



**Junior City Council
Regular Meeting
December 11, 2024 - 7:00 PM
City Hall Council Chambers**

AGENDA

CALL TO ORDER

PUBLIC PARTICIPATION

- A. The Junior City Council Meeting scheduled for Wednesday December 11, 2024 at 7:00 p.m. will be held in person and virtually.
Virtual Participation Link: [Teams Link \(click here\)](#)
To listen to the meeting on Teams, please call the number below:
Telephone: 1-509-530-1507, Phone Conference ID: 571 712 163#

ROLL CALL

AUDIENCE PARTICIPATION

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

- A. The public can participate in-person or submit written comments in advance.
Participants can submit written comments via mail, fax, or email. All written comments must be received prior to 5:00 p.m. on the day before the scheduled meeting and must be 350 words or less.

Please mail written comments to:
City of Auburn
Attn: Melissa Bailey, Council Administrative Assistant
25 W Main St
Auburn, WA 98001

Please fax written comments to:
Attn: Melissa Bailey, Council Administrative Assistant
Fax number: 253-288-3132

Email written comments to: mbailey@auburnwa.gov

If an individual requires accommodation to allow for remote oral comment because of a difficulty attending a meeting of the governing body, the City requests notice of the need for accommodation by 5:00 p.m. on the day before the scheduled meeting. Participants can request accommodation to be able to provide a remote oral comment by contacting the Mayor's Office in person, by phone (253) 931-3041, or by email (mbailey@auburnwa.gov).

APPROVAL OF MINUTES

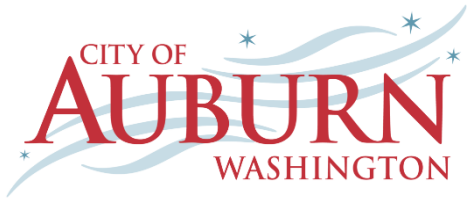
- A. Approval of November 13, 2024 Minutes.

DISCUSSION ITEMS

- A. Keisha Taylor
Meet Keisha Taylor
- B. 2025 Work Plan
Discuss 2025 AJCC Roadmap
- C. OPMA Training
OPMA is required for all Board & Commission seat holders. Please review the PowerPoint and watch the video.
- D. Administrative Updates
 - 1 Thank you to those who participated in the Santa Parade and Tree Lighting. The event was wonderful, and you helped make it a success.
 - 2 Mayor's Open House: Is on December 18th, from 5pm to 7pm at Auburn's Junior Achievement. There will be food and festivities with City of Auburn staff, elected officials, and community members. Please rsvp to Melissa Bailey.
 - 3 The Mayor's State of the City Address: Is February 26th, 2025 at the Muckleshoot Casino Resort Event Center. Junior Council is invited to the event. Junior Council attendees will have their own table and will receive honorable mention. The Junior Council Meeting scheduled for that day has been canceled. Please rsvp to Melissa Bailey.
 - 4 NLC Congressional Conference (NLC): Is in Washington D.C., from March 10th, 2025 to March 12th, 2025 (not including travel days). Keisha Taylor is chaperoning. We can send four Auburn Junior Council members. The city will cover the cost of the trip, including per diem. There is no out-of-pocket expense for the delegate. Please reach out to Melissa Bailey for any questions, and let her know who will be attending before the end of January 2025.
- 5 Junior Council Webpage
The Junior City Council webpage has been updated. It was brought to attention that the AJCC webpage was outdated and did not include 2024–25 members. That has since been updated, please reach out if anything else needs attention.
- E. Update from Acting Deputy Mayor
Updates from Acting Deputy Mayor Yolanda Trout

ADJOURNMENT

Agendas and minutes are available to the public at the City Clerk's Office and on the City website (<http://www.auburnwa.gov>).



AGENDA BILL APPROVAL FORM

Agenda Subject:

Approval of November 13, 2024 Minutes.

Meeting Date:

December 11, 2024

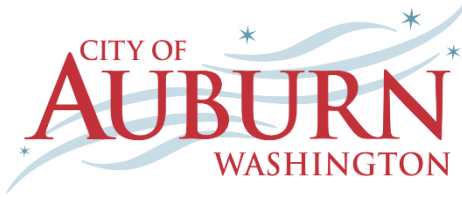
Department:

Mayor

Attachments:

AJCC Minutes 11-13-24

Budget Impact:**Administrative Recommendation:****Background for Motion:****Background Summary:****Councilmember:****Staff:**



**Junior City Council
Special Meeting
November 13, 2024 - 7:00 PM
1 E Main Street, Emergency Operations
Center (EOC)**

MINUTES

CALL TO ORDER

Chair, Lewand Muhsen called the meeting to order at 7:00 p.m.

PUBLIC PARTICIPATION

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ROLL CALL

Present: Chair Lewand Muhsen; Vice Chair Rowan Santos; Members Caleb Choi; Erica Rios; Joey Rush; Mikaela Pedraja; Nnamdi Ometu; Oliver Nguyen; Phia Chea; Prableen Kaur; Lilly Mertens; Nazli Shamdeen.

Staff and Guests: Dana Hinman, Director of Administration; King County Climate and Health Adaptation Modeling Project staff.

Absent: None

AUDIENCE PARTICIPATION

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APPROVAL OF MINUTES

A. Approval of October 23rd, 2024 Minutes

Chair Mushen called for a motion to approve October 23rd minutes. Vice Chair Rowan moved to approve minutes, seconded by Member Mertens – motion passed.

ANNOUNCEMENTS, REPORTS, PRESENTATIONS

A. Presentation from King County Climate and Health Adaptation Modeling Project ("CHAMP")

Staff from King County Climate and Health Adaptation Modeling Project lead the AJCC members through a community-based participatory model building project focused on heat health risks in the City of Auburn. The project team was seeking the input of youth leaders now that they are at the mid-point stage of the process to include youth perspective on heat health risks in Auburn in the conversation. During this session, they shared the current version of the model diagram to inspire discussion and solicit feedback. Feedback from this discussion will be shared with the 15-person workgroup at their next workshop on December 7.

DISCUSSION ITEMS

A. Administrative Updates

- 1 Thank you to those who participated in the Veterans Day Festivities.
- 2 Junior Council Roster is Full: All available positions are currently filled. If you are in the process of registering, please finish the process. Also, please continue to attend meetings. If you have questions, please reach out to Melissa Bailey.
- 3 Mayor's Open House: December 18th, at Auburn's Junior Achievement. A lovely evening of food and festivities with staff, elected officials, and community members.

- 4 Santa Parade & Tree Lighting: December 7th, any appointed Junior Council Member can walk in the parade. The parade happens rain or shine. Junior Council has a banner to hold and decorate. In addition, you will receive honorable mention at the tree lighting ceremony and join the Mayor and City Council on stage.

B. National League of Cities (NLC)

- 1 The NLC Congressional Conference will be in mid-March 2025. You will a few school days. Keisha Taylor will be your chaperon. If you have any questions, please reach out to Melissa Bailey for details.

ADJOURNMENT

Chair Muhsen adjourned the meeting at 8:44 p.m.

APPROVED this 11th day of December, 2024.

Junior Council Chair, Lawand Muhsen or
Junior Council Vice-Chair, Rowan Santos

City Council Administrative Assistant,
Melissa Bailey

OPEN GOVERNMENT TRAINING

Kendra Comeau, Auburn City Attorney
Shawn Campbell, Auburn City Clerk

AUBURN
VALUES

S E R V I C E
E N V I R O N M E N T
E C O N O M Y
C H A R A C T E R
S U S T A I N A B I L I T Y
W E L L N E S S
C E L E B R A T I O N

OPEN GOVERNMENT TRAINING

- **Preservation and Destruction of Public Records**
 - Chapter 40.14 RCW
- **Public Records Act**
 - Chapter 42.56 RCW
- **Open Public Meetings Act**
 - Chapter 42.30 RCW

RECORDS RETENTION AND DESTRUCTION

- Keep all records created by you or sent to you
 - Primary Copy Only
- Forward all writings containing information relating to the conduct of government received on your personal device
 - Councils, Boards, Commissions: Send messages to your Council, Board, or Commission City liaison unless the communication is from a City staff member
 - City staff should not use their personal devices to conduct the business of the City

CONSEQUENCES FOR DESTROYING RECORDS TOO EARLY

- Fines assessed by the Court due to failure to produce documents needed to fulfill a public records request or as part of a lawsuit
- The possibility of interrupting efficient City operations due to loss of information
- A loss of continuity in business operations in the event of a disaster
- Loss of records of historical significance
- Intentional destruction of public records is a crime

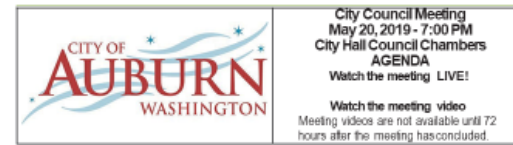


- I. CALL TO ORDER
 - A. Pledge of Allegiance
 - B. Roll Call
- II. ANNOUNCEMENT S, PROCLAMAT IONS, AND PRESENTAT IONS
- III. APPOINTMENTS
- IV. AGENDA MODIFICAT IONS
- V. CITIZEN INPUT, PUBLIC HEARINGS AND CORRESPONDENCE
 - A. Public Hearings
 - 1. Public Hearing for Right-of-Way Vacation V2-18 (Gaub)
City Council to hold a public hearing in consideration of Right-of-Way Vacation V2-18
 - 2. Public Hearing for Franchise Agreement No. 19-09 (Gaub)
City Council to hold a public hearing in consideration of Franchise Agreement No. 19-09 for Fatbeam, LLC
 - 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.
 - C. Correspondence - (There is no correspondence for Council review.)
- I. COUNCIL AD HOC COMMITTEE REPORT S
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.
- 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.

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Primary copy kept by City Clerk

All other copies are secondary and can be destroyed when no longer needed.

PUBLIC RECORDS ACT

- The people do not yield their sovereignty to the agencies which serve them.”
- “The people, in delegating authority, do not give public servants the right to decide what is good for the people to know and what is not good for them to know.”
- “The people insist on remaining informed so they may retain control over the instruments they have created.”

RCW 42.56.010 DEFINITIONS

"Public record" includes:

any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics

IDENTIFIABLE PUBLIC RECORDS

May 24, 2020

Attn: Human Resources

I would like to know how the city handles employment discrimination claims. Please advise at your earliest convenience.

Ann Smith

To: City of Auburn

Date: June 1, 2020

I would like to receive a copy of the city's policy for handling employment discrimination claims.

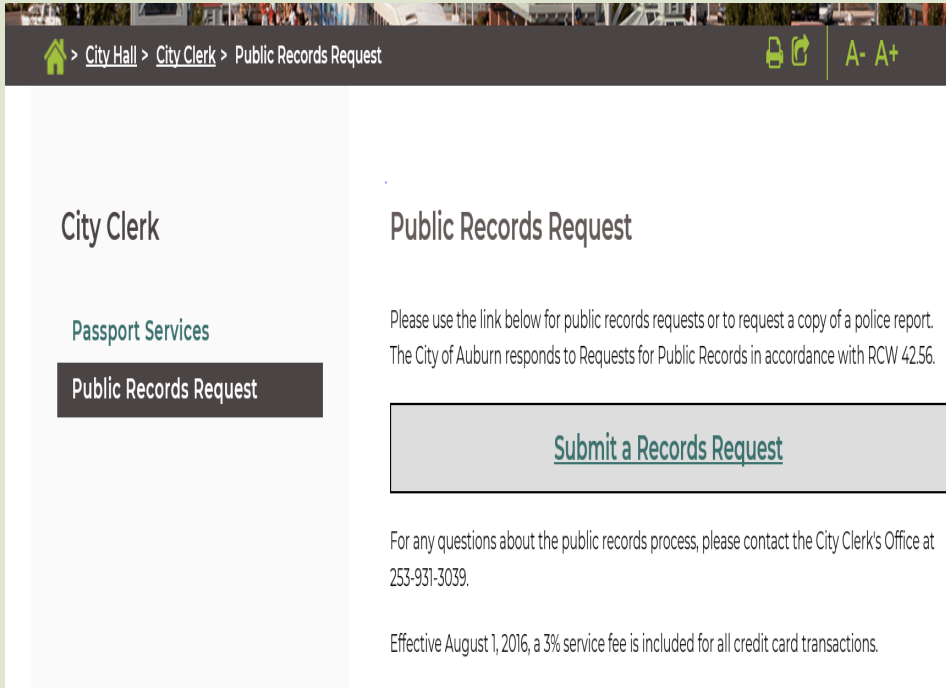
Thank you.

Paul Jones

The first request is for information.

The second request is for an “identifiable public record.”

PUBLIC RECORDS REQUESTS



The screenshot shows the City of Auburn website's Public Records Request portal. The breadcrumb navigation at the top reads: > City Hall > City Clerk > Public Records Request. The page features a sidebar with links for City Clerk, Passport Services, and Public Records Request (highlighted). The main content area is titled "Public Records Request" and includes a paragraph explaining the request process and a link to "Submit a Records Request". Below this, it provides contact information for the City Clerk's Office and mentions a 3% service fee for credit card transactions effective August 1, 2016.

> City Hall > City Clerk > Public Records Request

City Clerk

Passport Services

Public Records Request

Public Records Request

Please use the link below for public records requests or to request a copy of a police report. The City of Auburn responds to Requests for Public Records in accordance with RCW 42.56.

[Submit a Records Request](#)

For any questions about the public records process, please contact the City Clerk's Office at 253-931-3039.

Effective August 1, 2016, a 3% service fee is included for all credit card transactions.

Public Records Portal on City's Website



The screenshot shows the "Request For Public Records" form from the City of Auburn. The form includes fields for Name of Requestor, Mailing Address, City, State, Zip Code, Email, Phone, and Fax. It also has checkboxes for the type of request: Police Report, Building Plans and Permits, Video, Photos, and Other. A section for "Preferred Method to Receive Records" includes checkboxes for Electronic via Records Center, Inspect On-site, Fax, Pick-up Copies, and Copies by Mail. The form concludes with a signature line and a date field. A note at the bottom states that requests can also be submitted and tracked using the online records system, with a link to the website.

AUBURN Request For Public Records
MOORE THAN YOU IMAGINED

Name of Requestor: _____

Mailing Address: _____ City, State, Zip Code: _____

Email: _____ Phone: _____ Fax: _____

☐ Police Report ☐ Building Plans and Permits ☐ Video ☐ Photos ☐ Other _____

Please describe the records requested. Please be specific, using as many details as possible, i.e. dates, names, birthdates, addresses, etc., so the City can clearly identify which records are being requested. (If more space is needed, please attach additional pages.)

Preferred Method to Receive Records:*
☐ Electronic via Records Center (email address required)
☐ Inspect On-site
☐ Fax
☐ Pick-up Copies
☐ Copies by Mail

*Please note not all public documents are available in electronic format. If the document(s) requested are not available electronically, we will make them available for inspection or by paper copy in accordance with the Public Records Law.

Signature of Requestor: _____ Date: _____

Request for Public Records can also be submitted and tracked using our online records system. Please visit our website for additional information:
http://www.auburnwa.gov/services/records_request.htm

City Hall- Records Request Form

SEARCHING FOR RECORDS

- An agency should **read the request carefully** to understand what records are requested.
 - ✓ Clarify the request if needed.
 - ✓ An agency can also ask the requestor to suggest search terms.
- An agency must conduct an **adequate search** for responsive records.
 - ✓ Consider all formats (paper, electronic, etc.)
 - ✓ Consider records of current staff/officials, and former staff/officials, if potentially responsive.
 - ✓ Consider possible locations (e.g., file cabinets, agency website, audio files, etc.)
- The search should be **reasonably calculated to uncover responsive records**.
- The search should follow **obvious leads** to possible locations where records are likely to be found.
- It is a good idea to **document** search efforts (locations, search terms used, etc.). The agency bears the **burden of proof** to show the adequacy of the search.

PRIVACY

- There is no general “privacy” exemption in the Public Records Act.
- If privacy is an express element of another exemption, **privacy is invaded only if disclosure about the person would be:**
“highly offensive to the reasonable person” and
“not of legitimate concern to the public.”

This means that if information does not satisfy both these factors, it cannot be withheld as “private” information under the applicable exemption.

~ RCW 42.56.050

UPDATE WITH RECENT COURT CASES

- Hoffman v. Kittitas Cnty (Sept. 26, 2019): Court fined the County \$15,498 based on a penalty of \$.50 per page/photo/video for 246 days.
- Zink v. City of Mesa (June 19, 2018): Court fined City of Meza \$200,746.47 and attorneys' fees of \$25,746.47 in a case involving 172 records requests over 3 years related to the City's decision to terminate the Zinks' building permit.

OPEN PUBLIC MEETINGS ACT (OPMA)

Applies to:

Governing bodies (“multimember boards, commissions, committees, councils, or other policy or rule-making bodies of a public agency”).

Public Agencies of Auburn:

- The City Council
- The City’s subagencies (commissions, boards, agencies, etc. that are “created by statute, ordinance, or other legislative act...”); and
- Any **committee** of the council or a subagency *when*:
 - the committee acts on behalf of the governing body,
 - conducts hearings, or
 - Takes testimony or public comment

– RCW 42.30.020

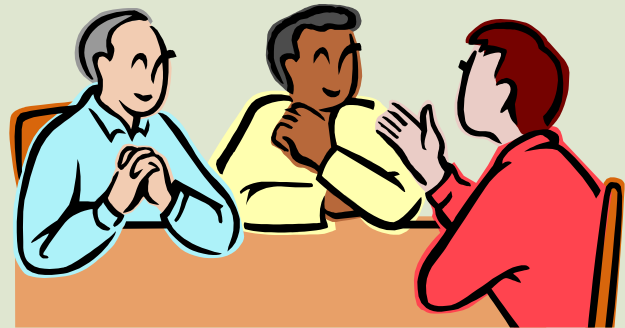
“The purpose of the OPMA is to allow the public to view the “decision-making process.”

~ Washington State Supreme Court

WHAT IS ACTION

“**Action**” means the transaction of the official business of the public agency and includes but is not limited to:

- Public testimony
- Deliberations
- Discussions
- Considerations
- Reviews
- Evaluations



The requirements of the OPMA are triggered whether or not “final” action is taken.

~ RCW 42.30.020

WHAT IS FINAL ACTION

“**Final action**” means a collective positive or negative decision or an actual vote by the members of the governing body upon a motion, proposal, resolution, order, or ordinance.

HB 1329 (2022):

Requires that the City provide an opportunity for public comment at or before every regular meeting at which final action is taken.

Requires an opportunity for individuals to provide remote oral comment if the person will have difficulty attending the meeting.

Public agencies are *encouraged* to provide for remote comment.

MEETING LOCATION

- All meetings of a governing body of a public agency must be held in a physical location where the public can attend, with an exception:
 - If required by the emergency, the public agency can either fully prohibit or limit in-person public attendance at the meeting.
- It is highly encouraged that a governing body provide a remote meeting attendance option when there are no limitations to in-person meeting attendance by the public.

REMOTE MEETING ATTENDANCE

- The OPMA permits members of the governing body to attend the meeting by phone or other electronic means that allows for real-time verbal communication.
- Your staff liaison will make a recommendation for required types of meeting attendance for City Boards and Commissions.
- The meeting must be held in a physical location and must allow the public to attend in-person (absent an emergency).

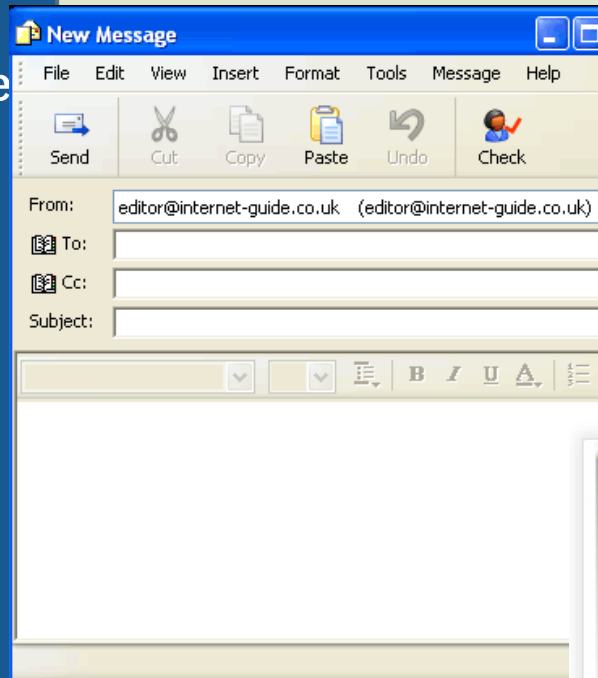


Avoid an inadvertent on-line
public meeting

follow us on
twitter

Quorum

Action



PUBLIC MEETING NOTICE REQUIREMENTS

■ Regular Meetings

(recurring meetings held according to a schedule fixed by ordinance, resolution, bylaws or other rule)

Governing bodies are required to make the agenda of each Regular Meeting of the governing body available on-line no later than 24 hours in advance of the published start time of the meeting.

■ Special Meetings

(a meeting that is not a Regular Meeting, called by the presiding officer or majority of the members)

ALL MEETINGS MUST BE NOTICED BY THE CITY CLERK

Written notice must be given 24 hours before the Special Meeting and must specify the date, time and place of the meeting and the business to be transacted.

■ Emergency Special Meetings

Notice is not required for a Special Meeting called to deal with an emergency:

- When the emergency involves injury or damage to persons or property or the likelihood of such injury or damage
- Where time requirements of notice make notice impractical and increase the likelihood of such injury or damage

~ RCW 42.30.070, RCW 42.30.077, RCW 42.30.080

EXECUTIVE SESSIONS

For specified purposes set out in the OPMA-no final action can be taken.

Examples:

- National security
- Real estate:
 - Site selection or acquisition of real estate—
 - Lease or purchase
 - Public knowledge would likely increase price
 - Sale or lease—
 - Public knowledge would likely decrease price
 - Final action selling or leasing public property must be taken at an open meeting
- Publicly bid contracts:
 - Review negotiations on the performance of publicly bid contracts
 - Public knowledge would likely increase costs
- Evaluate qualifications of an applicant for public employment
- Meet with legal counsel regarding enforcement actions, litigation or potential litigation
- Other purposes listed in RCW 42.30.110

~ RCW 42.30.110

PENALTIES FOR VIOLATING THE OPEN PUBLIC MEETINGS ACT

A court can impose a **\$500** civil penalty against each member (personal liability) **for a first violation, and \$1,000 for each successive violation.**

Any action taken at meetings held in violation of the OPMA are “null and void.”

A court may order an agency to pay the costs and reasonable attorney’s fees of a person who sues the agency for a violation.

An OPMA violation may provide a sufficient legal basis for a recall effort against a local elected official.

But...if the court finds that the action was frivolous and advanced without reasonable cause, it may award to the agency reasonable expenses and attorney fees.

~ RCW 42.30.120; RCW 42.30.060

OPMA – WHAT DOES AUBURN DO?

- ❖ Agendas are posted on the City's website at least 24 hours in advance of meetings.
- ❖ Procedures have been formalized for override of the front door locks to ensure access.
- ❖ Documentation is retained: meeting minutes and executive sessions (purpose, time, attendees).
- ❖ Training has been provided for staff who serve as liaisons to the City's Boards and Commissions (need more training? Contact Shawn Campbell).