



**CITY COUNCIL
MEETING MINUTES**

MAY 15, 2017 7:00 PM

I. CALL TO ORDER

A. Pledge of Allegiance

Mayor Nancy Backus called the meeting to order at 7:01 p.m. and led those in attendance in the Pledge of Allegiance.

B. Roll Call

City Councilmembers present: Deputy Mayor Largo Wales, Bob Baggett, Claude DaCorsi, John Holman, Bill Peloza, Yolanda Trout-Manuel, and Rich Wagner.

Mayor Nancy Backus was in attendance, and the following department directors and staff members were present: Community Development and Public Works Director Kevin Snyder; Parks, Arts and Recreation Director Daryl Faber, Director of Administration Dana Hinman, Finance Director Shelley Coleman, City Attorney Daniel B. Heid, Police Chief Bob Lee, Innovation and Technology Director Paul Haugan, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, and City Clerk Danielle Daskam.

II. ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS

A. Proclamation - Affordable Housing Week

Mayor Backus to proclaim May 15-22, 2017 as Affordable Housing Week in the city of Auburn.

Mayor Backus read and presented a proclamation declaring May 15-22, 2017 as Affordable Housing Week in the City of Auburn. Sylvia Fuerstenber from Nexus and Joy Scott from King County Housing and Homelessness Partnership accepted the proclamation and thanked the Mayor and Council for their support.

B. Proclamation - "Never Again Day"

Mayor Backus to proclaim May 22, 2017 as "Never Again Executive Order 9066 Day" in the city of Auburn.

Reverend Koshin Ogui from the White River Buddhist Temple led those in attendance in prayer and a moment of silence.

Mayor Backus read and presented a proclamation declaring May 2, 2017 as Never Again Executive Order 9066 Day in the City of Auburn. Ms. Nancy Hatfield daughter of Lewis Hatfield accepted the proclamation and thanked the Mayor and Council for recognizing this day.

C. Proclamation - National Public Works Week

Mayor Backus to proclaim May 21-27, 2017 as "National Public Works Week" in the city of Auburn.

Mayor Backus read and presented a proclamation declaring May 21 -27, 2017 as National Public Works Week. Assistant Director Gaub accepted the proclamation and shared a video of projects from the Public Works Department.

III. APPOINTMENTS

There was no appointment for Council consideration.

IV. AGENDA MODIFICATIONS

There was no modification to the agenda

V. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE

A. Public Hearings

There was no public hearing 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. Those wishing to speak are reminded to sign in on the form provided

Vicki Bates, 5724 Olive Ave SE, Auburn

Ms. Bates works in the Auburn School District. She said she has students whose parents are undocumented. She spoke in favor of Ordinance No. 6651.

Michelle Baker – 5402 Olive Ave SE, Auburn

Ms. Baker works at Mt Baker Middle School. She stated the City needs to support the community. She wants the Council to adopt a sanctuary city ordinance.

Tom Noanan, 31225 112th Ave SE, Auburn

Mr. Noanan stated he is an Auburn resident and he has to follow the rules and laws. He is concerned about the rising costs of living in Auburn. He stated the City should not be a sanctuary city, but does want Auburn to be welcoming to all legal citizens.

Sara Baker, 1402 3rd Ave

Ms. Baker thanked the Mayor and Council for recognizing Affordable Housing Week. She recommended several amendments for Council to consider on Ordinance No. 6652.

Guadalupe Macias Rivera, 3731 H Street NE, Auburn

Ms. Rivera stated the dreamers are the future of the City. She asked Council to adopt Ordinance No. 6651.

Erandi Flores, 747 37th ST SE

Ms. Flores stated she comes from an undocumented family. She understands that one councilmember was offended when people said Council was not listening. She will not give up trying to help change the laws.

German Camacho, 520 Pike Street NW, Auburn

Pastor Camacho spoke of values in the Hispanic community. He spoke in favor of Ordinance No. 6651.

Nadia Bucio, 747 37th St SE, Auburn

Ms. Bucio requested Council to support Ordinance No. 6651.

Antonio Flores, 747 37th St SE, Auburn

Mr. Flores talked about various times ICE has been in the Hispanic community. He asked Council support Ordinance No. 6651.

Mark Grouse, 747 37th St SE, Auburn

Mr. Grouse stated he has lived in Auburn for 30 years. He spoke in favor of Ordinance No. 6651.

Maria Cruz, 401 37th St SE No 104, Auburn

Ms. Cruz spoke in favor of Ordinance No. 6651.

Ariana Cruz, 602 29th Street, Auburn

Ms. Cruz stated she is in agreement with the Auburn Can organization.

Zulma Koonez, 2802 D Place SE, Auburn

Ms. Koonez spoke as a group of mothers with children in the Auburn School District. They requested the City approve Ordinance No. 6651.

Charlena Razo Moultime, 2012 3rd Ct SE, Auburn

Ms. Razo Moultime asked Council to support Ordinance No. 6651.

Wendy Pantooha, 2012 Grand Ave, Tacoma

Ms. Pantooha stated she works in the detention center in Tacoma. She stated people need to fight against a fascist and racist system.

Erasmus Warmer, 320 32nd St SE, Auburn

Mr. Warmer spoke in favor of Ordinance No. 6651.

Diane Aid, 123 L St NE, Auburn

Ms. Aid spoke in favor of Ordinance No. 6651.

Juan Jose, 5124 S Main Street, Seattle

Mr. Jose stated he organizes a peaceful march in May every year to bring attention to the Hispanic community. He spoke in favor of Ordinance No. 6651

Videl Rojas, 123 L Street NW

Mr. Rojas asked Council to pass the Ordinance No 6651.

Maribel Montes De Oca, 1520 Pike St NW

Ms. Montes De Oca spoke in favor of Ordinance No. 6651.

Megan Hyla, 600 Andover Park West, Tukwilla

Ms. Hyla works for King County Housing. She spoke in favor of Ordinance No. 6652 including the proposed amendments.

George Poston, 12725 SE 312 St Auburn

Mr. Poston spoke in favor of both Ordinance No. 6651 and Ordinance No. 6652.

Rick Hood, 5619 Elizabeth Loop SE, Auburn

Mr. Hood spoke in favor of Ordinance No. 6651.

Steve Mattioli, 30610 114th PL SE, Auburn
Mr. Mattioli spoke in favor of Ordinance No. 6651.

Victoria Pacho, 31101 116th Ave SE, Auburn
Ms. Pacho asked Council to listen to the residents. She stated the Council does not vote for the Ordinance, they will be voted out.

Noel Trujillo Garcia, 401 37th ST SE, Auburn
Mr. Garcia does not want to be separated from her parents. She spoke in favor of Ordinance No. 6651.

Arthur Troncoso, 6210 Nathan Ave SE, Auburn
Mr. Troncoso spoke in favor Ordinance No. 6651. He would like to see funds put forward to help the immigrant families.

Tina Sanchez, 1203 22nd St NE, Auburn
Ms. Sanchez spoke in favor of Ordinance No. 6651.

Dan Peters, 3105 M St SE, Auburn
Mr. Peters spoke in opposition of Ordinance No. 6651. He stated he is concerned about losing federal funding if the City approves the proposed ordinances.

Ariana Vallejo, 401 37th St SE
Ms. Vallejo spoke in favor of Ordinance No. 6651.

Vicardo Carranza, 508 S Answorth Ave, Tacoma
Mr. Carranza spoke in favor of sanctuary cities.

Nona Lynn Board, 3243 S 366th St, Auburn
Ms. Board spoke in favor of Ordinance No. 6651.

Kira Zylstra, 1415 N 97th St, Seattle
Ms. Zylstra stated she works for All Home of King County and she is in favor of Ordinance No. 6652 with the suggested changes.

Pedlana Nouva, 6600, Seattle
Ms. Nouva stated the homeless issue is not a Hispanic issue. The Hispanic community pays taxes without the same benefits. And she feels the government has violated the human rights of the Hispanic community.

Megan Murphy, 1111 E Madison St, Seattle
Ms. Murphy spoke of immigration injustice.

Clara Flores, 747 37th St SE, Auburn
Ms. Flores spoke as a taxpayer that pays taxes and as an undocumented worker who will not receive benefit from those taxes.

Diego Izquierdo, 4040 Auburn Way S, Auburn
Mr. Izquierdo stated as a Junior City Councilmember he wants to advise Council of what he sees from students at Auburn High School. Students are afraid. He does not see the Ordinance as a political statement but more as a way to help people feel protected.

Brian Rivera, 123 C St NW, Auburn
Mr. Rivera spoke in favor of Ordinance No. 6651.

Ana Lynn, 123 L Street NE, Auburn
Ms. Lynn thanked Council for their time and consideration on the issue of Ordinance No. 6651.

C. Correspondence

There was no correspondence for Council review.

VI. COUNCIL AD HOC COMMITTEE REPORTS

Councilmember Baggett reported on behalf of the Finance ad hoc committee that reviews claims and payroll vouchers. Councilmember Baggett reported he and Councilmember Wagner reviewed the payroll vouchers in the approximate amount of \$2.1 million and claims vouchers in the amount of approximately \$6.6 million. The ad hoc committee recommends approval of the claims and payroll vouchers as described on the Consent Agenda.

Councilmember DaCorsi, chair of the ad hoc committee on the selection of the Deputy Mayor, reported the ad hoc committee met earlier this evening and will present their recommendation at next Council Study Session.

Councilmember Trout-Manuel, chair of the ad hoc committee on safe and inclusive city stated there is a resolution and ordinance on the agenda for Council consideration tonight.

Deputy Mayor Wales reported the ad hoc committee on the \$20.00 car license fee met this evening at 6:00. The next meeting of the ad hoc

committee is scheduled for June 5, 2017 at 6:00 p.m. The Committee is reviewing the needs for the City's arterial and collector roads.

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 1, 2017 Regular City Council Meeting**
- B. Claims Vouchers (Coleman)**
Claim voucher numbers 443671 Through 443869 in the amount of \$6,582,490.93 and two wire transfers in the amount of \$2911.34 and dated May 15th, 2017.
- C. Payroll Vouchers (Coleman)**
Payroll check numbers 537276 through 537310 in the amount of \$574,217.29, electronic deposit transmissions in the amount of \$1,512,084.91 for a grand total of \$2,086,302.20 for the period covering April 27, 2017 to May 10, 2017.
- D. Public Works Project No. MS1510* (Snyder)**
Award Small Works Contract No. 17-01, to A&D Quality Construction Co., LLC on their low bid of \$59,950.00 plus Washington State sales tax of \$5,995.00 for a total contract price of \$65,945.00 for Project No. MS1510, 104th Ave SE Building Demolition
- E. Public Works Project No. CP1107* (Snyder)**
Award Contract No. 17-09 to Award Construction, Inc. on their low bid of \$690,600.00 plus Washington State sales tax of \$69,060.00 for a total contract price of \$759,660.00 for Project No. CP1107, Fulmer Well Field Improvement Project.
- F. Public Works Project No. CP1511* (Snyder)**
Award Contract No. 17-12, to Active Construction, Inc. on their low bid of \$1,479,675.54 plus Washington State sales tax of \$103,722.35 for a total price of \$1,583,397.89 for Project No. CP1511, M Street SE Improvements (3rd Street SE to East Main St) project

G. Public Works Project No. CP1523* (Snyder)

Award Contract No. 17-05 to CPM Development Corporation DBA ICON Materials on their low bid of \$827,290.25 for Project No. CP1523, Lake Tapps Parkway Preservation Project

Deputy Mayor Wales moved and Councilmember Trout-Manual seconded approval of the Consent Agenda.

The consent agenda consist of minutes, claims and payroll vouchers, and public works projects

MOTION CARRIED UNANIMOUSLY. 7-0

VIII. UNFINISHED BUSINESS

A. Safer Cities/Inclusive Cities* (Heid/Hinman)

ORDINANCE NO. 6651

An Ordinance of the City Council of the City of Auburn, Washington, adding a new Section 1.02.030 of the Auburn City Code relating to the powers and duties of City officers and employees, including the affirmation of the value of all auburn residents

RESOLUTION NO. 5284

A Resolution of the City Council of the City of Auburn, Washington, affirming of the value of all auburn residents

Mayor Backus reminded Council there was already a motion on the floor from the previous meeting to approve Resolution No. 5284.

City Attorney Heid explained he recommended a resolution over an ordinance due to the fact this only effects City of Auburn employees and a resolution is the more appropriate document for an employee policy.

Police Chief Lee explained that if there is a problem currently with an employee breaking City policy the discipline structure is clear and can be dealt with quickly. If the City adopts the proposed ordinance then the violation would have to go through the court. He believes this would take longer and not be as effective.

Mayor Backus explained the proposed ordinance is not a sanctuary city ordinance or resolution.

Councilmember Wagner stated he spoke in favor of an Ordinance previously but because of the revisions to the proposed resolution he is now in favor of a resolution.

MOTION PASSED 4-3

Deputy Mayor Wales, Councilmember Trout-Manual and Councilmember Pelosa voted no.

Councilmember Trout-Manual requested City Attorney Heid explain why the ordinance is not preferable. City Attorney Heid stated the City does not have an employee policy enacted by ordinance. The ordinance would only affect City employees. Any alleged violation would have to go through the court.

Mayor Backus explained the only difference is if an employee was accused of a violation of the policy under the ordinance the issue would have to have a court action.

Deputy Mayor Wales stated she feels the next step is for Council to consider funding assistance for residents working on their immigration status.

Councilmember Holman made a Point of Order. The Council was having discussion without a motion on the floor.

IX. NEW BUSINESS

There was no new business.

X. ORDINANCES

A. Ordinance No. 6643* (Snyder)

An Ordinance of the City Council of the City of Auburn, Washington, granting to MCImetro Access Transmission Services Corp., D/B/A Verizon Access Transmission Services, a Delaware Corporation, a franchise for telecommunications services

Deputy Mayor Wales moved and Councilmember Baggett seconded to adopt Ordinance No. 6643.

MOTION CARRIED UNANIMOUSLY. 7-0

B. Ordinance No. 6652* (Heid/Hinman)

An Ordinance of the City Council of the City of Auburn, Washington, creating a new Chapter 5.22.045 of the Auburn City Code, related to the regulation of Fair Housing Practices

Deputy Mayor Wales moved and Councilmember Holman seconded to adopt Ordinance No. 6652.

Councilmember DaCorsi made a motion to amend Ordinance No. 6652, Section 1 to read as follows:

Section 1. New Section to City Code. A new Section 5.22.045 to the Auburn City Code, entitled "Additional rental housing business license criteria for multi-family dwelling units," is created to read as follows:

5.22.045 Additional rental housing business license criteria for multi-family dwelling units.

In addition to the business license criteria set forth in section 5.20 2.040 of this chapter, rental housing businesses consisting of multi-family dwelling units shall comply with the following license requirements:

A. Property owners, property managers, landlords, and their agents, who offer for rent or lease "multi-family dwelling units" as defined in this section may not refuse to rent or lease a such a dwelling unit to any residential tenant or prospective residential tenant or otherwise discriminate or retaliate against any residential tenant or prospective residential tenant solely on the basis that the person proposes to pay a portion of the rent from a "source of income" as defined in this section.

B. If property owners, property managers, landlords, and/or their agents elect to use a rent to income ratio in the rent calculation process any form of income, such as a rent voucher or subsidy, shall be deducted from the total monthly rent calculation for meeting income criteria in the rental screening process.

C. For the purposes hereof, the following definitions shall apply:

1. "Multi-family dwelling units" means housing where two or more separate housing units for residential inhabitants are contained within one building or several buildings within one complex.

2. "Source of income" includes income derived from social security, supplemental security income, other retirement programs, and any federal, state, local subsidy programs, including housing assistance, public assistance, and general assistance programs.

D. The provisions of this section shall not apply if the dwelling unit does not qualify for participation in the tenant's "source of income" program. However, any property owner, manager or agent that refuses to rent a dwelling unit to a person based upon the proposed use of funds from a "source of income" must notify that person in writing of the reasons why the dwelling unit is ineligible for participation in the particular "source of income" program. Refusal to allow a health and safety inspection of the property by a public housing authority or subsidy program inspector shall not be considered a legitimate basis for refusing to rent due to program ineligibility.

E. The provisions of this section shall not apply where one portion of a duplex unit is owner occupied.

Councilmember Holman seconded the motion to amend.

Councilmember Wagner asked if the proposed ordinance had been commented on by the rental housing association. Councilmember DaCorsi stated he has not spoken to them.

MOTION TO AMEND CARRIED UNANIMOUSLY. 7-0

MOTION AS AMENDED CARRIED UNANIMOUSLY. 7-0

XI. MAYOR AND COUNCILMEMBER REPORTS

A. From the Council

Councilmember Holman stated May 15th is Police Officer Memorial Day. He listed the officers that have died in the line of duty.

There were no other Council reports

B. From the Mayor

There was no report from the Mayor.

XII. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 10:04 p.m.

APPROVED THE 5th DAY OF June, 2017.


NANCY BACKUS, Mayor


Shawn Campbell, Deputy City Clerk

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Internet: <http://www.auburnwa.gov>

