purposes interfacing the City's permit system with MyBuildingPermit.com

Director Tate provided Council with an update on Resolution No. 5525 and discussed the purpose of creating a common online permitting software interface.

VI. OTHER DISCUSSION ITEMS

Councilmember Stearns stated he attended the Educator and Students march and rally at City Hall last week and was very impressed with the organizers, the Muckleshoot Tribe and their performance and Mayor Backus and her speech.

VII. NEW BUSINESS

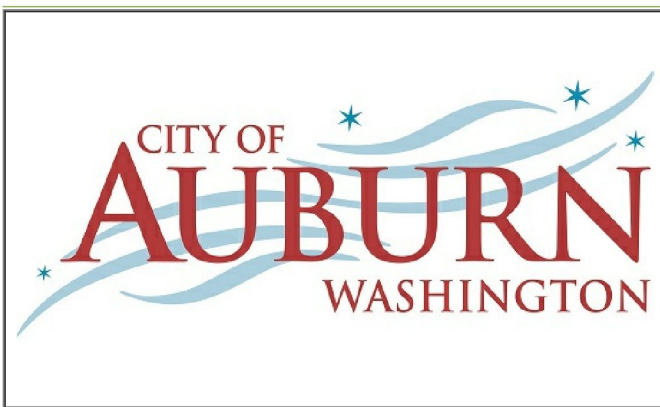
VIII. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:11 p.m.

APPROVED this 6th day of July, 2020.

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.

	City Council Study Session Muni Services SFA June 22, 2020 - 5:30 PM Virtual AGENDA 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 DaCorsi called the meeting to order at 5:35 p.m. in the Council Chambers of Auburn City Hall, 25 West Main Street in Auburn.

II. Virtual Participation Link

A. Virtual Participation Link

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

B. Roll Call

Councilmembers virtually present: Deputy Mayor Claude DaCorsi, Bob Baggett, Larry Brown, James Jeyaraj, Robyn Mulenga, Chris Stearns 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: City Attorney Dan Heid, Director of Finance Jamie Thomas, Director of Human Resources and Risk Management Candis Martinson and Outreach Program Administrator Kent Hay.

III. ANNOUNCEMENTS, REPORTS, AND PRESENTATIONS

Agenda Modification:

Ordinance No. 6776 has been removed from the agenda.

IV. EXECUTIVE SESSION

Deputy Mayor DaCorsi recessed into executive session at 5:44 p.m. for 45 minutes pursuant to RCW 42.30.110 (1)(2) for potential litigation. Mayor Backus, City Attorney Heid, Chief O'Neil, Director Martinson and Stuart Estes attended the executive session. Mayor Backus extended the executive session twice for 15 minutes and one additional time for 5 minutes.

Deputy Mayor DaCorsi reconvened the meeting at 7:05 p.m.

V. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. First Quarter Update (Thomas)(30 Minutes) Financial Report through May 2020

Director Thomas presented Council with the financial report from January through May 2020. She discussed the budget impact shortfalls due to COVID-19. She reviewed General Fund revenues including; Sales Tax revenue, Criminal Justice Sales Tax, Motor Vehicle Fuel Tax, Building Permits revenue, Development Services Fee revenue, Public Safety Fee revenue, Cultural Arts and Recreation fees, Admissions Tax, Gambling Tax, Business License fees, Streamlined Sales Tax Mitigation and Utility Taxes. She also stated with the COVID-19 budget adjustments they estimate the City is \$20,000 below budget projections.

Council discussed the return of revenue and gambling tax revenue.

VI. MUNICIPAL SERVICES DISCUSSION ITEMS

A. Community Court Update (Martinson)(30 Minutes)

Councilmember Stearns presided over the Municipal Services section of the meeting.

Director Martinson presented Council with an update on Community Court. She shared a brief history of Community Court and outlined the process moving forward to go live with the Community Court.

Judge Susan Mahoney and Judge Matthew York shared with Council their work with the Community Court and Outreach Coordinator Hay shared his experience with the Community Court in Redmond.

Council discussed the benefits of Community Court and thanked Judge Mahoney, Judge York and Coordinator Hay for all their work.

VII. NEW BUSINESS

There was no new business.

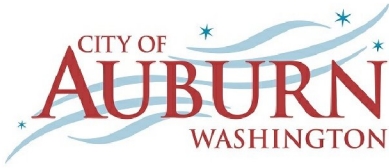
VIII. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:00 p.m.

APPROVED this 6th day of July, 2020.

CLAUDE DACORSI, DEPUTY MAYOR Shawn Campbell, City Clerk

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AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes of the June 15, 2020 Regular Council Meeting

Department:

City Council

Attachments:

[06-15-2020 Minutes](#)

Date:

June 22, 2020

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

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

Meeting Date: July 6, 2020

Staff:

Item Number: CA.B

	City Council Meeting June 15, 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 present: Deputy Mayor Claude DaCorsi, Bob Baggett, Larry Brown, James Jeyaraj, Robyn Mulenga and Chris Stearns. Councilmember Yolanda Trout-Manuel was excused.

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: City Attorney Dan Heid, Director of Public Works Ingrid Gaub, Director of Finance Jamie Thomas, Director of Community Development Jeff Tate, Director of Administration Dana Hinman, Director of Parks, Arts, and Recreation Daryl Faber, Director of Human Resources and Risk Management Candis Martinson, Economic Development Manager Doug Lein and Assistant Director of Innovation and Technology Ashley Riggs.

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

A. Juneteenth 2020 Proclamation

Mayor Backus to proclaim June 19, 2020 as "Juneteenth 2020" in the City of Auburn

Mayor Backus read and proclaimed June 19, 2020 as "Juneteenth 2020"

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. Public Hearing for 2021-2026 Transportation Improvement Program

A Public Hearing to Consider the 2021-2026 Transportation Improvement Program

Mayor Backus opened the public hearing at 7:04 p.m. No one came forward to speak, she closed the hearing at 7:05 p.m.

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

Bob Zimmerman, 33029 46th Place South, Auburn
Mr. Zimmerman expressed concerns regarding code compliance in the City of Auburn.

Nick Hendrickson
Mr. Hendrickson asked questions about the City of Auburn's plan for the future.

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 May 26, 2020 Study Session

B. Minutes of the June 1, 2020 City Council Meeting

C. Claim Vouchers (Thomas)

Claim voucher list dated June 15th, 2020 which includes voucher numbers 458917 through 459072 in the amount of \$5,352,480.95 and three wire transfers in the amount of \$379,415.23

D. Payroll Vouchers (Thomas)

Payroll check numbers 538928 through 538935 in the amount of \$223,622.13 and electronic deposit transmissions in the amount of \$2,183,567.24 for a grand total of \$2,407,189.37 for the period covering May 27, 2020 to June 9, 2020

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

MOTION CARRIED UNANIMOUSLY. 6-0

IX. **UNFINISHED BUSINESS**

There was no unfinished business.

X. **ORDINANCES**

A. Ordinance No. 6777 (Thomas)

An Ordinance amending Ordinance No. 6767 extending the temporary waiver of late fees for utility accounts and airport fees in light of a declared Public Health Emergency related to COVID- 19

Councilmember Brown moved and Councilmember Stearns seconded to adopt Ordinance No. 6777.

MOTION CARRIED UNANIMOUSLY. 6-0

B. Ordinance No. 6778 (Gaub)

An Ordinance providing a temporary waiver of Right-of-Way Use Permit fees for outside restaurant seating in the public right-of-way, in response to the phased opening of commercial businesses following the COVID-19 declared Public Health Emergency

Councilmember Jeyaraj moved and Councilmember Brown seconded to adopt Ordinance No. 6778.

MOTION CARRIED UNANIMOUSLY. 6-0

XI. RESOLUTIONS

A. Resolution No. 5514 (Gaub)

A Resolution authorizing the adoption of Americans with Disabilities Act (ADA) policies for facilities in the public Right-of-Way

Councilmember Jeyaraj moved and Councilmember Mulenga seconded to adopt Resolution No. 5514.

MOTION CARRIED UNANIMOUSLY. 6-0

B. Resolution No. 5525 (Tate)

A Resolution authorizing the Mayor to execute an agreement between the City of Auburn and eCityGov Alliance for building permit management software services

Councilmember Brown moved and Councilmember Stearns seconded to adopt Resolution No. 5525.

MOTION CARRIED UNANIMOUSLY. 6-0

C. Resolution No. 5527 (Gaub)

A Resolution authorizing the adoption of the 2021-2026 Transportation Improvement Program

Deputy Mayor DaCorsi moved and Councilmember Jeyaraj seconded to adopt Resolution No. 5527.

MOTION CARRIED UNANIMOUSLY. 6-0

D. Resolution No. 5528 (Hinman)

A Resolution authorizing the Mayor to utilize a portion of the City's allocation of Cares Act Funding for small business assistance grants

Councilmember Jeyaraj moved and Deputy Mayor DaCorsi seconded to adopt Resolution No. 5528.

MOTION CARRIED UNANIMOUSLY. 6-0

E. Resolution No. 5530 (O'Neil)

A Resolution accepting a US Department of Justice Grant for Coronavirus related Police Funding

Councilmember Stearns moved and Councilmember Mulenga seconded to adopt Resolution No. 5530.

MOTION CARRIED UNANIMOUSLY. 6-0

F. Resolution No. 5531 (Thomas)

A Resolution authorizing the Mayor to execute an interagency agreement between the City of Auburn and the Washington State Department of Commerce relating to the Coronavirus Relief Fund for local governments

Councilmember Mulenga moved and Councilmember Brown seconded to adopt Resolution No. 5531.

MOTION CARRIED UNANIMOUSLY. 6-0

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 commented on the Educator and Student protests in Auburn last week and on some of the small businesses opening in Auburn.

Councilmember Baggett reported he attended the Tacoma-Pierce County Board of Health meeting.

Councilmember Brown stated he is proud to live in a city that is actively fighting against racism.

Councilmember Jeyaraj commented on the Supreme Court's ruling protecting LGBTQ Americans from being discriminated against at work. He also commended the organizer of the Educator and Student protests and stated the city needs to ensure the excessive use of force happening in other cities does not happen here.

Councilmember Stearns stated his appreciation for the Educator and Student protests and the work they are doing. He also attended a webinar on police brutality and commented on the historic ruling by the Supreme Court making it illegal to discriminate against someone in the work place for being a part of the LGBTQ+ community.

B. From the Mayor

Mayor Backus spoke about her excitement regarding the Supreme Court Ruling protecting the LGBTQ+ community in the work place. She also stated she has been meeting with community leaders regarding how to make Auburn better and spoke about creating community teams to help make positive impacts for the City of Auburn residents.

XIII. ADJOURNMENT

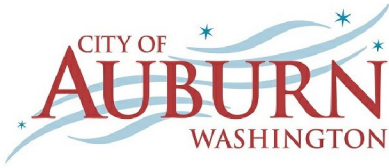
There being no further business to come before the Council, the meeting was adjourned at 7:38 p.m.

APPROVED this 6th day of July, 2020.

NANCY BACKUS, MAYOR

Shawn Campbell, City Clerk

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AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes of the June 22, 2020 Special Council Meeting

Department:

City Council

Attachments:

[06-22-2020 Special Minutes](#)

Date:

June 22, 2020

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

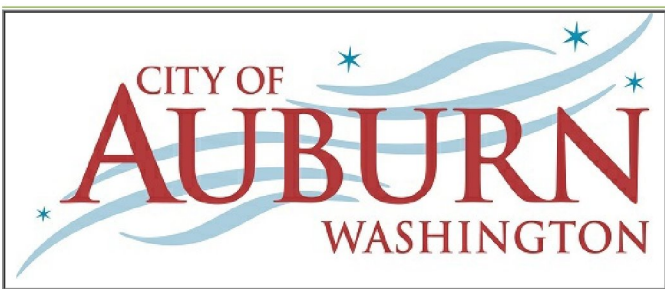
Revised Budget: \$0

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

Meeting Date: July 6, 2020

Staff:

Item Number: CA.C

	Special City Council Meeting June 22, 2020 - 5:30 PM Virtual MINUTES
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I. **CALL TO ORDER**

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

A. **Virtual Participation Link**

1. Virtual Participation Link

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

B. **Roll Call**

Councilmembers virtually present: Deputy Mayor Claude DaCorsi, Bob Baggett, Larry Brown, James Jeyaraj, Robyn Mulenga and Yolanda Trout-Manuel. Councilmember Stearns arrived at 5:32 p.m.

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: City Attorney Dan Heid, Director of Finance Jamie Thomas, Assistant Finance Director Kevin Fuhrer, Director of Human Resources and Risk Management Candis Martinson and Assistant Director of Innovation and Technology Ashley Riggs.

II. **RESOLUTIONS**

A. Resolution No. 5533

A Resolution temporarily designating the locations for Regular, Special and Study Session meetings of the City Council and of the Committees, Boards and Commissions of the City to the virtual locations until King County enters into Phase Three of the Governor's Safe Start Reopening Plan

Deputy Mayor DaCorsi moved and Councilmember Trout-Manuel seconded to adopt Resolution No. 5533.

MOTION CARRIED UNANIMOUSLY. 7-0

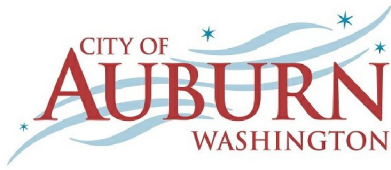
III. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 5:33 p.m.

APPROVED this 6th day of July, 2020.

NANCY BACKUS, MAYOR Shawn Campbell, City Clerk

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AGENDA BILL APPROVAL FORM

Agenda Subject:

Claim Vouchers (Thomas)

Date:

June 23, 2020

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

Approve Claim Vouchers.

Background Summary:

Claim voucher list dated July 6th, 2020 which includes voucher numbers 459073 through 459287 in the amount of \$4,260,620.62 and five wire transfers in the amount of \$766,138.01.

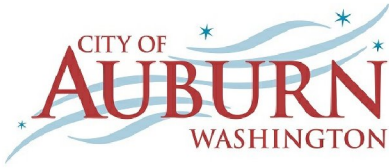
Reviewed by Council Committees:**Councilmember:****Staff:**

Thomas

Meeting Date: July 6, 2020

Item Number:

CA.D



AGENDA BILL APPROVAL FORM

Agenda Subject:

Payroll Vouchers (Thomas)

Date:

June 23, 2020

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

Approve Payroll Vouchers.

Background Summary:

Payroll check numbers 538936 through 538942 in the amount of \$573,866.50 and electronic deposit transmissions in the amount of \$1,977,733.25 for a grand total of \$2,551,599.75 for the period covering June 16, 2020 to June 29, 2020.

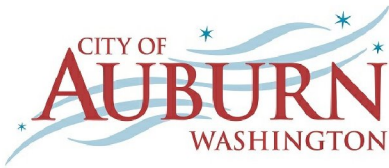
Reviewed by Council Committees:**Councilmember:****Staff:**

Thomas

Meeting Date: July 6, 2020

Item Number:

CA.E



AGENDA BILL APPROVAL FORM

Agenda Subject:

Setting date for Public Hearing for Puget Sound Energy
Electrical Franchise (Gaub)

Date:

June 29, 2020

Department:

Public Works

Attachments:

No Attachments Available

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

City Council set the date of the Public Hearing for Franchise Agreement No. FRN20-0002 for Puget Sound Energy, Inc. Electrical Franchise as July 20, 2020, at 7:00 pm.

Background Summary:

Section 20.06.030 of the Auburn City Code requires the City to hold a public hearing before granting or denying a franchise agreement. Staff requests that the City Council set the date of the public hearing for Franchise Agreement No. FRN20-0002 for Puget Sound Energy, Inc. (PSE) Electrical Franchise for July 20, 2020 at 7:00 pm in Council Chambers.

Section 20.06.010 of the Auburn City Code requires a franchise for any commercial utility to use public ways of the City and to provide commercial utility services to any person or area in the City.

PSE has applied for a new franchise agreement to continue to operate their electrical facilities within the City's rights of way as their previous franchise agreement recently expired. PSE currently provides electrical services to all parts of the city, including commercial and residential service. The proposed agreement is consistent with the City's standard franchise agreement language.

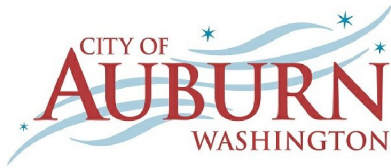
Reviewed by Council Committees:**Councilmember:****Staff:**

Gaub

Meeting Date: July 6, 2020

Item Number:

CA.F



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5534 (Gaub)

Date:

June 29, 2020

Department:

Public Works

Attachments:

[Resolution No. 5534](#)

[Exhibit A](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

City Council adopt Resolution No. 5534.

Background Summary:

Resolution No. 5534 authorizes the Mayor to execute an agreement between the City of Auburn and King County, Metro Transit Department (KC Metro) relating to Project CP1902 – Pedestrian Safety Sidewalk and ADA Improvements.

KC Metro has appropriated funds in its Safe Routes to Transit Program to support capital projects that improve safety, convenience and accessibility for people walking, bicycling and using assistive mobility devices (such as wheelchairs or walkers) to connect to transit services and facilities. Improvements may include sidewalks, safe crossings, ADA ramps and other improvements that will enhance safety, comfort and access to transit services and facilities.

KC Metro and the City have identified improvements included in City Project CP1902 – Pedestrian Safety Sidewalk and ADA Improvements (Project) that support and improve transit access in the City and KC Metro has agreed to contribute funding towards those Project improvements.

The Project is planned to be constructed in the summer of 2020 and includes constructing sidewalks, curb ramps, and crosswalk enhancements with Rapid Rectangular Flashing Beacons (RRFB) at several locations throughout the City. KC Metro has agreed to fund improvements at the intersections of 37th Street SE/D Street SE and 124th Ave SE/SE 316th Street.

The County has agreed to reimburse the City a maximum amount of one hundred seventy-five thousand dollars (\$175,000.00) towards the Project. This amount includes thirty-three thousand dollars (\$33,000.00) as a contingency to address changes and unexpected conditions.

Reviewed by Council Committees:

Councilmember: Brown
Meeting Date: July 6, 2020

Staff: Gaub
Item Number: RES.A

RESOLUTION NO. 5534

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF AUBURN AND KING COUNTY, METRO TRANSIT DEPARTMENT RELATING TO PROJECT NO. CP1902 – PEDESTRIAN SAFETY SIDEWALK AND ADA IMPROVEMENTS

WHEREAS, the City is designing and constructing pedestrian improvements throughout the City, hereinafter referred to as the “City Project”; and

WHEREAS, Metro Connects is a long range transit plan adopted by King County, Metro Transit Department (KC Metro). Metro Connects envisions more people walking and bicycling to transit, and makes significant investments toward that vision, including funding for sidewalks, bikeways and other treatments; and

WHEREAS, to further the goals of Metro Connects, King County has appropriated funds in Metro’s Safe Routes to Transit Program to support capital projects that improve safety, convenience and accessibility for people walking, bicycling and using assistive mobility devices (such as wheelchairs or walkers) to connect to transit services and facilities; and

WHEREAS, capital improvement projects made under the Safe Routes to Transit Program may include sidewalks, bikeways, safe crossings, ADA ramps, traffic calming devices and treatments, lighting, traffic counters, and other improvements that will enhance safety, comfort and access to transit services and facilities; and

WHEREAS, the City and KC Metro have identified needed improvements at the intersections of 37th Street SE/D Street SE and 124th Avenue SE/SE 316th Street

(Improvements) included in the City Project that will support and improve transit access in the City;

WHEREAS, King County is willing to compensate the City for the City's costs to construct the Improvements; and

WHEREAS, the City and County are authorized to enter into this Agreement pursuant to RCW 39.34.030.

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

Section 1. The Mayor is authorized to execute an Agreement with the King County Metro Transit Department related to pedestrian safety sidewalk and ADA improvements and expend funds for said agreement, which Agreement will be in substantial conformity with the Agreement attached as Exhibit A.

Section 2. The Mayor is authorized to execute any necessary funding authorizations, supplemental amendments, and award a construction project, expending up to the total amount of the Project budget including Metro Funds, and to implement administrative procedures necessary to carry out the directions of this legislation.

The Mayor is authorized to implement those administrative procedures necessary to carry out the directions of this Resolution.

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

Signed _____.

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Kendra Comeau, City Attorney

SAFE ROUTES TO TRANSIT PROGRAM

CAPITAL IMPROVEMENTS AGREEMENT

between

KING COUNTY, METRO TRANSIT DEPARTMENT

and

CITY OF AUBURN

THIS SAFE ROUTES TO TRANSIT PROGRAM CAPITAL IMPROVEMENTS AGREEMENT (the "Agreement") is entered into by and between the City of Auburn, a municipality of the State of Washington (the "City"), and King County, a political subdivision of the State of Washington, through its Metro Transit Department (the "County" or "Metro"), either of which entity may be referred to hereinafter as "Party" or collectively as the "Parties."

WHEREAS, Metro's adopted long-range transit plan, Metro Connects, envisions more people walking and bicycling to transit, and making significant investments toward that vision, including funding for sidewalks, bikeways and other treatments; and

WHEREAS, the County has appropriated funds in Metro's Safe Routes to Transit Program to support capital projects that improve safety, convenience and accessibility for people walking, bicycling and using assistive mobility devices (such as wheelchairs or walkers) to connect to transit services and facilities; and

WHEREAS, capital improvement projects made under the Safe Routes to Transit Program may include sidewalks, bikeways, safe crossings, ADA ramps, traffic calming devices and treatments, lighting, traffic counters, and other improvements that will enhance safety, comfort and access to transit services and facilities; and

WHEREAS, the County expects that such improvements developed under the Safe Routes to Transit Program will help reduce collision risks and injuries involving people walking and cycling, attract more transit riders, help more riders connect to transit without use of a personal car, thereby supporting County objectives for equity, managing demand for car parking at transit facilities, reducing local traffic congestion and emissions, and supporting health; and

WHEREAS, the County intends to work with local jurisdictions to fund the design and construction of such capital projects as sidewalks, bikeways, safe crossings, ADA ramps, traffic calming devices and treatments, lighting, traffic counters, and other improvements that will enhance safety, comfort and access to transit services and facilities; and

WHEREAS, Metro has worked with the cities of Renton, Kent and Auburn to redesign transit service in their cities and to identify barriers to accessing transit service; and

WHEREAS, the redesigned transit service will take effect in fall 2020; and

WHEREAS, the County and the City have mutual interest in reducing barriers to transit service in order to support access to transit services and facilities in the City; and

WHEREAS, the Parties have identified capital improvement project(s) that will support and improve transit access in the City;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. PURPOSE OF AGREEMENT

The purpose of this Agreement is to establish the terms and conditions under which the County, as part of its Safe Routes to Transit Program, will reimburse the City for a portion of the costs of the design and/or construction of certain transit access capital improvements consisting, in summary, of pedestrian safety improvements at specific locations (the "Project"), as more particularly described in the Scope of Work ("SOW") set forth at Exhibit A, which is attached hereto and incorporated herein by this reference.

2. DUTIES AND RESPONSIBILITIES OF THE CITY

- 2.1 The City shall furnish the necessary personnel, equipment, material and/or services and otherwise do all things necessary for or incidental to design, construct and inspect the transit access capital improvements provided for in the Project description set forth in Exhibit A. The Project objectives and timelines are provided for with particularity in Exhibit A.
- 2.2 It shall be the City's responsibility to design and build the Project in compliance with applicable requirements of federal, state and local laws, rules and regulations, including, but not limited to, the Americans with Disabilities Act ("ADA"). The City shall also be responsible for obtaining any necessary permits; review and approval by federal, state or local regulatory agencies, if applicable; and for conducting any required environmental review. The City shall also be responsible for the administration and funding of any contracts it enters into for the performance of its responsibilities under this Agreement.
- 2.3 Upon completion, all Project improvements shall become the property of the City. The City shall be responsible for ongoing maintenance, repair and replacement of any Project improvements.
- 2.4 The City will provide the County with regular progress reports, at least quarterly, to identify work progress and other matters of significance in the performance of this Agreement.
- 2.5 The City shall submit design plans for the Project improvements to the County for its review and written approval prior to initiating construction. The County will have the opportunity to review and provide written comments on the plans to ensure consistency with any applicable requirements and the County's expectations for the Project. Should the City desire to change the final Project design after the County's initial review and approval of the initial design plans, whether based on additional engineering or traffic analysis, input from stakeholders, or other factors, the County's Contract Manager, as provided for in Section 18 of this Agreement, shall be

notified of such proposed changes. Any such changes that are deemed significant by the County shall require joint written approval consistent with Section 15 of this Agreement.

- 2.6 The City shall contribute funding for the design of the Project.

3. DUTIES AND RESPONSIBILITIES OF THE COUNTY

- 3.1 The County will reimburse the City for a portion of the actual, eligible costs incurred by the City for the transit access capital improvements as provided for in the SOW set forth at Exhibit A. Under no circumstances will the County's contribution to the City's eligible Project costs exceed a maximum amount of \$175,000.00 (the "Reimbursement Cap").
- 3.2 The County's obligation to make such reimbursements is contingent upon the City completing design of the project, as stated in Subsection 2.6.

4. INVOICE AND PAYMENT PROCEDURES

- 4.1 The County will reimburse the City for actual, eligible costs incurred for work performed pursuant to this Agreement as identified in the SOW, provided that costs incurred after December 31, 2020 shall not be reimbursed unless this Agreement is extended pursuant to Section 15. The City shall submit a completed invoice to the County detailing quarterly activities, outcomes, expenses and reimbursement amount due within thirty (30) days of each quarter's end. The County shall pay the City within thirty (30) calendar days after the County has received completed invoices. In no event shall the total reimbursement to City for work performed pursuant to this Agreement exceed the Reimbursement Cap provided for in Subsection 3.1 of this Agreement.
- 4.2 In the event that it is determined that an overpayment has been made to the City by the County, the County will bill the City for the amount of overpayment. The City shall pay the County within thirty (30) days of receipt of an invoice for overpayment.

5. EFFECTIVE DATE AND DURATION OF AGREEMENT

This Agreement shall take effect upon the latest date on which both Parties have signed the Agreement (the "Effective Date") and shall remain in effect until March 31, 2021, unless extended by written amendment of the Parties pursuant to Section 15 of this Agreement or earlier terminated pursuant to the provisions of Section 7 of this Agreement.

6. DISPUTE RESOLUTION PROCESS

- 6.1 Designated Dispute Resolution Representatives. The following individuals are the designated representatives for the purpose of resolving disputes that arise under this Agreement:

For the County: Carol Cooper, Managing Director
King County Metro Transit Market Innovation Section
201 South Jackson Street, MS KSC-TR-0411
Seattle, WA 98104

(206) 477-5871
carol.cooper@kingcounty.gov

For the City: Jacob Sweeting, City Engineer
City of Auburn
25 West Main Street
Auburn, WA 98001
(253) 804-3118
jsweeting@auburnwa.gov

- 6.2 The County representative and the City representative shall confer to resolve disputes that arise under this Agreement as requested by either Party. The designated representatives shall use their best efforts and exercise good faith to resolve such disputes.
- 6.3 In the event the designated representatives are unable to resolve the dispute, the City's Mayor or her/his designee and the General Manager of the County's Metro Transit Department or her/his designee shall confer and exercise good faith to resolve the dispute.
- 6.4 In the event the Mayor and the General Manager of Metro Transit are unable to resolve the dispute, the Parties may, if mutually agreed in writing, submit the matter to non-binding mediation. The Parties shall then seek to mutually agree upon the mediation process, who shall serve as the mediator, and the time frame the Parties are willing to discuss the disputed issue(s).
- 6.5 If the Parties cannot mutually agree as to the appropriateness of mediation, the mediation process, who shall serve as mediator, or the mediation is not successful, then either Party may institute a legal action in the King County Superior Court, situated in Seattle, Washington, unless another venue is mutually agreed to in writing.
- 6.6 The Parties agree that they shall have no right to seek relief in a court of law until and unless each of the above procedural steps has been exhausted.

7. TERMINATION

- 7.1 Termination for Convenience. The County may terminate this Agreement for its convenience and without cause upon thirty (30) days written notice to the City. In the event of termination of this Agreement by the County pursuant to this Subsection 7.1, the County shall be liable only for costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.
- 7.2 Termination for Cause. Either Party may terminate this Agreement in the event that the other Party materially breaches this Agreement and such breach is not cured in the time provided in this Subsection 7.2. Written notice of intended termination and a description of the breach must be provided via certified mail by the Party terminating this Agreement to the other Party not less than thirty (30) calendar days prior to the intended effective date of termination. The breaching Party shall be given thirty (30) calendar days in which to cure its material breach to

the reasonable satisfaction of the other Party. If the breaching Party fails to cure within thirty (30) calendar days, the Agreement shall terminate on the date specified in the notice.

- 7.3 Termination for Non-Appropriation or Loss of Funding. In addition to termination for default, the County may terminate this Agreement for non-appropriation or loss of funding by giving not less than thirty (30) calendar days' written notice thereof to the City.

8. LEGAL RELATIONS

- 8.1 No Third Party Beneficiaries. It is understood that this Agreement is solely for the benefit of the Parties hereto and gives no right to any other person or entity.
- 8.2 No Partnership or Joint Venture. No joint venture, agent-principal relationship or partnership is formed as a result of this Agreement.
- 8.3 Independent Capacity. The employees or agents of each Party who are engaged in the performance of this Agreement shall continue to be employees or agents of that Party and shall not be considered for any purpose to be employees or agents of the other Party.
- 8.4 Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington.
- 8.5 Jurisdiction and Venue. The King County Superior Court, situated in Seattle, Washington, shall have exclusive jurisdiction and venue over any legal action arising under this Agreement.
- 8.6 Mutual Negotiation and Construction. This Agreement and each of the terms and provisions hereof shall be deemed to have been explicitly negotiated between, and mutually drafted by, both Parties, and the language in all parts of this Agreement shall, in all cases, be construed according to its fair meaning and not strictly for or against either Party.
- 8.7 Survival. Each of the provisions of this Section 8 (Legal Relations) shall survive the expiration or earlier termination of this Agreement.

9. RECORDS RETENTION AND AUDIT

- 9.1 Maintenance of Records. During the term of the Agreement and for a period not less than six (6) years from the date of its expiration or earlier termination, the records and accounts pertaining to this Agreement are to be kept available by both Parties for inspection and audit by the other Party and the State Auditor, and copies of all records, accounts, documents, or other data pertaining to the Agreement will be furnished upon reasonable notice. If any litigation, claim, or audit is commenced, the records and accounts along with supporting documentation shall be retained until all litigation, claim, or audit finding has been resolved even though such litigation, claim, or audit continues past the six-year retention period.
- 9.2 Disclosure of Public Records. Both Parties acknowledge and agree that all non-privileged, non-exempt records that may be maintained pursuant to Subsection 9.1 of this Agreement are subject to public disclosure under the Washington State Public Records Act, Chapter 42.56 RCW.

10. FORCE MAJEURE

Either Party to this Agreement shall be excused from performance of its responsibilities and obligations under this Agreement, and shall not be liable for damages due to failure to perform, during the time and to the extent that it is prevented from performing by a cause directly or indirectly beyond its control, including, but not limited to: late delivery or nonperformance by vendors of materials or supplies; any incidence of fire, flood, snow, earthquake, or acts of nature; strikes or labor actions; accidents, riots, insurrection, terrorism, or acts of war; order of any court or civil authority; commandeering material, products, or facilities by the federal, state or local government; or national fuel shortage; when satisfactory evidence of such cause is presented to the other Party to this Agreement, and provided that such non-performance is beyond the control and is not due to the fault or negligence of the Party not performing.

11. NONDISCRIMINATION

The City agrees to comply with all applicable federal, state, and local laws, rules, and regulations pertaining to nondiscrimination and agrees to require the same of any and all subcontractors providing services or performing any work using funds provided under this Agreement. During the performance of this Agreement, neither the City nor any entity subcontracting under the authority of this Agreement, shall discriminate or tolerate harassment on the basis of sex, race, color, marital status, national origin, religious affiliation, disability, sexual orientation, gender identity or expression or age except by minimum age and retirement provisions, unless based upon a bona fide occupational qualification, in the administration or delivery of services or any other benefits under this Agreement. King County Code Chapter 12.16 and 12.17 are incorporated herein by reference, and such requirements shall apply to this Agreement.

12. INDEMNIFICATION

The City and its successors and assigns shall protect, save, defend, indemnify and hold harmless the County, its elected officials, officers, employees, and agents while acting within the scope of their employment as such, from any and all costs, claims, actions, judgments, and/or awards of damages or expenses of any nature whatsoever, arising out of or in any way resulting from the City's acts or omissions under this Agreement. The City agrees that it is fully responsible for the acts and omissions of its contractors, subcontractors, consultants, and their employees and agents, acting within the scope of their employment as such, as it is for the acts and omissions of its own employees and agents. The City agrees that its obligations under this provision extend to any claim, demand, and/or cause of action brought by or on behalf of any of its employees or agents. The foregoing indemnity is specifically and expressly intended to constitute a waiver of the City's immunity under Washington's Industrial Insurance Act, RCW Title 51, as respects the County only, and only to the extent necessary to provide the County, its elected officials, officers, employees, and agents with a full and complete indemnity of claims made by the City's employees. The Parties acknowledge that these provisions were specifically negotiated and agreed upon by them. The provisions of this Section 12 shall survive the expiration or earlier termination of this Agreement.

13. WAIVER

A failure by either Party to exercise its rights under this Agreement shall not preclude that Party from subsequent exercise of such rights and shall not constitute a waiver of any other rights under this Agreement unless stated to be such in a writing signed by an authorized representative of the Party and attached to the original Agreement.

14. SEVERABILITY

If any provision of this Agreement or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision, if such remainder conforms to the requirements of applicable law and the fundamental purpose of this Agreement, and to this end the provisions of this Agreement are declared to be severable.

15. CHANGES AND MODIFICATIONS

This Agreement may be changed, modified, or amended only by written agreement executed by authorized representatives of both Parties.

16. REPRESENTATION ON AUTHORITY OF SIGNATORIES

The signatories to this Agreement represent that they have the authority to bind their respective organizations to this Agreement.

17. ALL TERMS AND CONDITIONS

This Agreement contains all the terms and conditions agreed upon by the Parties. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the Parties hereto.

18. CONTRACT MANAGEMENT

All contact information for the management of this Agreement shall be identified herein and may be updated by either Party for their agency only and shall be submitted in writing or electronic mail to the other Party. Any update to the Contract Managers shall state the effective date of said update.

Contract Manager for	City of Auburn	King County
Contact Name	Jeff Bender	Malva Slachowitz
Title	Project Engineer	Senior Transportation Planner
Address	25 West Main Street Auburn, WA 98001	201 South Jackson Street, KSC-TR-0411, Seattle, WA 98104
Telephone	253-204-0842	206-477-5873
Email	jbender@auburnwa.gov	malva.slachowitz@kingcounty.gov

19. ASSIGNMENT

Neither this Agreement, nor any interest herein, may be assigned by either Party without the prior written consent of the other Party.

20. EXECUTION OF AGREEMENT – COUNTERPARTS

This Agreement may be executed in two (2) counterparts, either of which shall be regarded for all purposes as an original.

IN WITNESS THEREOF the Parties hereto have executed this Agreement by duly authorized representatives on the dates shown below their respective signatures.

KING COUNTY

CITY OF AUBURN

By: _____
Rob Gannon, General Manager
King County Metro Transit Department

By: _____
Nancy Backus, Mayor
City of Auburn

Date: _____

Date: _____

Attest:

Shawn Campbell, City Clerk

Approved as to form:

Kendra Comeau, City Attorney

EXHIBIT A SCOPE OF WORK

SAFE ROUTES TO TRANSIT PROGRAM CAPITAL IMPROVEMENT AGREEMENT

1. Purpose

- a. To design and construct pedestrian safety and access improvements at locations described in Section 3 for access to public transit services.

2. Scope of Services

- a. Project Management: The City will manage the project using professionals with capital project experience. Budget and schedule will be monitored regularly throughout design and construction. The City will provide the County with progress reports at least quarterly, per Subsection 2.4 of this Agreement.
- b. Design: The City will be responsible for completing design and developing the bid documents. The project will be permitted as a capital project with the City as the lead agency for SEPA. The City has determined that this project is categorically exempt from SEPA per Washington Administrative Code (WAC) 197-11-800(2)d vi, vii, and ix.
- c. The City shall submit design plans for the Project improvements to the County for its review and written approval prior to initiating construction, per Subsection 2.5 of this Agreement. The County will provide any review comments within 7 calendar days.
- d. Construction: The City will bid the project and monitor construction through completion.
- e. Inspection: Existing City staff or a consultant project manager will provide construction inspection services, with third party support for specific specialties if needed.
- f. Monitoring and Reporting: The City will submit quarterly progress reports during design and construction. The City and Metro will share relevant available data to monitor usage of the projects after completion and annually for four years following completion.

3. Projects to be completed

Location (intersection or corridor with extents)	Improvements	Phase(s) to be expensed under this agreement in 2020
SE 316 th St & 124 th Ave SE	Ramps, sidewalk with ADA pad at NB bus stop, roadway channelization, and RRFB	Construction
D St SE & 37 th St SE	Ramps, sidewalk, and RRFB	Construction

4. Schedule

Project milestones below represent work to be completed under this Agreement. Costs incurred after December 31, 2020 shall not be eligible for reimbursement under this Agreement unless extended pursuant to Section 15.

The project milestones are estimated as follows:

Milestone	Month/Year
Begin construction SE 316 th St & 124 th Ave SE	8/2020
Begin construction D St SE & 37 th St SE	8/2020
Complete construction SE 316 th St & 124 th Ave SE	12/2020
Complete construction D St SE & 37 th St SE	12/2020
Estimated opening for public use	1/2021

5. Budget

Phase	King County Funds	City-secured Funds	Project Total
Design	\$0	\$13,000	\$13,000
Construction	\$162,000	\$0	\$162,000
Est Total	\$162,000	\$13,000	\$175,000
Contingency	Up to \$13,000	n/a	Up to \$13,000
Total	\$175,000 (cap from King County)	n/a	Up to \$188,000



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5536 (O'Neil)

Department:

Police

Attachments:

[Resolution No. 5536](#)

Date:

June 29, 2020

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

City Council to adopt Resolution No. 5536.

Background Summary:

Washington State Governor Jay Inslee's Proclamation Number 20-60, referencing and incorporating in the Proclamation the Secretary of Health's Order Number 20-03, dated June 24, 2020, which Order mandated that "every person in Washington State must wear a face-covering that covers their nose and mouth when in any indoor or outdoor public setting". Members of the public are required by law to comply with this Order. The Auburn Police Department will approach potential violations with education and advice regarding the face-covering requirements and encourage compliance.

Reviewed by Council Committees:**Councilmember:**

Meeting Date: July 6, 2020

Staff:

O'Neil

Item Number:

RES.B

RESOLUTION NO. 5536

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, REGARDING ENFORCEMENT BY AUBURN POLICE OFFICERS OF THE FACE-COVERING REQUIREMENTS OF THE GOVERNOR'S PROCLAMATION NUMBER 20-60 AND THE SECRETARY OF HEALTH'S ORDER NUMBER 20-03

WHEREAS, like many areas of the state of Washington and across the country, the City of Auburn, Washington, (hereinafter the "City"), has had to face, and is still facing, a health emergency due to COVID-19, a respiratory disease that can result in serious illness or death, and is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus not previously having been identified in humans and which can be easily spread from person to person; and

WHEREAS, on January 21, 2020, the Washington State Department of Health (DOH) confirmed localized person-to-person spread of COVID-19 in Washington State, significantly increasing the risk of exposure and infection to the general public in Washington State and creating an extreme public health risk that may spread quickly; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, beginning on January 27, 2020; and

WHEREAS, on February 29, 2020, Washington State Governor Jay Inslee issued a proclamation declaring a State of Emergency in all counties of the state of Washington in response to new cases of COVID-19; and

WHEREAS, on June 24, 2020, Governor Inslee issued his Proclamation Number 20-60, referencing and incorporating in the Proclamation the Secretary of Health's Order Number 20-03, dated June 24, 2020, which Order mandated that "[e]very person in Washington State must wear a face-covering that covers their nose and mouth when in any indoor or outdoor public setting," except as provided in said Order; and,

WHEREAS, the Secretary of Health's Order Number 20-03 also provided that "[m]embers of the public are required by law to comply with this Order, and violators may be subject to criminal penalties pursuant to RCW 43.70.130(7), RCW 70.05.120(4), and WAC 246-100-070(3)"; and,

WHEREAS, with the finite resources of the Auburn Police Department, it is appropriate for the City of Auburn to address how enforcement of the face-covering requirements of the Secretary of Health's Order Number 20-03 should be handled by the Police Department if Auburn Police officers are confronted with potential violations of the Order.

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

Section 1. Advice and Encouragement. It is the policy of the City of Auburn that law enforcement officers of the Auburn Police Department who may encounter potential violations of the face-covering requirements of the Secretary of Health's Order Number 20-03 should approach such potential violations with

advice to potential violators about the face-covering requirements, and with encouragement for compliance therewith. Actions by the law enforcement officers shall not go beyond such advice and encouragement, unless there are other exigent circumstances posing immediate risk of harm to persons or property or there are other factors indicating a need for police intervention.

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

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

Dated and Signed this _____ day of _____, 2020.

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Kendra Comeau, City Attorney