



City Council Meeting

April 3, 2017 - 7:00 PM

Auburn City Hall

AGENDA

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[Watch the meeting video](#)

Meeting videos are not available until 72 hours after the meeting has concluded.

I. CALL TO ORDER

- A. **Pledge of Allegiance**
- B. **Roll Call**

II. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

- A. Proclamation - Declaring April 2017 as "Sikh Heritage Month" in the city of Auburn

III. APPOINTMENTS

IV. AGENDA MODIFICATIONS

V. CITIZEN INPUT, PUBLIC HEARINGS & 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. Those wishing to speak are reminded to sign in on the form provided.
- 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.

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 March 20, 2017 Regular City Council Meeting***
- B. **Claims Vouchers (Coleman)**

Claims voucher numbers 443167 through 443332 in the amount of \$1,519,222.68 and four wire transfers in the amount of \$158,460.26 and dated April 3, 2017.

C. **Payroll Vouchers (Coleman)**

Payroll check numbers 537186 through 537212 in the amount of \$844,916.99 and electronic deposit transmissions in the amount of \$1,480,667.00 for a grand total of \$2,325,583.99 for the period covering March 16, 2017 to March 29, 2017.

(RECOMMENDED ACTION: City Council approve the Consent Agenda.)

VIII. **UNFINISHED BUSINESS**

IX. **NEW BUSINESS**

X. **ORDINANCES**

A. **Ordinance No. 6645* (Snyder)**

An Ordinance of the City Council of the City of Auburn, Washington, approving the Final Plat of Wyncrest Division

(RECOMMENDED ACTION: City Council adopt Ordinance No. 6645.)

B. **Ordinance No. 6646* (Coleman)**

An Ordinance of the City Council of the City of Auburn, Washington, amending Ordinance No. 6621, the 2017-2018 Biennial Budget Ordinance, authorizing amendment to the City of Auburn 2017-2018 Budget as set forth in Schedule "A", Schedule "B", and Schedule "C"

(RECOMMENDED ACTION: City Council adopt Ordinance No. 6646.)

C. **Ordinance No. 6647* (Heid)**

An Ordinance of the City Council of the City of Auburn, Washington, amending Sections 1.25.065, 8.12.080 and 8.20.050 of the Auburn City Code relating to the abatement of public nuisances

(RECOMMENDED ACTION: City Council adopt Ordinance No. 6647.)

D. **Ordinance No. 6649* (Heid)**

An Ordinance of the City Council of the City of Auburn, Washington, amending Sections 2.08.030, 2.33.010, 2.33.020, 2.36.040, 2.42.020, 2.42.040, 2.43.020 and 2.84.030 of the Auburn City Code, and creating a new Section 2.30.040 of the City code, relating to City boards and commissions

(RECOMMENDED ACTION: City Council adopt Ordinance No. 6649.)

XI. **MAYOR AND COUNCILMEMBER REPORTS**

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

A. **From the Council**

B. From the Mayor

XII. 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.

*Denotes attachments included in the agenda packet.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes of the March 20, 2017 Regular City Council Meeting

Date:

March 27, 2017

Department:

Administration

Attachments:

[Minutes](#)

Budget Impact:

\$0

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

Meeting Date: April 3, 2017

Staff:

Item Number: CA.A



**CITY COUNCIL
MEETING MINUTES**

MARCH 20, 2017 7:00 PM

I. CALL TO ORDER

A. Pledge of Allegiance

Mayor Nancy Backus called the meeting to order at 7:00 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: Finance Director Shelley Coleman, City Attorney Daniel B. Heid, Police Commander Dan O'Neal, 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. South Sound Behavioral Health Presentation

Bill Robertson, CEO/President of MultiCare Health System, Gregory J. Unruh, CHI Franciscan Foundation President, Brad Cheney, Executive Director, Ben B. Cheney Foundation, and co-chair of Behavioral Health Campaign; and Tim Thompson of Thompson Consulting spoke regarding the Alliance for South Sound Health (a joint venture of the CHI Franciscan Health and MultiCare Health System) campaign to construct and operate a new behavioral health hospital to serve South King County and Pierce County.

Bill Robertson, CEO of MultiCare, stated the State of Washington ranks 48th out of 50 states for access to behavioral health services

and the South King County and Pierce County area rates the lowest in the State of Washington for behavioral health services. Thus the efforts of MultiCare and CHI Franciscan were joined to improve the state's standing for in-patient capacity, ambulatory, and clinic based mental health services. A 120 bed hospital is planned for the Allenmore Hospital Campus on South Union in Tacoma.

Mr. Unruh, President of CHI Franciscan Foundation, spoke about the opportunity to partner with MultiCare in meeting the health needs of the community. Mr. Unruh spoke about the need for additional mental health services in the area noting that many who have mental health issues end up in the hospital emergency room or in jail where they do not receive psychiatric care. Members of the coalition are working with federal, state and local officials to secure funding for the project.

Mr. Cheney, co-chair of the Alliance for South Sound Behavioral Health Coalition, spoke regarding the coalition and thanked Mayor Backus for her assistance and efforts as part of the Alliance.

Tim Thompson of Thompson Consulting, noted South King County and Pierce County are drastically under served for hospital beds for those with mental health issues. The Coalition is looking for funding to construct a new behavioral health hospital to serve those in need. CHI Franciscan and MultiCare have each pledged \$10 million for construction. The Coalition has secured a commitment from the State in the amount of \$5 million and anticipates an appropriation of \$2.5 million this year from the state. Mr. Thompson also spoke of pending federal legislation that will allow loan services for this type of facility. Mr. Thompson reported the Coalition has secured funding from the City of Tacoma (\$1.5 million), Pierce County (\$1.5 million), and Gig Harbor (\$50,000 annually for a period of time). Commitments are anticipated from the cities of Steilacoom, University Place, Lakewood, and Puyallup. Mr. Thompson asked that the City of Auburn consider a capital commitment of \$400,000 for the project by the end of the year. According to Mr. Thompson, the requested amount is calculated on population and the impact of the service area.

Deputy Mayor Wales requested from the Coalition a list of cities' contributions.

The total project construction is estimated at \$44 million plus \$16 million in start-up costs. Construction will begin in 2017 with construction complete in first quarter of 2019.

In response to questions from Council, Mr. Robertson stated the average length of stay in the facility is 13 days and serves as a crisis intervention. The patient is then referred to community based resources for continued care.

Mr. Robertson reported Auburn MultiCare Hospital has 58 beds for behavioral health care (38 for geriatric psychiatric and 20 for adult in-patient), and the facility is at capacity.

B. Service Recognition

Mayor Backus presented City Clerk Danielle Daskam with a service award pin in recognition of her 25 years of service with the City of Auburn.

III. APPOINTMENTS

There was no appointment for Council consideration.

IV. AGENDA MODIFICATIONS

There was no change to the agenda.

V. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE

A. Public Hearings

No public hearing was 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

Steven Bailey, King County Library System, 1102 Auburn Way South, Auburn

Mr. Bailey spoke briefly regarding the King County Library System's Strategic Planning process to date. The process began last year with a community engagement process, which resulted in over 4,000 responses. Mr. Bailey provided copies of draft strategic scenarios for review and feedback. He encouraged the Council to participate in the survey that is being offered for insights and opinions on how King County Library System moves forward. The survey is available until March 31st.

Virginia Haugen 2503 R St SE

Ms. Haugen spoke about the passing of former Auburn Football Coach and Athletic Director, Bob Jones. Ms. Haugen also commended police services.

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 claims vouchers in the approximate amount of \$5.1 million and payroll expenses in the approximate amount of \$2.1 million. The ad hoc committee had no questions and 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 he and Councilmembers Pelozo and Trout-Manuel met this afternoon. Councilmember DaCorsi indicated the ad hoc committee would report to the Council at the April 24th Study Session.

Councilmember Trout-Manuel, chair of the ad hoc committee on inclusive city, stated the ad hoc committee will meet later this week, and she anticipates a report to the Council at the April 24th Study Session.

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 March 6, 2017 Special City Council Meeting

B. Minutes of the March 6, 2017 Regular City Council Meeting

C. Claims Vouchers

Claims voucher numbers 442956 through 443166 in the amount of \$4,667,355.35 and four wire transfers in the amount of \$466,894.59 and dated March 20, 2017.

D. Payroll Vouchers

Payroll check numbers 537156 through 537185 in the amount of \$592,915.90 and electronic deposit transmissions in the amount of

\$1,489,130.91 for a grand total of \$2,082,046.81 for the period covering March 2, 2017 to March 15, 2017.

Deputy Mayor Wales requested consideration of Public Works Project No. CP1507 be removed from the Consent Agenda.

Deputy Mayor Wales moved and Councilmember Trout-Manuel seconded to approve Consent Agenda items A through D.

MOTION CARRIED UNANIMOUSLY. 7-0

VIII. UNFINISHED BUSINESS

- A. Public Works Project No. CP1507
City Council award Contract No. 17-02 to Tucci & Sons, Inc. on their low bid of \$1,576,112.80 plus Washington State sales tax of \$13,038.36 for a total contract price of \$1,589,151.16 for Project No. CP1507, Auburn Way North Preservation Project.

Councilmember Pelosa moved and Councilmember DaCorsi seconded to approve the award of Project CP1507 to Tucci & Sons in the total contract price of \$1,589,151.16.

Councilmember Pelosa questioned whether the federal grant for the project is restricted to this particular project or whether it can be used for other projects. Assistant Director of Engineering Services/City Engineer advised the grant is restricted to only Project CP1507 and to only the scope identified.

Councilmember Wagner recalled the engineers have demonstrated to the Council previously that by fixing the best roads first would cost the City less in the long term; however, the policy does leave some roads in very poor condition for some time. Assistant Director/City Engineer Gaub stated there is approximately \$1.5 to \$2.0 million per year in the Arterial Street Preservation Fund, and about half of those funds will be used for the match to the federal grant to complete the replacement and overlay of pavement from 22nd Street NE to 45th Street NE. In order to complete a rebuild for B Street NW, it took about a year and three-quarters worth of the funds allocated to the Arterial Street Preservation Fund. Assistant Director/City Engineer Gaub stated completing a mix of very poor and better roads would result in getting less roadwork accomplished overall, and in the meantime the good roads will continue to degrade.

In response from comments from Councilmember Peloza, Assistant Director/City Engineer Gaub explained the particular federal grant for this project can only be used for preservation and for a federally classified road.

Councilmember DaCorsi suggested Councilmembers urge the federal congressional members to change the grant scoring methodology.

Deputy Mayor Wales questioned the cost of repairing an average pothole. Assistant Director/City Engineer Gaub explained the cost to repair a pothole is dependent on the cause of the pothole and whether it is a subgrade issue or just wearing of the surface of the roadway.

MOTION CARRIED UNANIMOUSLY. 7-0

IX. NEW BUSINESS

There was no new business.

X. RESOLUTIONS

A. Resolution No. 5277

A Resolution of the City Council of the City of Auburn, Washington, approving the 2017 Stormwater Management Program Plan and authorizing the Mayor to include a copy of the Program Plan in the National Pollutant Discharge Elimination System Western Washington Phase II Municipal Stormwater Permit Annual Report for 2016 to the Washington State Department of Ecology

Deputy Mayor Wales moved and Councilmember Baggett seconded to adopt Resolution No. 5277.

MOTION CARRIED UNANIMOUSLY. 7-0

B. Resolution No. 5289

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute a Third Addendum to the Agreement between the City of Auburn and Aviation Management Group, LLC

Deputy Mayor Wales moved and Councilmember Peloza seconded to adopt Resolution No. 5289.

Resolution No. 5289 extends the current contract with Aviation Management Group, LLC up to an additional 60 days.

MOTION CARRIED UNANIMOUSLY. 7-0

XI. MAYOR AND COUNCILMEMBER REPORTS

A. From the Council

Deputy Mayor Wales reported the Junior City Council met this evening. The Junior City Council will report on their activities at the National League of Cities at the April 24th Council Study Session and will report on homeless youth at the May 22nd Council Study Session.

Councilmember Pelosa reported on his attendance at the National League of Cities Conference in Washington, DC. Councilmember Pelosa stated he attended several sessions on the national opioid epidemic. Councilmember Pelosa also encouraged citizens to use the Drug Take Back Program in the community.

Councilmember Trout-Manuel reported on her attendance at the National League of Cities Conference where she attended sessions related to the nation-wide opioid epidemic, public safety and crime prevention, the Hispanic Elected Local Officials HELO Committee, sanctuary cities, immigration reform, and women in municipal government. Councilmember Trout-Manuel reported members of the HELO Committee will be traveling to Mexico in August to speak to immigration officials, businesses and residents along the border. Councilmember Trout-Manuel also reported she was able to meet with representatives of the Washington State congressional delegation while in Washington, DC.

Councilmember Baggett reported he attended the Emergency Management Advisory Committee (EMAC) Caucus. The organization coordinated last year's Cascadia Rising scenario and is a large collaboration of regional cities and towns for emergency management and response.

Councilmember Holman reported on his attendance at the National League of Cities Conference in Washington, DC. Councilmember Holman stated he is the vice chair of First Tier Suburbs Council, and this summer the cities of Auburn and Bellevue will co-host the

next meeting of the First Tier Suburbs Council this summer with the assistance of Sound Cities Association.

Councilmember DaCorsi reported he attended the King County Regional Transit Committee where members received a continuation of the presentation on Metro Connects Development Program. The presentation included a report on how the policy development will be undertaken and the timing of the implementation of the Metro Connects Program. The Committee also received a briefing on the One Center City Project.

B. From the Mayor

Mayor Backus reported her office is working to schedule a “town hall” meeting that will be a forum on the heroin and opioid epidemic and a source of resources for treatment. Mayor Backus announced Police Commander Jamie Sidell retired last week from the Auburn Police Department, and he will begin a new job with the Renton School District as Director of Security. Mayor Backus announced the promotion of Dan O’Neil to Police Commander. Commander O’Neil was in attendance and received the congratulations of Mayor Backus and the Council. Mayor Backus reported on her attendance at the Muckleshoot Tribal Wellness graduation event, the 47th Legislative District Town Hall meeting with Senator Fain, Representative Sullivan and Representative Hargrove, and the Auburn Noon Lions Dinner Auction. Mayor Backus reported on the passing of Cha Cha Andersen, wife of former Environmental Services Manager Chris Andersen, after an eight year battle with cancer. Mayor Backus also spoke about the recent passing of Bob Jones, former Auburn High School football coach and Athletic Director. Mayor Backus announced that the street in front of Auburn Memorial Stadium will be known as Bob Jones Way.

XII. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 8:29 p.m.

APPROVED THE _____ DAY OF APRIL, 2017.

NANCY BACKUS, Mayor

Danielle Daskam, City Clerk

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



AGENDA BILL APPROVAL FORM

Agenda Subject:

Claims Vouchers

Date:

March 29, 2017

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:

\$0

Administrative Recommendation:

City Council approve the claims vouchers.

Background Summary:

Claims voucher numbers 443167 through 443332 in the amount of \$1,519,222.68 and four wire transfers in the amount of \$158,460.26 and dated April 3, 2017.

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

Coleman

Meeting Date: April 3, 2017

Item Number: CA.B



AGENDA BILL APPROVAL FORM

Agenda Subject:

Payroll Vouchers

Date:

March 29, 2017

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:

\$0

Administrative Recommendation:

City Council approve payroll vouchers.

Background Summary:

Payroll check numbers 537186 through 537212 in the amount of \$844,916.99 and electronic deposit transmissions in the amount of \$1,480,667.00 for a grand total of \$2,325,583.99 for the period covering March 16, 2017 to March 29, 2017.

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

Coleman

Meeting Date: April 3, 2017

Item Number: CA.C



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6645

Date:

March 28, 2017

Department:

Community Development &
Public Works

Attachments:

[Exhibit 1: Vicinity Map – Wyncrest Division III](#)
[Exhibit 2: Final Plat Map of Wyncrest Division III](#)
[Exhibit 3: City of Auburn Hearing Examiner Decision, Wyncrest Div. III](#)
[Exhibit 4 - Cert. of Improvements](#)
[Exhibit 5: Proposed Ordinance No. 6645, approving the Final Plat of Wyncrest Division III](#)

Budget Impact:

\$0

Administrative Recommendation:

City Council adopt Ordinance No. 6645

Background Summary:

Harry Schneider, representing Schneider Homes, Inc., has made application for the Final Plat of "Wyncrest Division III" (originally known as "Frederic Allen"); located at the western terminus of S. 298th Pl., approximately 650 ft. east of 64th Ave. S, in the "West Hill" area of the City, see Vicinity Map, **Exhibit 1**. This Final Plat is the subdivision of approximately 4.99 acres into 12 single-family residential lots, one tract for access and utilities, one tract for private open space, and dedication of public right-of-way, see **Exhibit 2**. Stormwater from the plat will be sent to the existing pond in Wyncrest Division I, adjacent to the west (this plat is not subject to LID as it received preliminary plat approval in 2010). The preliminary plat was approved by the City of Auburn Hearing Examiner on August 2, 2010 (PLT08-0018) with 21 conditions; see **Exhibit 3**.

The plat has been developed in accordance with the R-5 Residential zoning district as defined by Chapter 18.07 ACC (Residential Zones), Title 17 ACC (Land Adjustments and Division), Chapters 58.17 and 35A.58 RCW, and the applicable conditions of the preliminary plat approval.

A Certificate of Improvements has been issued by the City Engineer, accepting completion of all required plat improvements; except the following items which the Developer has bonded for (see **Exhibit 4**):

1. Final lift of asphalt,
2. Installation of permanent monuments, and
3. Raising of utilities to grade.

The various divisions of the Community Development and Public Works Department have reviewed the Final Plat Map of Wyncrest Division III and find that all requirements have been met.

Reviewed by Council Committees:

Other: Planning & Legal

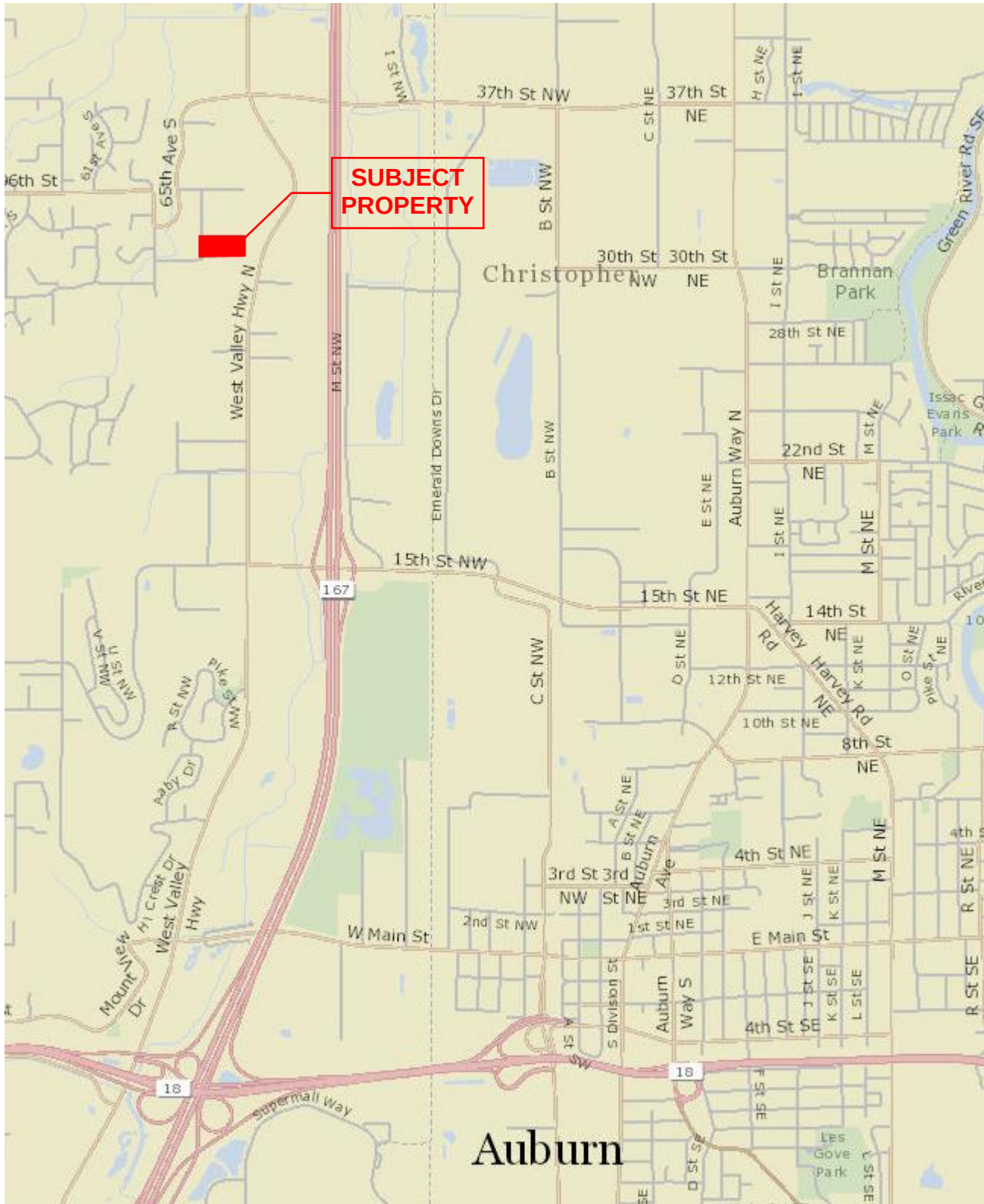
Councilmember:

Staff: Snyder

Meeting Date: April 3, 2017

Item Number: ORD.A

EXHIBIT 1 – Vicinity Map – Wyncrest III Final Plat



Printed Date: 9/29/2016 | Information shown is for general reference purposes only and does not necessarily represent exact geographic or cartographic data as mapped. The City of Auburn makes no warranty as to its accuracy

WYNCREST DIVISION III
A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER,
SECTION 2, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M.,
CITY OF AUBURN, KING COUNTY, WASHINGTON

LEGAL DESCRIPTION

PARCEL A:
THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER,
SECTION 2, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON;
EXCEPT THE WEST 15 FEET THEREOF.

PARCEL B:
TRACT G, WYNCREST, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 266 OF PLATS, PAGE(S) 52
THROUGH 56, INCLUSIVE, RECORDS OF KING COUNTY, WASHINGTON.

DEDICATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF INTEREST IN THE LAND HEREBY
SUBDIVDED, HEREBY DECLARE THIS PLAT TO BE THE GRAPHIC REPRESENTATION OF THE SUBDIVISION MADE HEREBY,
AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS AND AVENUES NOT SHOWN AS
PRIVATE HEREON AND DEDICATE THE USE THEREOF FOR ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE
THEREOF FOR PUBLIC HIGHWAY PURPOSES, AND ALSO THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND
FILLS UPON THE LOTS SHOWN THEREON IN THE ORIGINAL REASONABLE GRADING OF SAID STREETS AND AVENUES,
AND FURTHER DEDICATE TO THE USE OF THE PUBLIC ALL EASEMENTS AND TRACTS SHOWN ON THIS PLAT FOR ALL
PUBLIC PURPOSES AS INDICATED THEREON, INCLUDING BUT NOT LIMITED TO PARKS, OPEN SPACES, UTILITIES AND
DRAINAGE UNLESS SUCH EASEMENTS OR TRACTS ARE SPECIFICALLY IDENTIFIED ON THIS PLAT AS BEING DEDICATED
OR CONVEYED TO A PERSON OR ENTITY OTHER THAN THE PUBLIC, IN WHICH CASE WE DO HEREBY DEDICATE SUCH
STREETS, EASEMENTS, OR TRACTS TO THE PERSON OR ENTITY IDENTIFIED AND FOR THE PURPOSE STATED.

FURTHER, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SUBDIVIDED, WAIVE FOR THEMSELVES, THEIR HEIRS AND
ASSIGNS AND ANY PERSON OR ENTITY DERIVING TITLE FROM THE UNDERSIGNED, ANY AND ALL CLAIMS FOR
DAMAGES AGAINST THE CITY OF AUBURN, ITS SUCCESSORS AND ASSIGNS WHICH MAY BE OCCASIONED BY THE
ESTABLISHMENT, CONSTRUCTION, OR MAINTENANCE OF ROADS AND/OR DRAINAGE SYSTEMS WITHIN THIS SUBDIVISION
OTHER THAN CLAIMS RESULTING FROM INADEQUATE MAINTENANCE BY THE CITY OF AUBURN.

FURTHER, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SUBDIVIDED, AGREE FOR THEMSELVES, THEIR HEIRS
AND ASSIGNS TO INDEMNIFY AND HOLD THE CITY OF AUBURN, ITS SUCCESSORS AND ASSIGNS, HARMLESS FROM
ANY DAMAGE, INCLUDING THE COSTS OF DEFENSE, CLAIMED BY PERSONS WITHIN OR WITHOUT THIS SUBDIVISION TO
HAVE BEEN CAUSED BY ALTERATIONS OF THE GROUND SURFACE, VEGETATION, DRAINAGE, OR SURFACE OR
SUB-SURFACE WATER FLOWS WITHIN THIS SUBDIVISION OR BY ESTABLISHMENT, CONSTRUCTION OR MAINTENANCE OF
THE ROADS WITHIN THIS SUBDIVISION. PROVIDED, THIS WAIVER AND INDEMNIFICATION SHALL NOT BE CONSTRUED AS
RELEASING THE CITY OF AUBURN, ITS SUCCESSORS OR ASSIGNS, FROM LIABILITY FOR DAMAGES, INCLUDING THE
COST OF DEFENSE, RESULTING IN WHOLE OR IN PART FROM THE NEGLIGENCE OF THE CITY OF AUBURN, ITS
SUCCESSORS OR ASSIGNS.

THIS SUBDIVISION, DEDICATION, WAIVER OF CLAIMS AND AGREEMENT TO HOLD HARMLESS IS MADE WITH THE FREE
CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNERS.

IN WITNESS WHEREOF WE SET OUR HANDS AND SEALS.

SCHNEIDER FAMILY HOMES, LLC, UMPQUA BANK,
A WASHINGTON LIMITED LIABILITY COMPANY AN OREGON STATE-CHARTERED BANK

BY: BY:
ITS: ITS:

SCHNEIDER HOMES, INC.
A WASHINGTON WASHINGTON CORPORATION

BY:
ITS:

ACKNOWLEDGMENTS

STATE OF WASHINGTON)
) SS
COUNTY OF)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT _____ SIGNED THIS
INSTRUMENT ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT
AS THE _____ OF SCHNEIDER FAMILY HOMES, LLC, A WASHINGTON LIMITED LIABILITY
COMPANY AND THE _____ OF SCHNEIDER HOMES, INC. A WASHINGTON
CORPORATION TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED
IN THIS INSTRUMENT.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT _____
PRINTED NAME _____
COMMISSION EXPIRES _____

STATE OF WASHINGTON)
) SS
COUNTY OF)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT _____
SIGNED THIS INSTRUMENT ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND
ACKNOWLEDGED IT AS THE _____ OF UMPQUA BANK, AN OREGON STATE-CHARTERED
BANK TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN
THIS INSTRUMENT.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT _____
PRINTED NAME _____
COMMISSION EXPIRES _____

APPROVALS

FINANCE DIRECTOR'S CERTIFICATE
I HEREBY CERTIFY THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS FOR WHICH THE PROPERTY SUBJECT
TO THIS SUBDIVISION MAY BE LIABLE TO THE CITY, AND THAT ALL SPECIAL ASSESSMENTS ON ANY PROPERTY
HEREIN CONTAINED DEDICATED AS STREETS, ALLEYS OR FOR ANY OTHER PUBLIC USE HAVE BEEN DULY PAID,
SATISFIED OR DISCHARGED,

THIS ____ DAY OF _____, 20____.

AUBURN DIRECTOR OF FINANCE

CITY ENGINEER'S CERTIFICATE
I HEREBY CERTIFY THAT THIS FINAL PLAT IS IN COMPLIANCE WITH THE CERTIFICATE OF IMPROVEMENTS ISSUED
PURSUANT TO ACC 17.14.015, AND IS CONSISTENT WITH ALL APPLICABLE CITY IMPROVEMENT STANDARDS AND
REQUIREMENTS IN FORCE ON THE DATE OF PRELIMINARY PLAT APPROVAL,

THIS ____ DAY OF _____, 20____.

AUBURN CITY ENGINEER

COMMUNITY DEVELOPMENT ASSISTANT DIRECTOR'S CERTIFICATE
I HEREBY CERTIFY ON THIS ____ DAY OF _____, 20____, THAT THIS FINAL PLAT IS IN SUBSTANTIAL
CONFORMANCE WITH THE PRELIMINARY PLAT AND ANY CONDITIONS ATTACHED THERETO, WHICH PRELIMINARY PLAT
WAS APPROVED BY THE HEARING EXAMINER ON THE 27TH DAY OF NOVEMBER, 2013.

AUBURN ASSISTANT DIRECTOR OF COMMUNITY DEVELOPMENT

APPROVAL
EXAMINED AND APPROVED THIS ____ DAY OF _____, 20____, PURSUANT TO ORDINANCE NUMBER
_____, ADOPTED BY THE AUBURN COUNCIL ON THE ____ DAY OF _____, 20____.

ATTEST: _____
MAYOR AUBURN CITY CLERK

FINANCE DIVISION CERTIFICATE
I HEREBY CERTIFY THAT ALL PROPERTY TAXES ARE PAID, THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS
CERTIFIED TO THIS OFFICE FOR COLLECTION, AND THAT ALL SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR
COLLECTION ON ANY OF THE PROPERTY HEREIN CONTAINED DEDICATED AS STREETS, ALLEYS OR FOR OTHER PUBLIC
USE ARE PAID IN FULL THIS ____ DAY OF _____, 20____.

MANAGER DEPUTY

ASSESSOR'S APPROVAL
EXAMINED AND APPROVED THIS ____ DAY OF _____, 20____.

KING COUNTY ASSESSOR DEPUTY COUNTY ASSESSOR
KING COUNTY PARCEL NO. 9577900310 AND 0221049038

RECORDING CERTIFICATE
FILED FOR RECORD AT THE REQUEST OF SCHNEIDER FAMILY HOMES, LLC, THIS ____ DAY OF _____
20__, AT _____ MINUTES PAST ____M. AND RECORDED IN VOLUME _____ OF PLATS, PAGE(S)
_____, AFN _____ RECORDS OF KING COUNTY, WASHINGTON.
MANAGER SUPERINTENDENT OF RECORDS

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THIS PLAT OF WYNCREST DIVISION III IS BASED UPON AN ACTUAL SURVEY AND
SUBDIVISION OF SECTION 2, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M., AS REQUIRED BY STATE STATUTES; THAT
THE DISTANCES, COURSES AND ANGLES ARE SHOWN THEREON CORRECTLY; THAT THE MONUMENTS SHALL BE SET
AND LOT AND BLOCK CORNERS SHALL BE STAKED CORRECTLY ON THE GROUND, AND THAT I HAVE FULLY
COMPLIED WITH THE PROVISIONS OF THE STATE AND LOCAL STATUTES AND REGULATIONS GOVERNING PLATTING.

STEPHEN J. SCHREI, PROFESSIONAL LAND SURVEYOR. DATE 03/01/17
CERTIFICATE NO. 37555
D.R. STRONG CONSULTING ENGINEERS
620 7TH AVE
KIRKLAND, WASHINGTON 98033
PHONE: (425) 827-3063



WYNCREST DIVISION III
A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER,
SECTION 2, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M.,
CITY OF AUBURN, KING COUNTY, WASHINGTON

HOMEOWNERS ASSOCIATION COVENANT

THIS SUBDIVISION IS SUBJECT TO THE COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE WYNCREST 2 & 3 HOMEOWNERS ASSOCIATION RECORDED UNDER KING COUNTY RECORDING NUMBER _____, RECORDS OF KING COUNTY, WASHINGTON. SAID HOMEOWNERS ASSOCIATION SHALL OWN AND MAINTAIN THE TRACTS AND EASEMENTS AS INDICATED AND CONVEYED HEREIN, UNLESS OTHERWISE APPROVED BY THE CITY OF AUBURN OR ITS SUCCESSOR AGENCY. THIS COVENANT SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNERS OF LOTS 1 THROUGH 12 INCLUSIVE, THEIR HEIRS, SUCCESSORS AND ASSIGNS. SHOULD THE WYNCREST 2 & 3 HOMEOWNERS ASSOCIATION BE DISSOLVED OR OTHERWISE CEASE TO FUNCTION, OWNERSHIP OF LOTS 1 THROUGH 12, INCLUSIVE WILL INCLUDE AN EQUAL AND UNDIVIDED INTEREST IN TRACTS A AND C, TOGETHER WITH AN EQUAL RESPONSIBILITY FOR THE MAINTENANCE RESPONSIBILITIES FOR SAID TRACTS.

TRACT NOTES

1. TRACT A, A PRIVATE OPEN SPACE TRACT IS HEREBY CONVEYED TO THE WYNCREST 2 & 3 HOMEOWNERS ASSOCIATION UPON THE RECORDING OF THIS PLAT. SAID HOMEOWNERS ASSOCIATION IS HEREBY RESPONSIBLE FOR THE MAINTENANCE ASSOCIATED WITH SAID TRACT.
2. TRACT B IS A PRIVATE ACCESS TRACT FOR INGRESS, EGRESS AND UTILITIES AND IS HEREBY RESERVED FOR AND SHALL BE GRANTED TOGETHER WITH ALL OBLIGATIONS TO MAINTAIN THE TRACT CONSISTENT WITH CITY CODE, TO THE OWNERS, SUCCESSORS AND ASSIGNS OF LOTS 4, 5, 6 AND 7 WITH AN EQUAL AND UNDIVIDED INTEREST. USE OF SAID TRACT IS RESTRICTED TO THAT SPECIFIED IN THE APPROVED FINAL PLAT. THIS TRACT SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT AND ALL FUTURE DEED TRANSFERS MUST INCLUDE SAID PROPORTIONAL ONE FORTH INTEREST.
3. TRACT C IS A PRIVATE SENSITIVE AREA TRACT AND IS HEREBY CONVEYED TO THE WYNCREST 2 & 3 HOMEOWNERS ASSOCIATION UPON THE RECORDING OF THIS PLAT. SAID HOMEOWNERS ASSOCIATION IS HEREBY RESPONSIBLE FOR THE MAINTENANCE ASSOCIATED WITH SAID TRACT. THE CITY OF AUBURN SHALL BE ALLOWED TO ENTER UPON SAID TRACT C IN CONNECTION WITH MONITORING, MAINTAINING, PRESERVING AND ENHANCING THE ON-SITE SLOPES AND THE ASSOCIATED BUFFER AREAS.

PRIVATE DRAINAGE EASEMENT COVENANT

THE OWNERS OF PRIVATE PROPERTY WITHIN THIS PLAT ENCUMBERED WITH DRAINAGE EASEMENTS SHOWN AS "PRIVATE" HEREBY GRANT AND CONVEY TO THE CITY OF AUBURN, A POLITICAL SUBDIVISION OF THE STATE OF WASHINGTON, THE RIGHT BUT NOT THE OBLIGATION TO CONVEY OR STORE STORM AND SURFACE WATER PER THE ENGINEERING PLANS APPROVED FOR THIS PLAT BY THE CITY OF AUBURN, TOGETHER WITH THE RIGHT OF REASONABLE ACCESS (INGRESS AND EGRESS) TO ENTER SAID DRAINAGE EASEMENT FOR THE PURPOSE OF OBSERVING THAT THE OWNER(S) ARE PROPERLY OPERATING AND MAINTAINING THE DRAINAGE FACILITIES CONTAINED THEREIN.

THE OWNERS OF SAID PRIVATE PROPERTY ARE RESPONSIBLE FOR OPERATING, MAINTAINING, AND REPAIRING THE DRAINAGE FACILITIES CONTAINED WITHIN SAID DRAINAGE EASEMENTS AND ARE HEREBY REQUIRED TO OBTAIN ANY REQUIRED PERMITS FROM THE CITY OF AUBURN PRIOR TO FILLING, PIPING, CUTTING OR REMOVING VEGETATION (EXCEPT FOR ROUTINE LANDSCAPE MAINTENANCE SUCH AS LAWN MOWING) IN OPEN VEGETATED DRAINAGE FACILITIES (SUCH AS SWALES, CHANNELS, DITCHES PONDS, ETC.) OR PERFORMING ANY ALTERATIONS OR MODIFICATIONS TO THE DRAINAGE FACILITIES CONTAINED WITHIN SAID DRAINAGE EASEMENT.

ADDITIONALLY, THE OWNER(S) OF THE LAND HEREBY SUBDIVIDED DO HEREBY GRANT AND CONVEY TO THE OWNER(S) OF THE LOTS BENEFITED OR ANY OTHER PRIVATE ENTITY AS STATED IN THE EASEMENT PROVISIONS AND THEIR ASSIGNS A PERPETUAL EASEMENT FOR THE STATED UTILITIES. THESE EASEMENTS AND CONDITIONS SHALL BE A COVENANT RUNNING WITH THE LAND AND SHALL BE BINDING ON THE SUCCESSORS, HEIRS, AND ASSIGNS OF THE OWNERS(S) OF THE LAND HEREBY BURDENED. THE OWNER(S) OF THE LOT BENEFITED AND THEIR ASSIGNS SHALL HAVE THE RIGHT WITHOUT PRIOR INSTITUTION OF ANY SUIT OR PROCEEDINGS OF LAW AT SUCH TIME AS MAY BE NECESSARY TO ENTER UPON SAID EASEMENT FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, REPAIRING, ALTERING OR RECONSTRUCTING SAID UTILITY OR MAKING ANY CONNECTION THERETO WITHOUT INCURRING ANY LEGAL OBLIGATION OR LIABILITY THEREFORE. PROVIDED THAT SUCH SHALL BE ACCOMPLISHED IN A MANNER THAT IF EXISTING PRIVATE IMPROVEMENTS ARE DISTURBED OR DESTROYED THEY WILL BE REPAIRED OR REPLACED TO A CONDITION SIMILAR AS THEY WERE IMMEDIATELY BEFORE THE PROPERTY WAS ENTERED UPON BY THE ONE BENEFITED. THE OWNER(S) OF THE BURDENED LOT SHALL RETAIN THE RIGHT TO USE THE SURFACE OF SAID EASEMENT IF SUCH USE DOES NOT INTERFERE WITH THE INSTALLATION OR USE OF SAID UTILITIES. HOWEVER, THE OWNER(S) OF THE BURDENED LOT SHALL NOT ERECT OR MAINTAIN ANY BUILDINGS OR STRUCTURES WITHIN THE EASEMENT. ALSO THE OWNER(S) OF THE BURDENED LOT SHALL NOT PLANT TREES, SHRUBS OR VEGETATION HAVING DEEP ROOT PATTERNS WHICH MAY CAUSE DAMAGE TO OR INTERFERE WITH SAID UTILITIES. ALSO THE OWNER(S) OF THE BURDENED LOT SHALL NOT DEVELOP OR BEAUTIFY THE EASEMENT AREAS IN SUCH A WAY TO CAUSE EXCESSIVE COST TO THE OWNER(S) OF THE LOT BENEFITED PURSUANT TO ITS RESTORATION DUTIES HEREIN.

THIS COVENANT SHALL RUN WITH THE LAND AND IS BINDING UPON THE OWNER(S) OF SAID PRIVATE PROPERTY, THEIR HEIRS, SUCCESSORS AND ASSIGNS.

EASEMENT PROVISIONS

1. AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF AUBURN, PUGET SOUND ENERGY COMPANY, CENTURY LINK, COMCAST AND ANY OTHER PRIVATE UTILITY, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON TRACT B AND THE EXTERIOR 10 FEET OF ALL LOTS AND TRACTS, PARALLEL WITH AND ADJOINING THE EXISTING OR PROPOSED PUBLIC RIGHT-OF-WAY, IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND DISTRIBUTION SYSTEMS WITH NECESSARY FACILITIES, SIDEWALKS AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH UTILITY SERVICES AND SIDEWALKS, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES FOR THE PURPOSE HEREIN STATED, NO LINES OR WIRES FOR THE TRANSMISSION OF ELECTRIC CURRENT, OR FOR TELEPHONE USE, CABLE TELEVISION, FIRE OR POLICE SIGNAL OR FOR OTHER PURPOSES, SHALL BE PLACED OR BE PERMITTED TO BE PLACED UPON ANY LOT UNLESS THE SAME SHALL BE UNDERGROUND OR IN CONDUIT ATTACHED TO A BUILDING.
- THE OWNERS OF SAID PRIVATE PROPERTY SHALL NOT IN ANY WAY BLOCK, RESTRICT OR IMPEDE ACCESS AND EGRESS TO OR FROM SAID EASEMENT AREA, AND/OR IN ANY WAY BLOCK, RESTRICT OR IMPEDE FULL USE OF THE REAL PROPERTY WITHIN THE ABOVE DESCRIBED EASEMENT AREA BY THE CITY OF AUBURN FOR THE ABOVE DESCRIBED PURPOSES. NO BUILDING, WALL, ROCKERY, FENCE, TREES, OR STRUCTURE OF ANY KIND SHALL BE ERECTED OR PLANTED, NOR SHALL ANY FILL MATERIAL BE PLACED WITHIN THE BOUNDARIES OF SAID EASEMENT AREA, WITHOUT THE EXPRESS WRITTEN CONSENT OF THE CITY OF AUBURN. WITH CITY OF AUBURN PERMISSION, THE OWNERS OF SAID PRIVATE PROPERTY MAY FENCE ACROSS SAID EASEMENT AREA AND/OR ALONG THE BOUNDARIES OF SAID EASEMENT AREA, PROVIDED THAT A GATE IS CONSTRUCTED IN SAID FENCE. SAID GATE SHALL BE OF SUFFICIENT LENGTH AND LOCATION TO ALLOW THE GRANTEE FULL USE OF, AND ACCESS AND EGRESS TO AND FROM THE REAL PROPERTY WITHIN THE EASEMENT AREA. IF SAID GATE IS TO BE LOCKED, KEYS SHALL BE PROVIDED TO THE CITY OF AUBURN.
2. THE PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 2 AND 3 AND TRACT A IS FOR THE BENEFIT OF LOTS 1, 2 AND 3 FOR PRIVATE STORM DRAINAGE FACILITIES. THE OWNERS OF SAID LOTS 1, 2 AND 3 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
3. THE PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 4 AND 5 IS FOR THE BENEFIT OF LOTS 5 AND 6 FOR PRIVATE STORM DRAINAGE FACILITIES. THE OWNERS OF SAID LOTS 4, 5 AND 6 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
4. THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOT 3 AND TRACTS A AND B IS FOR THE BENEFIT OF LOTS 2 AND 3 FOR PRIVATE STORM DRAINAGE FACILITIES. THE OWNERS OF SAID LOTS 2 AND 3 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
5. THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOT 7 IS FOR THE BENEFIT OF LOT 8 FOR PRIVATE STORM DRAINAGE FACILITIES. THE OWNERS OF SAID LOTS 7 AND 8 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
6. THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 10, 11 AND 12 IS FOR THE BENEFIT OF LOTS 9, 10 AND 11 FOR PRIVATE STORM DRAINAGE FACILITIES. THE OWNERS OF SAID LOTS 9, 10, 11 AND 12 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
7. THE 10 FOOT PRIVATE WATER LINE EASEMENT SHOWN ON LOTS 5, 6 AND 7 IS FOR THE BENEFIT OF LOTS 4, 5 AND 6 FOR PRIVATE WATER LINE FACILITIES. THE OWNERS OF SAID LOTS 4, 5, 6 AND 7 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE WATER LINE FACILITIES WITHIN SAID EASEMENT.

NOTES/RESTRICTIONS

1. THE ROAD AND STORM DRAINAGE SYSTEMS SHALL BE CONSTRUCTED ACCORDING TO THE APPROVED PLAN AND PROFILE, PLAN NO. FAC15-0013 ON FILE WITH THE CITY OF AUBURN. ANY DEVIATION FROM THE APPROVED PLAN WILL REQUIRE WRITTEN APPROVAL FROM THE CITY.
2. ALL BUILDING DOWNSPOUTS, FOOTING DRAINS, AND DRAINS FROM ALL IMPERVIOUS SURFACES SUCH AS PATIOS AND DRIVEWAYS SHALL BE CONNECTED TO THE PERMANENT STORM DRAIN OUTLET AS SHOWN ON THE APPROVED CONSTRUCTION DRAWINGS. THIS PLAN SHALL BE SUBMITTED WITH THE APPLICATION FOR ANY BUILDING PERMIT. ALL CONNECTIONS OF THE DRAINS MUST BE CONSTRUCTED AND APPROVED PRIOR TO THE FINAL BUILDING INSPECTION APPROVAL. FOR THOSE LOTS THAT ARE DESIGNATED FOR INDIVIDUAL LOT INFILTRATION SYSTEMS, THE SYSTEMS SHALL BE CONSTRUCTED AT THE TIME OF THE BUILDING PERMIT AND SHALL COMPLY WITH PLANS ON FILE.
3. PRIOR TO BUILDING CONSTRUCTION ON ALL LOTS, TEMPORARY EROSION AND SEDIMENTATION CONTROL MEASURES, PER THE CONSTRUCTION STORM WATER POLLUTION PREVENTION PLAN (CSWPPP) WILL BE CONSTRUCTED AND MAINTAINED THROUGH FINAL LOT STABILIZATION. PRIOR TO FINAL BUILDING INSPECTION FOR THE STRUCTURE(S) ON ALL LOTS, ROOF DOWNSPOUTS, FOOTING DRAINS, AND ALL LANDSCAPED AREAS NOT DESIGNATED FOR SHEET FLOW TO THE ADJACENT SENSITIVE AREAS, OR ALLOWED TO BE TREATED ONSITE, SHALL BE TIGHTLINED TO THE PUBLIC ROADWAY DRAINAGE SYSTEM AND SHALL BE INSPECTED BY CITY OF AUBURN FOR COMPLIANCE WITH THE CSWPPP PRIOR TO FINAL APPROVAL.
4. STORM DRAINAGE SYSTEMS CONSTRUCTED ON THE INDIVIDUAL LOTS MUST BE MAINTAINED BY THE PROPERTY OWNER FOR THAT LOT. AN EXCEPTION TO THIS REQUIREMENT IS WHERE THE PRIVATE STORM COLLECTION SYSTEM CROSSES LOT LINES. IN THIS CASE PRIVATE STORM DRAINAGE EASEMENTS AND THE MAINTENANCE RESPONSIBILITIES RELATED THERETO HAVE BEEN IDENTIFIED HEREIN.
5. IN CONJUNCTION WITH OR UPON COMPLETION OF RESIDENTIAL BUILDING CONSTRUCTION, BEST MANAGEMENT PRACTICE (BMP) C126: TOPSOILING REQUIREMENTS PER THE SURFACE WATER MANAGEMENT MANUAL (SWMM), SHALL BE INCORPORATED WITH LANDSCAPE PLANTINGS IN PERVIOUS AREAS OF EACH INDIVIDUAL LOT.
6. EXISTING FENCE ENCROACHMENTS HAVE BEEN SHOWN PURSUANT TO RCW 58.1 7.255 AND SHALL BE DISCLOSED IN THE TITLE REPORT PREPARED BY THE TITLE INSURER AND ISSUED AFTER THE FILING OF THIS FINAL PLAT.
7. WHENEVER ANY RIGHT OF WAY LANDSCAPING IN THE CITY OF AUBURN HAS BEEN IMPROVED, INCLUDING BUT NOT LIMITED TO THE PLANTING OF SHRUBS, PLANTS, GRASS, OR OTHER LANDSCAPING IMPROVEMENTS, THE DUTY, BURDEN, AND EXPENSE OF MAINTENANCE, WATERING, AND GENERAL UPKEEP OF SUCH LANDSCAPING SHALL DEVOLVE UPON THE OWNER OF THE PRIVATE PROPERTY DIRECTLY ABUTTING THE SIDEWALK ADJACENT TO THE LANDSCAPED AREA OR ABUTTING THE LANDSCAPED AREA.
8. IF AT THE TIME THE NUMBER OF LOTS ACCESSING THE PUBLIC RIGHT OF WAY WITHIN THIS PLAT REACHES 7 AND A SECOND RIGHT OF WAY ACCESS TO 64TH AVENUE S. HAS NOT BEEN DEVELOPED, PRIOR TO THE ISSUANCE OF THE 7TH BUILDING PERMIT THE DEVELOPER WILL COMPLETE THE IMPROVEMENTS OF THE 20 FOOT EMERGENCY VEHICLE ACCESS EASEMENT IN ACCORDANCE WITH CITY OF AUBURN STANDARDS.
9. ANY FUTURE RESIDENCE CONSTRUCTED ON LOT 4 IS REQUIRED TO HAVE AN APPROVED RESIDENTIAL FIRE SPRINKLER SYSTEM.

LAKEHAVEN UTILITY DISTRICT EASEMENT PROVISION

AN EASEMENT IS HEREBY IRREVOCABLY RESERVED FOR AND GRANTED TO LAKEHAVEN UTILITY DISTRICT AND ITS AGENTS, SUCCESSORS AND ASSIGNS, FOR SO LONG AS IT SHALL OWN AND MAINTAIN THE UTILITIES REFERENCED HEREIN UNDER AND UPON THE AREA SHOWN ON THE PLAT AND DESCRIBED HEREIN AS "WATERLINE EASEMENT" (WLE) AND "SANITARY SEWER EASEMENT" (SSE) TO INSTALL, MAINTAIN, REPLACE, REPAIR AND OPERATE WATER AND SEWER MAINS AND APPURTENANCES FOR THIS SUBDIVISION AND OTHER PROPERTY TOGETHER WITH THE RIGHT TO ENTER UPON SAID EASEMENT AT ALL TIMES FOR PURPOSES INCIDENT THERETO. NO BUILDING, WALL, ROCKERY, FENCE, TREES OR STRUCTURE OF ANY KIND SHALL BE ERECTED OR PLANTED, NOR SHALL ANY FILL MATERIAL BE PLACED WITHIN THE BOUNDARIES OF SAID EASEMENT AREA. NO EXCAVATION SHALL BE MADE WITHIN THREE (3) FEET OF SAID WATER OR SEWER SERVICE FACILITIES AND THE SURFACE LEVEL OF THE GROUND WITHIN THE EASEMENT AREA SHALL BE MAINTAINED AT THE ELEVATION AS CURRENTLY EXISTING. GRANTOR HEREBY AGREES THAT NO WATER AND/OR SEWER SYSTEM FACILITY OR APPURTENANCE OF ANY KIND SHALL BE CONSTRUCTED OR LOCATED BY GRANTOR, OR ANY THIRD PARTY ACTING UNDER AUTHORITY OF GRANTOR, WITHIN OR PROXIMATE TO SAID EASEMENT, UNLESS SUCH INSTALLATION IS APPROVED BY GRANTEE AND IS IN CONFORMANCE WITH THE THEN-CURRENT EDITION OF THE CRITERIA FOR SEWAGE WORKS DESIGN PUBLISHED BY THE WASHINGTON STATE DEPARTMENT OF ECOLOGY. GRANTOR HEREBY FURTHER AGREES THAT NO OTHER UTILITY FACILITY OR APPURTENANCE OF ANY KIND, INCLUDING UTILITY SERVICE CONNECTIONS, SHALL BE CONSTRUCTED OR LOCATED BY GRANTOR, OR ANY THIRD PARTY ACTING UNDER AUTHORITY OF GRANTOR, WITHIN THREE FEET (3), MEASURED HORIZONTALLY FOR PARALLEL ALIGNMENTS, OR WITHIN SIX INCHES (6), MEASURED VERTICALLY FOR CROSSING OR PERPENDICULAR ALIGNMENTS, OF ANY PORTION OF THE GRANTEE'S FACILITIES. GRANTOR ADDITIONALLY GRANTS TO THE LAKEHAVEN UTILITY DISTRICT AND ITS AGENTS, SUCCESSORS AND ASSIGNS THE USE OF SUCH ADDITIONAL AREA IMMEDIATELY ADJACENT TO SAID EASEMENT AREA AS SHALL BE REQUIRED FOR THE CONSTRUCTION, RECONSTRUCTION, MAINTENANCE AND OPERATION OF SAID WATER OR SEWER FACILITIES. THE USE OF SUCH ADDITIONAL AREA SHALL BE HELD TO A REASONABLE MINIMUM AND BE RETURNED TO THE CONDITION EXISTING IMMEDIATELY BEFORE THE PROPERTY WAS ENTERED UPON BY THE LAKEHAVEN UTILITY DISTRICT, ITS AGENTS, SUCCESSORS AND ASSIGNS. IN ADDITION TO THE OTHER RESTRICTIONS HEREIN, GRANTOR SHALL NOT CONVEY TO A THIRD PARTY ANY EASEMENT OR OTHER INTEREST OR RIGHT OF USE OF PROPERTY SUBJECT TO THE EASEMENT THAT WOULD IMPAIR OR LIMIT THE USE OF THE EASEMENT RIGHTS GRANTED HEREIN.

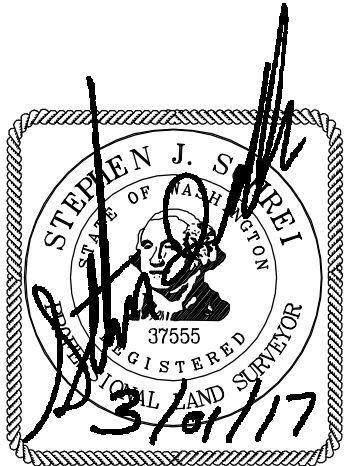
RESTRICTION FOR SENSITIVE AREA TRACTS AND SENSITIVE AREAS AND BUFFERS

DEDICATION OF A SENSITIVE AREA TRACT/SENSITIVE AREA AND BUFFER CONVEYS TO THE PUBLIC A BENEFICIAL INTEREST IN THE LAND WITHIN THE SENSITIVE AREA TRACT/SENSITIVE AREA AND BUFFER. THIS INTEREST INCLUDES THE PRESERVATION OF NATIVE VEGETATION FOR ALL PURPOSES THAT BENEFIT THE PUBLIC HEALTH, SAFETY AND WELFARE, INCLUDING CONTROL OF SURFACE WATER AND EROSION, MAINTENANCE OF SLOPE STABILITY, AND PROTECTION OF PLANT AND ANIMAL HABITAT.

THE SENSITIVE AREA TRACT/SENSITIVE AREA AND BUFFER IMPOSES UPON ALL PRESENT AND FUTURE OWNERS AND OCCUPIERS OF THE LAND SUBJECT TO THE TRACT/SENSITIVE AREA AND BUFFER THE OBLIGATION, ENFORCEABLE ON BEHALF OF THE PUBLIC BY THE CITY OF AUBURN, TO LEAVE UNDISTURBED ALL TREES AND OTHER VEGETATION WITHIN THE TRACT/SENSITIVE AREA AND BUFFER. THE VEGETATION WITHIN THE TRACT/SENSITIVE AREA AND BUFFER MAY NOT BE CUT, PRUNED, COVERED BY FILL, REMOVED OR DAMAGED WITHOUT APPROVAL IN WRITING FROM THE CITY OF AUBURN OR ITS SUCCESSOR AGENCY, UNLESS OTHERWISE PROVIDED BY LAW.

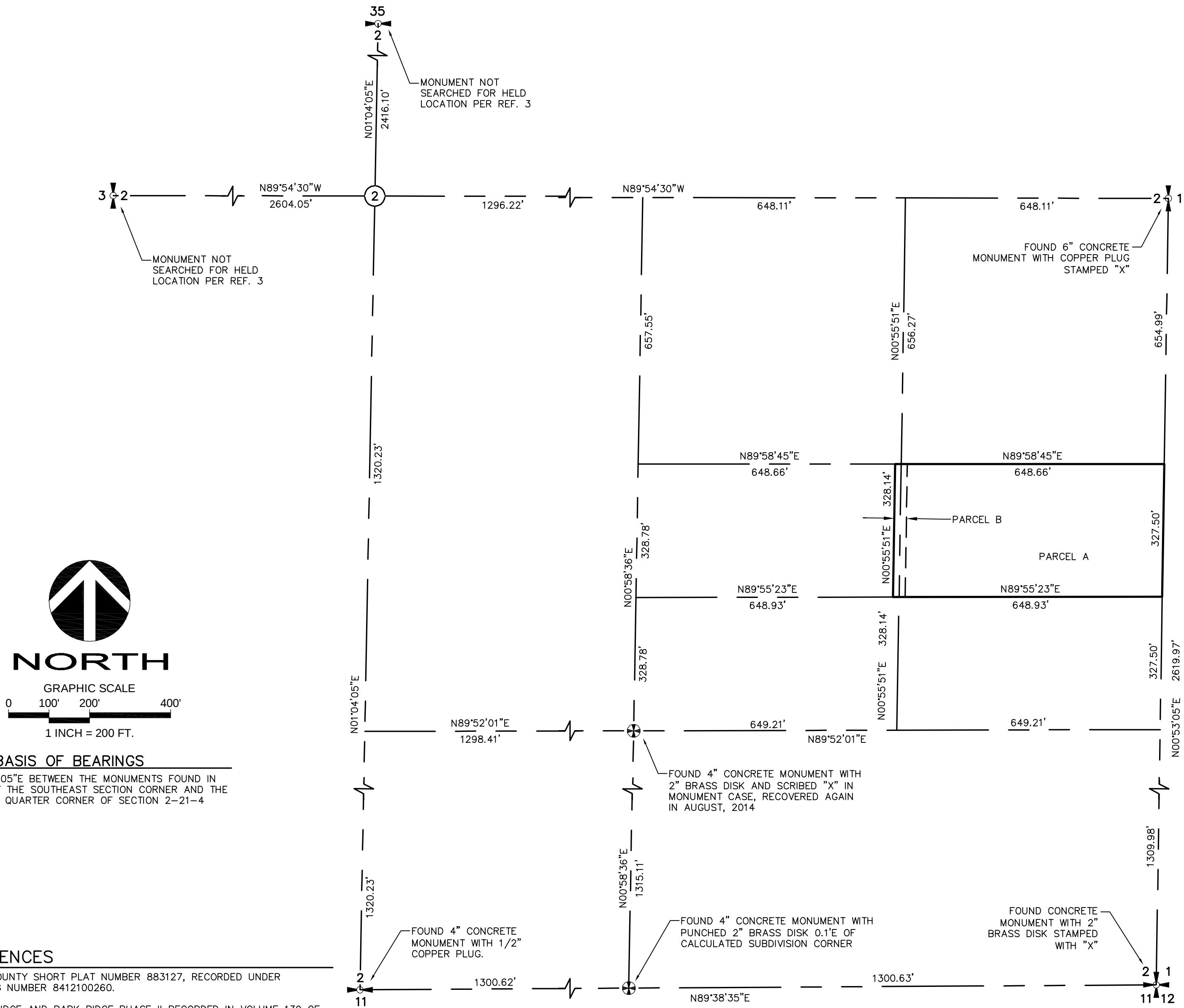
THE COMMON BOUNDARY BETWEEN THE TRACT/SENSITIVE AREA AND BUFFER AND THE AREA OF DEVELOPMENT ACTIVITY MUST BE MARKED OR OTHERWISE FLAGGED TO THE SATISFACTION OF THE CITY OF AUBURN PRIOR TO ANY CLEARING, GRADING, BUILDING CONSTRUCTION OR OTHER DEVELOPMENT ACTIVITY ON A LOT SUBJECT TO THE SENSITIVE AREA TRACT/SENSITIVE AREA AND BUFFER. THE REQUIRED MARKING OR FLAGGING SHALL REMAIN IN PLACE UNTIL ALL DEVELOPMENT PROPOSAL ACTIVITIES IN THE VICINITY OF THE SENSITIVE AREA ARE COMPLETED.

NO BUILDING FOUNDATIONS ARE ALLOWED BEYOND THE REQUIRED 15-FOOT BUILDING SETBACK LINE, UNLESS OTHERWISE PROVIDED BY LAW.



WYNCREST DIVISION III

A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER,
SECTION 2, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M.,
CITY OF AUBURN, KING COUNTY, WASHINGTON



REFERENCES

1. KING COUNTY SHORT PLAT NUMBER 883127, RECORDED UNDER RECORDING NUMBER 8412100260.
2. PARK RIDGE AND PARK RIDGE PHASE II RECORDED IN VOLUME 139 OF PLATS, PAGES 1-5, UNDER RECORDING NUMBER 8710200997.
3. THE PLAT OF BRISTOL HEIGHTS RECORDED IN VOLUME 146 OF PLATS, PAGES 44 THROUGH 46, UNDER RECORDING NUMBER 8906270743.
4. THE PLAT OF WYNCREST RECORDED IN VOLUME 266 OF PLATS, PAGES 52 THROUGH 56, UNDER RECORDING NUMBER 20140806001551.

SURVEY NOTES

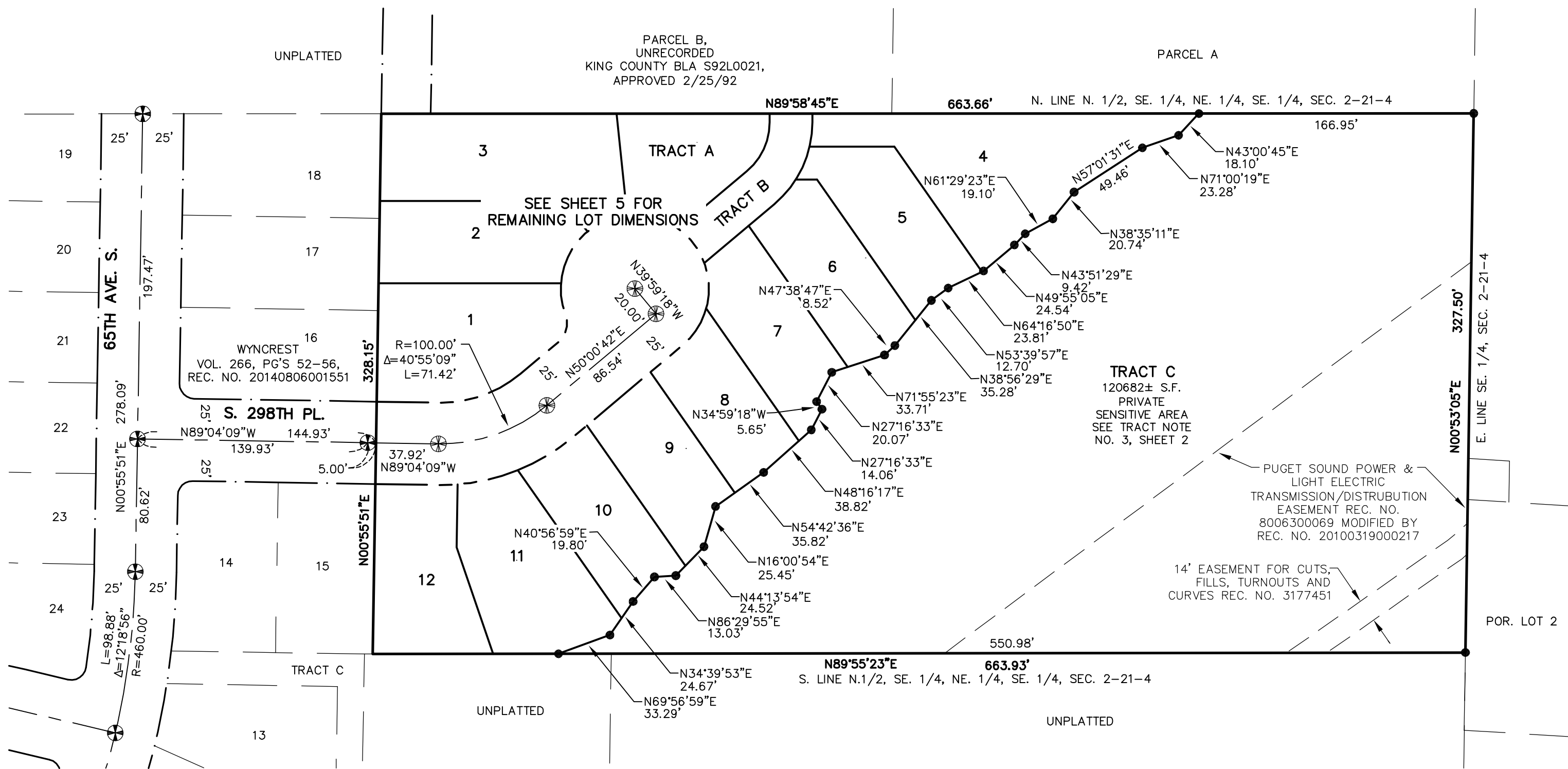
1. ALL TITLE INFORMATION SHOWN ON THIS MAP HAS BEEN EXTRACTED FROM FIRST AMERICAN TITLE INSURANCE COMPANY SUBDIVISION GUARANTEE ORDER NUMBER 2372226 DATED FEBRUARY 3, 2017. IN PREPARING THIS MAP, D.R. STRONG CONSULTING ENGINEERS INC. HAS CONDUCTED NO INDEPENDENT TITLE SEARCH NOR IS D.R. STRONG CONSULTING ENGINEERS INC. AWARE OF ANY TITLE ISSUES AFFECTING THE SURVEYED PROPERTY OTHER THAN THOSE SHOWN ON THE MAP AND DISCLOSED BY REFERENCED FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT. D.R. STRONG CONSULTING ENGINEERS INC. HAS RELIED WHOLLY ON FIRST AMERICAN TITLE COMPANY REPRESENTATIONS OF THE TITLE'S CONDITION TO PREPARE THIS SURVEY AND THEREFORE D.R. STRONG CONSULTING ENGINEERS INC. QUALIFIES THE MAP'S ACCURACY AND COMPLETENESS TO THAT EXTENT.
2. EXCEPT AS NOTED OTHERWISE ALL SURVEY CONTROL INDICATED AS "FOUND" WAS RECOVERED FOR THIS PROJECT IN MARCH, 2005.
3. PROPERTY AREA = 217,578± SQUARE FEET (4.9949± ACRES).
4. ALL DISTANCES ARE IN FEET.
5. THIS IS A FIELD TRAVERSE SURVEY. A LEICA FIVE SECOND COMBINED ELECTRONIC TOTAL STATION WAS USED TO MEASURE THE ANGULAR AND DISTANCE RELATIONSHIPS BETWEEN THE CONTROLLING MONUMENTATION AS SHOWN. CLOSURE RATIOS OF THE TRAVERSE MET OR EXCEEDED THOSE SPECIFIED IN WAC 332-130-090. ALL MEASURING INSTRUMENTS AND EQUIPMENT ARE MAINTAINED IN ADJUSTMENT ACCORDING TO MANUFACTURER'S SPECIFICATIONS.
6. THIS SURVEY COMPLIES WITH ALL THE STANDARDS AND GUIDELINES OF THE "SURVEY RECORDING ACT" CHAPTER 58.09 RCW AND WAC 332-130.



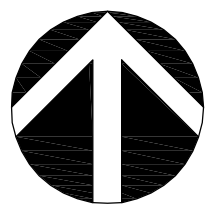
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WYNCREST DIVISION III

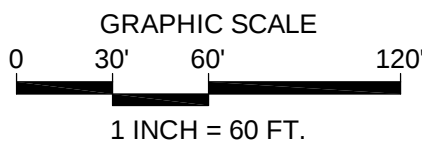
A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER,
SECTION 2, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M.,
CITY OF AUBURN, KING COUNTY, WASHINGTON



TRACT SCHEDULE			
TRACT	SIZE	OWNERSHIP	PURPOSE
A	4,717 SQ. FT.	WYNCREST 2 & 3 HOMEOWNERS ASSOCIATION	OPEN SPACE
B	2,706 SQ. FT.	LOTS 4, 5, 6 AND 7	PRIVATE ACCESS AND UTILITY
C	120,682 SQ. FT.	WYNCREST 2 & 3 HOMEOWNERS ASSOCIATION	SENSITIVE AREA TRACT



NORTH



BASIS OF BEARINGS

N00°53'05"E BETWEEN THE MONUMENTS FOUND IN
PLACE AT THE SOUTHEAST SECTION CORNER AND THE
EAST QUARTER CORNER OF SECTION 2-21-4

CITY OF AUBURN
STREET ADDRESS

LOT NO.	HOUSE NUMBER	STREET NAME
1	6624	S. 298TH PL
2	6630	S. 298TH PL
3	6636	S. 298TH PL
4	6657	S. 298TH PL
5	6651	S. 298TH PL
6	6645	S. 298TH PL
7	6639	S. 298TH PL
8	6633	S. 298TH PL
9	6627	S. 298TH PL
10	6621	S. 298TH PL
11	6615	S. 298TH PL
12	6609	S. 298TH PL

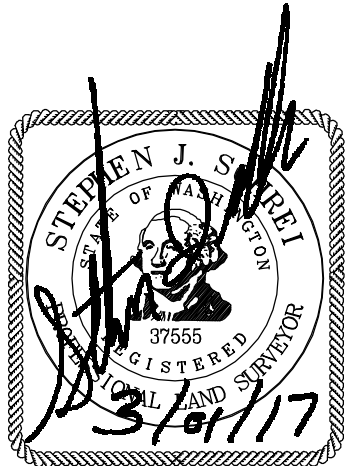
AUBURN WA. 98001

LEGEND

- MONUMENT SET PER REFERENCE 4, SHOWN ON SHEETS 4 AND 5 THEREOF.
- SET STANDARD CITY OF AUBURN MONUMENT WITH BRASS DISK STAMPED "DRS 37555" IN MONUMENT CASE.
- SET 5/8" X 24" REBAR WITH PLASTIC CAP STAMPED "DRS 37555".

TITLE RESTRICTIONS

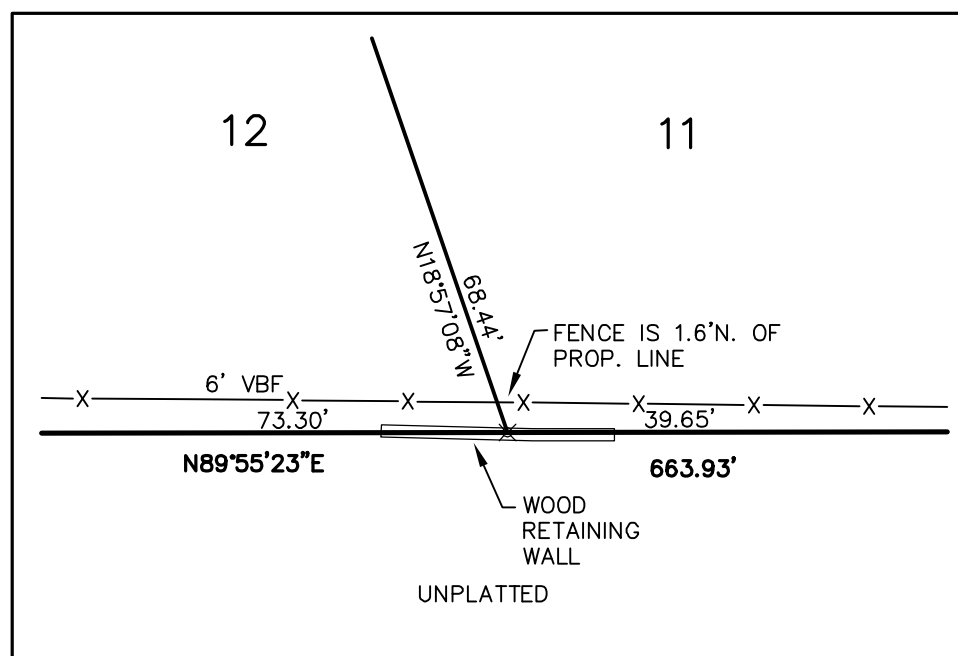
- THIS SITE IS SUBJECT TO THE FACILITY CHARGES, IF ANY, INCLUDING BUT NOT LIMITED TO HOOK-UP, OR CONNECTION CHARGES AND LATECOMER CHARGES FOR SEWER, WATER AND PUBLIC FACILITIES OF WATER DISTRICT NO. 124, KING COUNTY AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 8106010916.
- THIS SITE IS SUBJECT TO THE TERMS AND PROVISIONS OF AN EASEMENT IN FAVOR OF THE UNITED STATES OF AMERICA FOR CUTS, FILLS AND TURNOUTS AND FOR CURVES AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 3177451 AND IS PLOTTED HEREON.
- THIS SITE IS SUBJECT TO THE TERMS AND PROVISIONS OF AN EASEMENT FOR PASS AND RE-PASS AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 909952. THE LEGAL DESCRIPTION WITHIN SAID INSTRUMENT IS INSUFFICIENT TO DETERMINE THE EASEMENT'S EXACT LOCATION WITHIN THE SITE.
- THIS SITE IS SUBJECT TO THE TERMS AND PROVISIONS OF AN EASEMENT IN FAVOR OF PUGET SOUND ENERGY, INC. FOR AN ELECTRIC TRANSMISSION AND/OR DISTRIBUTION SYSTEM AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 8006300069 AND THE MODIFICATION AND/OR AMENDMENT THERETO AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 20100319000217 AND IS PLOTTED HEREON.
- THIS SITE IS SUBJECT TO AN AGREEMENT BETWEEN FEDERAL WAY WATER AND SEWER DISTRICT, KING COUNTY, A MUNICIPAL CORPORATION AND DAVID PETRIE AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 8803280385. THE LIEN IN PARAGRAPH 26 OF SAID AGREEMENT HAS BEEN RELEASED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 20100106000836. ALL OTHER MATTERS AS SET FORTH THEREIN REMAIN IN AFFECT.
- THIS SITE IS SUBJECT TO AN AGREEMENT BETWEEN LAKEHAVEN UTILITY DISTRICT, KING COUNTY AND WYNCREST, LLC REGARDING WATER DISTRIBUTION AND SANITARY SEWER SYSTEM AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 20120216002348.
- THIS SITE IS SUBJECT TO THE TERMS AND PROVISIONS OF AN EASEMENT IN FAVOR OF PUGET SOUND ENERGY, INC. FOR AN ELECTRIC TRANSMISSION AND/OR DISTRIBUTION SYSTEM AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 20130425000378.
- THIS SITE IS SUBJECT TO ANY AND ALL OFFERS OF DEDICATION, CONDITIONS, RESTRICTIONS, EASEMENTS, BOUNDARY DISCREPANCIES OR ENCROACHMENTS, NOTES AND/OR PROVISIONS SHOWN OR DISCLOSED BY THE PLAT OF WYNCREST RECORDED IN VOLUME 266 OF PLATS, PAGE(S) 52 THROUGH 56.
- THIS SITE IS SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS AND/OR EASEMENTS; TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS ARE PERMITTED BY LAW AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 20140911001439.
- THIS SITE IS SUBJECT TO AN AGREEMENT BETWEEN LAKEHAVEN UTILITY DISTRICT AND SCHNEIDER FAMILY HOMES, LLC AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 20151223000146.
- THIS SITE IS SUBJECT TO THE TERMS AND PROVISIONS OF AN EASEMENT IN FAVOR OF LAKEHAVEN UTILITY DISTRICT FOR WATER AND SEWER FACILITIES AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 20160519000573 AND IS PLOTTED ON SHEET 6.



D.R. STRONG
CONSULTING ENGINEERS
ENGINEERS PLANNERS SURVEYORS

620 - 7th AVENUE KIRKLAND, WA 98033
O 425.827.3063 F 425.827.2423

A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER,
SECTION 2, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M.,
CITY OF AUBURN, KING COUNTY, WASHINGTON

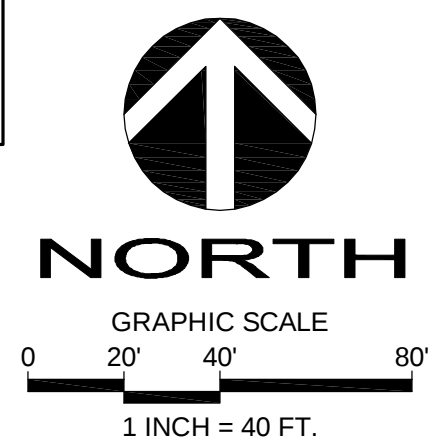


DETAIL B
NOT TO SCALE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH
C1	39.00'	50°01'57"	34.06'
C2	65.00'	50°01'57"	56.77'
C3	65.00'	13°11'30"	14.97'
C4	65.00'	19°12'48"	21.80'
C5	65.00'	17°37'39"	20.00'

- | LEGEND | |
|---|--|
|  | MONUMENT SET PER REFERENCE 4, SHOWN ON SHEETS 4 AND 5 THEREOF. |
|  | SET STANDARD CITY OF AUBURN MONUMENT WITH BRASS DISK STAMPED "DRS 37555" IN MONUMENT CASE. |
|  | SET 5/8" X 24" REBAR WITH PLASTIC CAP STAMPED "DRS 37555" |
|  | SET TACK WITH BRASS WASHER STAMPED "DRS 37555", ON PROPERTY LINE EXTENDED AT OFFSET SHOWN, IN LIEU OF FRONT CORNER |
|  | SET PK NAIL WITH WASHER STAMPED "DRS 37555" |

HBF HORIZONTAL BOARD FENCE
 VBF VERTICAL BOARD FENCE



BASIS OF BEARINGS

N00°53'05"E BETWEEN THE MONUMENTS FOUND IN
PLACE AT THE SOUTHEAST SECTION CORNER AND THE
EAST QUARTER CORNER OF SECTION 2-21-4

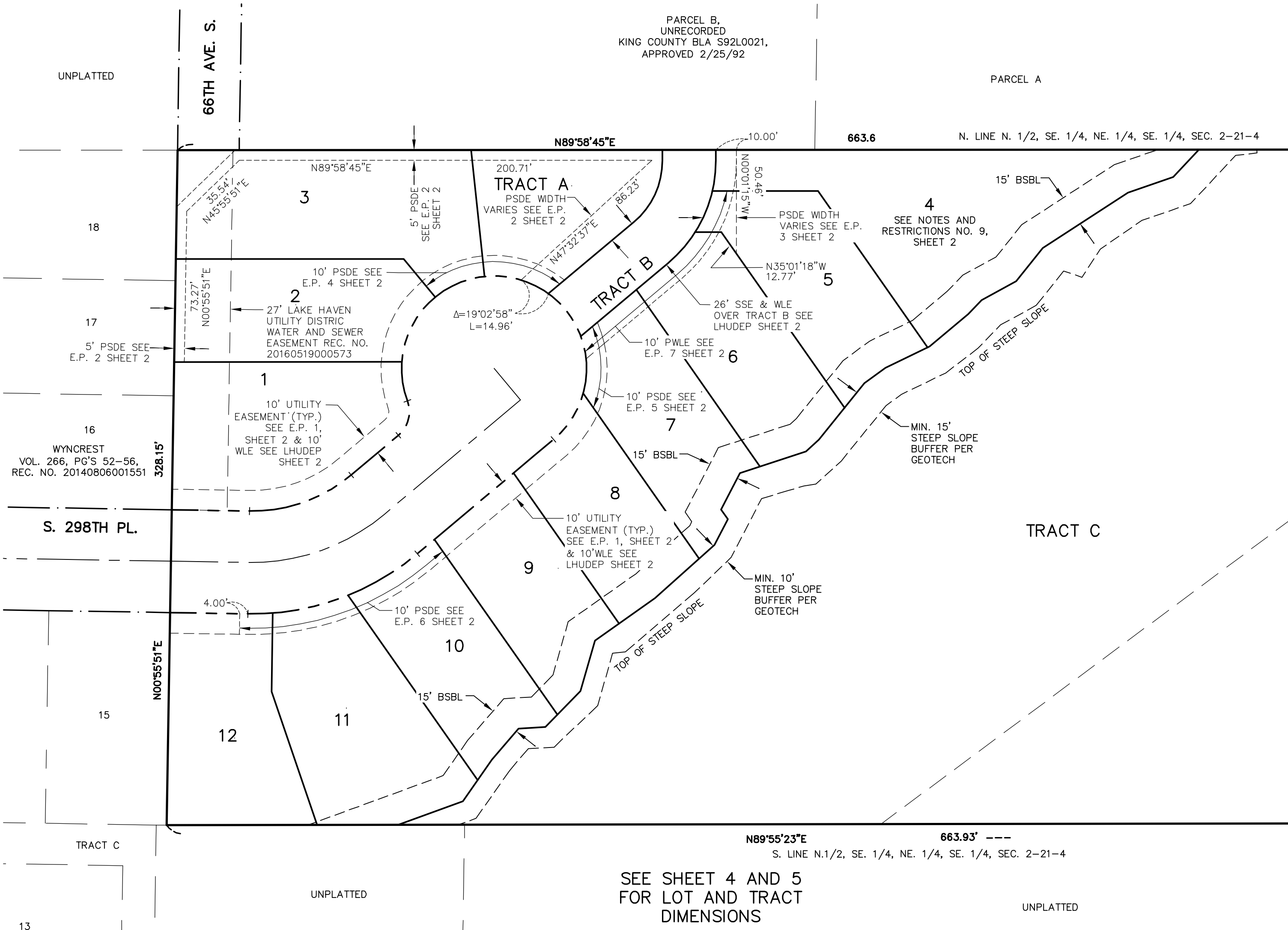


D.R. STRONG
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O 425.827.3063 F 425.827.2423

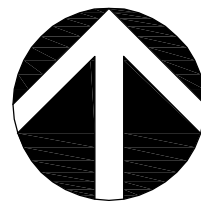
WYNCREST DIVISION III

A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER,
SECTION 2, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M.,
CITY OF AUBURN, KING COUNTY, WASHINGTON

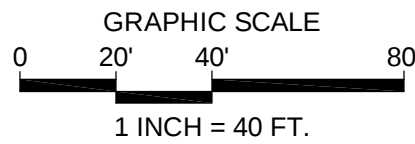


LEGEND:

- PSDE PRIVATE STORM DRAINAGE EASEMENT
- PWLE PRIVATE WATERLINE EASEMENT
- E.P. EASEMENT PROVISION
- WLE WATER LINE EASEMENT TO LAKEHAVEN UTILITY DISTRICT
- SSE SANITARY SEWER EASEMENT TO LAKEHAVEN UTILITY DISTRICT
- LHUDEP LAKEHAVEN UTILITY DISTRICT EASEMENT PROVISION
- BSBL BUILDING SETBACK LINE



NORTH



BASIS OF BEARINGS

N00°53'05"E BETWEEN THE MONUMENTS FOUND IN PLACE AT THE SOUTHEAST SECTION CORNER AND THE EAST QUARTER CORNER OF SECTION 2-21-4



D.R. STRONG
CONSULTING ENGINEERS
ENGINEERS PLANNERS SURVEYORS

620 - 7th AVENUE KIRKLAND, WA 98033
O 425.827.3063 F 425.827.2423

1 **BEFORE THE HEARING EXAMINER FOR THE CITY OF AUBURN**

2 Phil Olbrechts, Hearing Examiner

3 RE: Frederic Allen

4 Preliminary Plat
5 PLT08-0018

6 **FINDINGS OF FACT, CONCLUSIONS
OF LAW AND FINAL DECISION.**

7 **INTRODUCTION**

8 The applicant has proposed to subdivide 4.77 acres into 12 single-family residential
9 lots. The Examiner recommends approval of the subdivision with some conditions
recommended by staff.

10 **ORAL TESTIMONY**

11 The Examiner gave opening remarks about the application, stating that this
12 application was filed before annexation to the City of Auburn. Consequently, the
13 applicable regulations for this application are those of King County.

14 Elizabeth Chamberlain presented the staff report. Ms. Chamberlain reported that the
15 proposed subdivision is to divide 4.77 acres into 12 single-family lots. This proposed
16 plat is located in the western portion of the city. Access is proposed through another
17 plat that has preliminary approval but is not yet constructed. If that project does not
18 move forward, Ms. Chamberlain stated that the applicant would be responsible for
19 providing adequate access. Ms. Chamberlain stated that two additional conditions of
approval proposed by the City included street lights and construction of the streets
with vertical curbing to match City standards. Ms. Chamberlain stated that these
conditions had been requested, but that because the King County regulations apply to
this application, the conditions cannot be required.

20 The Examiner asked several questions. First, he asked where the steep slope buffer
21 was identified on the preliminary plat map. Ms. Chamberlain confirmed it is
22 indicated on the map by the solid line, whereas the dark, broken line labeled "top of
23 slope" indicates the actual slope. The Examiner then inquired about the conditions of
24 approval outlined in the King County staff report as Condition 12(a). This condition
25 says that the steep slope buffer must be 15 feet wide on lots 4-7. However, the
Examiner noticed that on the plat map, the buffer was only 10 feet wide on lot 6.
King County staff confirmed that the conditions are correct and that the plat map may
not be exactly accurate with respect to the buffer widths.

The Examiner then inquired whether the condition to reduce flow to Tributary 053,
which leads to the Green River, had been assessed for any potential adverse

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1 environmental impacts on aquatic habitat. Bruce Whittaker, King County
2 Department of Development and Environmental Services, who conducted the
3 drainage review for the application, responded that environmental impacts had been
4 taken into account. Mr. Whittaker stated that in the Department's opinion, Tributary
5 053 has suffered from significant erosion and flooding issued in the past and that the
6 condition to tightline the water would improve the area. Mr. Whittaker also
7 confirmed that the Examiner did not need to revisit or review the decision to
8 consolidate the two drainage basins involved. In response to questions from the
9 Examiner, Mr. Whittaker confirmed that the plat would improve drainage problems
10 caused by runoff from the plat area by tightlining stormwater into the City's
11 stormwater drainage system.

12 The Examiner asked whether the City was missing out on any traffic impact fees,
13 given that the County had already imposed traffic mitigation fees. Ms. Chamberlain
14 said that because the traffic mitigation fees are collected on building permit issuance,
15 the City would not be missing out. She also stated that the proposed improvements
16 are consistent with Auburn Transportation Plan.

17 Hans Korge, the applicant's representative, testified on behalf of the applicant. Mr.
18 Korge reiterated that the request to add streetlights and vertical curbing was a request
19 and not a code requirement. Mr. Korge stated the applicant was unopposed to
20 installing one street light as needed and to install vertical curbs. However, he hoped
21 to address the number of streetlights in the design phase and assured the Examiner
22 that he would cooperate with staff on the issue.

23 Mr. Korge stated that the applicant had no issue with Conditions 2 and 3. Mr. Korge
24 did note an objection for the record with respect to park impact fees, stating that the
25 proposal includes installation of parks and that there should be a credit process for
park impact fees. Ms. Chamberlain indicated that this was correct but that agreement
on the number of credits had not been reached prior to the hearing.

Mr. Korge finally stated that with respect to Condition of Approval 7(a), the applicant
intended to coordinate with city and county staff to create an alternate access plan
through 56th Street in the event that the western plat (Serrano) did not move forward.
Mr. Korge had no objection to Condition 7(a).

Mr. Korge stated that he believed the proposed plans would alleviate concerns about
current drainage issues in the area by collecting stormwater and tight lining it, thereby
controlling an uncontrolled situation. Bruce Whittaker confirmed that King County
regulations require tightlining over a landslide hazard area. Mr. Whittaker stated that
sheet flow is present underneath the property and that the stormwater will now go into
the city's stormwater system. On the developed part of the site, there are two existing
sub-basins; one flows to the northwest into Tributary 053 and another flows to the
south and southeast. The proposed drainage adjustment will affect the northwest sub-
basin such that the water will, instead of sheeting into Tributary 053, flow into the
tightline.

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1 Suzanne Knight, an adjacent property owner, testified regarding her concern that
2 adequate access would not be provided and asked whether the right-of-way would be
3 purchased from Bank of America.

4 Margaret Portlate, who lives at 6500 S 298th Street, expressed her concern that any
5 access would create creek crossings, which would adversely impact the small animals
6 and birds that are in the area. Ms. Portlate felt that the King County staff report erred
7 in stating that the numbers of small animals and birds were limited due to surrounding
8 development.

9 Chris Langley, King County Department of Transportation, addressed access
10 questions from the public. Ms. Langley confirmed that if the adjacent plat does not
11 move forward, the applicant would have to acquire the necessary property for access.
12 King County requires the applicant to construct 20-foot wide half street
13 improvements. Access, if the adjacent plat was constructed, would be provided
14 through 66th Avenue and would extend over to 64th Avenue S. Currently, 66th
15 Avenue is unimproved right-of-way along the west margin of proposed subdivision.
16 If the adjacent plat does not proceed, the applicant would have to negotiate for right-
17 of-way. However, the applicant mentioned that the other access option was going
18 north along 56th Street. Ms. Langley stated that this might require the applicant to
19 obtain access to abutting properties to construct the half-street improvements because
20 56th Street is only 30 feet wide. Thus, it may be difficult to construct a 20-foot-wide
21 half street without encroaching on neighboring properties.

22 Ms. Chamberlain addressed the question of creek crossings and stated that any creek
23 crossings would be located in the adjacent plat. Thus, any adverse environmental
24 impacts to the creeks would have been addressed in that decision. In response to
25 questions from the Examiner, Ms. Chamberlain noted that the proposed subdivision
would not trigger any modifications to the access across the adjacent plat, so that the
same impacts to the creek would occur whether or not the proposed plat were
approved.

EXHIBITS

See page 4 of the Staff Report prepared by Auburn staff, dated July 9, 2010, for a full
list of hearing Exhibits.

FINDINGS OF FACT

Procedural:

1. Applicant. The applicant is Frederic Allen.
2. Hearing. The Hearing Examiner conducted a hearing on the application at
5:30 p.m. at Auburn City Hall in the Council Chambers on July 21, 2010.

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1 **Substantive:**

2 3. Site/Proposal Description. This is a request to subdivide a 4.77-acre site
3 into 12 lots for single-family residential use. The parcel has an existing home,
4 detached garage and carport with patios and sun decks near the center of the site. The
5 house is surrounded by large trees and rolling lawn/pasture. The eastern portion of
the property consists of steep slopes.

6 The proposed subdivision's features will include access through the Serrano plat
7 (adjacent western plat), a drainage tightline on the eastern portion of the property,¹
8 and provision of major utilities. The development is expected to generate
approximately 120 vehicle trips per day.

9 The proposed subdivision will be served by Meredith Heights Elementary, Kilo
10 Middle, and Thomas Jefferson Senior High Schools, all located within the Federal
11 Way School District. The nearest public park is Camelot Park, located at South 296th
12 Street and 43rd Avenue South. The application has proposed providing on-site
13 recreation space. King County's fire flow standards are satisfied such that the site
14 will be adequately served, according to the Certificate of Water Availability from
15 Lakehaven Utility District. The applicant proposes to serve the proposed subdivision
by means of a public sewer system by Lakehaven Utility District. A Certificate of
Sewer Availability, dated August 16, 2005, indicates the sewer district has capacity to
serve the development. Lakehaven Utility District will likewise provide water to the
site, and the Certificate dated August 16, 2005 also confirms the capacity to supply
water to the site.

16 4. Characteristics of the Area. The surrounding area was annexed by the
17 City of Auburn on January 1, 2008. The areas to the north, south, east, and west are
18 all zoned Single Family Residential, R-5. The land to the east and west is currently
19 vacant, though the Serrano plat has been preliminary approved to the west, but has
20 not yet been constructed. According to the testimony of Mr. Whittaker, the area has
been plagued by flooding and erosion due to stormwater sheeting into the 053
Tributary.

21 5. Adverse Impacts. The Examiner concludes that there are no significant
22 adverse impacts that will result from the proposed development. Testimony from Mr.
23 Whittaker, who reviewed the site drainage plan, has confirmed that the flooding and
24 erosion issues on the site will actually improve when the required tightline is
constructed. Furthermore, the King County Staff report identified that the traffic
generated by the proposal falls below the threshold that requires mitigation according

25 ¹ The drainage tightline is required for this subdivision per Core Requirement 1 of the King County
Surface Water Design Manual. A Conceptual Drainage Plan for this tightline was received June 27,
2008. The City has reviewed this plan and has provided a conditional approval letter dated June 20,
2008, for the downstream connection in Auburn.

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1 to intersection standards, King County Code 14.80. Other impacts to schools, traffic,
2 parks, and fire services will be adequately mitigated through impact fees or providing
onsite improvements.

3 Though Ms. Portlate indicated that she was concerned about creek crossings when
4 access is extended to the site, as testified by Ms. Chamberlain, the creek crossings
will occur whether or not the subject plat is approved.

5 CONCLUSIONS OF LAW

6 Procedural:

7 1. Authority of Hearing Examiner. ACC 17.10.050 grants the Hearing
8 Examiner with the authority to approve, deny, or approve with conditions an
9 application for preliminary plat approval. In accordance with ACC 17.10.030,
10 preliminary plat approval is a Type III decision, and the Hearing Examiner's decision
11 is final unless appealed to the council. In this case, the application was filed before
12 the area was annexed to the City on January 1, 2008. Accordingly, King County's
13 Code criteria for evaluating proposed subdivisions applies under the vested rights
14 doctrine. Pursuant to Section 2.4 of the Interlocal Agreement between King County
15 and the City of Auburn, the County prepares a report and recommendation to the
City's designated decision maker for a final decision. The City is further responsible
for scheduling, providing notice, conducting any public hearings or appeals for vested
land use applications that require a quasi-judicial approval, and making any final
decision on such applications. As stated above, the Hearing Examiner is the City of
Auburn's designated decision maker.

16 Substantive:

17 2. Zoning Designation. The property is zoned R-5 Residential (5du/acre)
18 under the City of Auburn's zoning designation. The Comprehensive Plan Land Use
19 designation is Single Family Residential.

20 3. Review Criteria and Application. As stated above, King County review
21 criteria for proposed subdivisions apply in this case. The code criteria are quoted in
bold below, with corresponding conclusions of law written beneath the criteria.

22 ***KCC 19A.08.060 Review for conformity with other codes, plans and policies.***
23 ***Applications for approvals pursuant to this title shall be reviewed in accordance***
24 ***with the applicable procedures of any combination of this title and K.C.C. chapters***
25 ***20.20 and 20.24. Furthermore, applications for subdivisions, short subdivisions***
and binding site plans may be approved, approved with conditions or denied in
accordance with the following adopted county and state rules, regulations, plans
and policies including, but not limited to:

A. Chapter 43.21C RCW (SEPA);

B. Chapter 58.17 RCW (Subdivisions);

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1 C. Chapters 36.70A and 36.70B RCW (Growth Management and Project Review);

2 D. K.C.C. Title 9 (Surface Water Management);

3 E. K.C.C. Title 13 (Sewer and Water);

4 F. K.C.C. Title 14 (Roads and Bridges);

5 G. K.C.C. Title 17 (Fire Code);

6 H. K.C.C. chapter 20.44 (SEPA);

7 I. K.C.C. Title 21A (Zoning);

8 J. K.C.C. Title 23 (Code Enforcement);

9 K. K.C.C. Title 25 (Shoreline Master Program);

10 L. Administrative rules adopted pursuant to K.C.C. chapter 2.98;

11 M. King County board of public health rules and regulations;

12 N. King County approved utility comprehensive plans;

13 O. King County Comprehensive Plan;

14 P. County wide Planning Policies;

15 Q. This title.

16 *KCC 19A.08.160 Minimum subdivision and short subdivision improvements.*

17 A. Prior to final recording of a plat or short plat, the following minimum
18 improvements shall be constructed consistent with the approved plans, except that
19 the director may allow posting of a financial guarantee in the event that expiration
20 of the plat or short plat is imminent or other extraordinary circumstances prevent
21 the construction of such improvements.

22 1. Drainage facilities and erosion control measures consistent with K.C.C.
23 9.04.090;

24 2. Water mains and hydrant installed and fire flow available, if required;

25 3. Roadways graded to all lots within the subdivision or short subdivision and
capable of providing access by passenger vehicle;

4. Specific site improvements required by the preliminary plat approval
ordinance or preliminary short plat approval decision, if the decision requires
completion prior to plat recording;

5. Delineation of sensitive areas that are to remain undeveloped;

6. Temporary control monuments set by a land surveyor, located in
conformance with this title, and in place at final inspection. Permanent
monuments and control points shall be set and verified by a land surveyor within
ninety days of the final lift of asphalt;

7. Improvements without which the director determines a safety hazard would
exist; and

8. All private improvements outside of the right-of-way or road easement.

B. The director shall have right of entry onto any lot, tract, easement or parcel
that is part of the final plat or short plat to ensure compliance with the minimum
subdivision improvements required in subsection A of this section.

4. The criteria above reflect the requirements contained in Chapter 58.17
RCW, the state law regarding subdivisions. That is, before approval of a proposed
subdivision the city must make written findings that: (a) appropriate provisions are

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1 made for the public health, safety, and general welfare and for such open spaces,
2 drainage ways, streets or roads, alleys, other public ways, transit stops, potable water
3 supplies, sanitary wastes, parks and recreation, playgrounds, schools and school
4 grounds and all other relevant facts, including sidewalks and other planning features
that assure safe walking conditions for students who only walk to and from school;
and (b) the public use and interest will be served by the platting of such subdivision
and dedication. RCW 58.17.110.

5 In this case, taking into consideration the conditions for final plat approval set forth
6 below, the proposed plat meets the criteria above. One of the most significant factors
7 for approval of a preliminary plat is the provision of adequate access. In this case, the
8 applicant has apparently opted to wait for the completion of street improvements in
9 adjoining subdivision, the Serrano plat. Due to this reliance upon the work of other
development projects, the staff recommends that final plat approval for the subject
application be contingent upon completion of the conditions of preliminary plat
approval for the adjoining subdivision. (Condition of Approval 7(a)).

10 The Examiner agrees that generally as a matter of constitutional due process, the
11 approval of a development project should not be entirely dependent upon the actions
12 of a third party. However, this is a situation of the applicant's own making. The
13 applicant wishes to avail himself of the work of third parties in order to meet the
14 street improvement requirements for his own subdivision. Under these
15 circumstances, it is reasonable to require that those third-party improvements be
16 completed prior to acquiring final plat approval for the subject application. The
applicant's access cannot reasonably be construed as "adequate" according to the
above-quoted criteria if there is no assurance that the streets to which they connect
will be completed. The Condition of Approval 7(a) guarantees that the prior to final
plat approval, this access must be obtained.

17 The foregoing is based upon the presumption that the applicant is free to make off-
18 site improvements himself in lieu of relying upon the adjoining subdivisions, if such
19 an opportunity exists. Mr. Korve indicated at the hearing that the applicant would
20 work with staff to create an alternate access plan through 56th Street in the event that
21 the western plat (Serrano) did not move forward or that the applicant would negotiate
22 the right to construct the street improvements in the Serrano plat himself. However,
23 Chris Langley, King County Department of Transportation, testified that access
24 through 56th Street may not be feasible because it is only 30 feet wide. Thus, to
25 construct the half-street improvements necessary, the applicant may be required to
obtain construction easements to encroach on neighboring properties. Nevertheless,
the applicant can at any time apply for a plat alteration for alternate access if that is an
option the applicant would like to pursue. Should the adjoining subdivisions take an
unusually long amount of time to complete or if access is to be obtained by different
means, a plat alteration is available to address the situation.

With respect to stormwater, the testimony given at the public hearing demonstrated
that the tightline requirement will improve flooding and erosion issues in the area.

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1 Rather than sheeting toward Tributary 053, the water will be streamlined and
2 contained. Any potential environmental adverse impacts to the Tributary and
3 downstream bodies of water were considered when making this a condition of
4 approval.

5 Given the certificates of availability obtained from Lakehaven Utility District,
6 adequate provision has been made for sewer, water service, and emergency fireflow.
7 However, an additional condition of approval requires the applicant to obtain the
8 approval of the King County Fire Protection Engineer for adequacy of the fire
9 hydrant, water main, and fireflow standards of Chapter 17.08 KCC.

10 Finally with respect to open space, the applicant has proposed providing on-site
11 recreation space. Though the applicant objected on the record that a credit system
12 must be worked out with respect to park impact fees, given the provision of recreation
13 space, the Examiner is confident that this can be worked out with staff. A final
14 agreement on credits simply could not be reached prior to the hearing. Other impacts
15 to schools, traffic, and fire service will also be addressed through impacts fees as
16 well.

17 The Examiner incorporates by reference the King County staff report's discussion of
18 other specific requirements under the King County Code, such as steep slope buffers,
19 tree planting and preservation, recreation space, sprinklers, archaeological sites, and
20 grading.

21 DECISION

22 The Hearing Examiner approves PLT08-0018, subject to the following conditions,
23 which must be completed prior to final plat approval:

- 24 1. Compliance with all platting provisions of Title 19A of the King County Code.
- 25 2. All persons having an ownership interest in the subject property shall sign on the
face of the final plat a dedication which includes the language set forth in King
County Council Motion No. 5952.
3. The plat shall comply with the density requirements of the R-4 zone
classification. All lots shall meet the minimum dimensional requirements of the R-4
zone classification or shall be as shown on the face of the approved preliminary plat,
whichever is larger, except that minor revisions to the plat which do not result in
substantial changes may be approved at the discretion of the Department of
Development and Environmental Services.
4. All construction and upgrading of public and private roads shall be done in
accordance with the King County Road Standards established and adopted by
Ordinance No. 11187, as amended (1993 KCRS).

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1 5. The applicant must obtain the approval of the King County Fire Protection
2 Engineer for the adequacy of the fire hydrant, water main, and fire flow standards of
Chapter 17.08 of the King County Code.

3 6. Final plat approval shall require full compliance with the drainage provisions set
4 forth in King County Code 9.04. Compliance may result in reducing the number
5 and/or location of lots as shown on the preliminary approved plat. Preliminary
6 review has identified the following conditions of approval which represent portions of
the drainage requirements. All other applicable requirements in KCC 9.04 and the
Surface Water Design Manual (SWDM) must also be satisfied during engineering
and final review.

7 a. Drainage plans and analysis shall comply with the 2005 King County
8 Surface Water Design Manual and applicable updates adopted by King County.
9 DDES approval of the drainage and roadway plans is required prior to any
construction.

10 b. Current standard plan notes and ESC notes, as established by DDES
11 Engineering Review, shall be shown on the engineering plans.

12 c. The following note shall be shown on the final recorded plat:

13 All building downspouts, footing drains, and drains from all impervious surfaces such
14 as patios and driveways shall be connected to the permanent storm drain outlet as
15 shown on the approved construction drawings. This plan shall be submitted with the
16 application of any building permit. All connections of the drains must be constructed
and approved prior to the final building inspection approval. For those lots that are
designated for individual lot infiltration systems, the systems shall be constructed at
the time of the building permit and shall comply with plans on file."

17 d. The drainage facilities shall meet the requirements of the 2005 King
18 County Surface Water Design Manual (KCSWDM). The drainage design shall meet
19 at a minimum the Conservation Flow Control and Basic Water Quality requirements
20 in the KCSWDM.

21 e. An Offsite Drainage Tightline is required per Core Requirement 1 of the
22 KCSWDM. This Tightline shall be designed in general conformance with the
23 Conceptual Drainage Plan received June 27th, 2008; unless otherwise approved by
the reviewing agency. Appropriate easements shall be provided for this Tightline
24 construction, as required by the reviewing agency. The City of Auburn has granted
25 conditional approval of the Tightline downstream connection, in a letter dated June
20th, 2008 from City of Auburn to DMP, Inc. The conditions of approval listed in this
letter shall be met prior to approval of the engineering plans.

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1 f. Drainage adjustment L05V0107 is approved for this project. All
2 conditions of approval for this adjustment shall be met prior to engineering plan
approval.

3 g. To implement the required Best Management Practices (BMPs) for
4 treatment of storm water, the final engineering plans and technical information report
5 (TIR) shall clearly demonstrate compliance with all applicable design standards. The
6 requirements for best management practices are outlined in Chapter 5 of the 2005
7 KCSWDM. The design engineer shall address the applicable requirements on the
final engineering plans and provide all necessary document for implementation. The
final recorded plat shall include all required covenants, easements, notes, and other
details to implement the required BMPs for site development.

8 7. The proposed subdivision shall comply with the 1993 King County Road
9 Standards (KCRS) including the following requirements:

10 a. South 298th Place shall be improved at a minimum to the urban minor
11 access street standard, with a cul-de-sac at the east end.

12 Note that this subdivision is dependent on the construction of offsite access roads in
13 the Plat of Serrano L05P0010. This subdivision shall therefore comply with Section
14 1.03(D) of the KCRS (Continuous Public Access). In the event that the offsite roads
are not constructed with the plat of Serrano, adequate public access and R/W is
required to be provided with the development of this subdivision.

15 b. The Tract B private access tract shall be improved per 2.09 of the KCRS.
16 This Tract shall be owned and maintained by the Lot owners served. An access
17 easement across Tract B shall be provided for maintenance of the Tract A drainage
facility; as required by the reviewing agency.

18 c. Modifications to the above road conditions may be considered according
19 to the variance provisions in Section 1.08 of the KCRS.

20 8. All utilities within proposed rights-of-way must be included within a franchise
approved by the King County Council prior to final plat recording.

21 9. The applicant or subsequent owner shall comply with King County Code 14.75,
22 Mitigation Payment System (MPS), by paying the required MPS fee and
administration fee as determined by the applicable fee ordinance. The applicant has
23 the option to either: (1) pay the MPS fee at final plat recording, or (2) pay the MPS
24 fee at the time of building permit issuance. If the first option is chosen, the fee paid
shall be the fee in effect at the time of plat application and a note shall be placed on
25 the face of the plat that reads, "All fees required by King County Code 14.75,
Mitigation Payment System (MPS), have been paid." If the second option is chosen,
the fee paid shall be the amount in effect as of the date of building permit application.

{PAO807379.DOC;1\00083.900000\}

1 10. Lots within this subdivision are subject to King County Code 21A.43, which
2 imposed impact fees to fund school system improvements needed to serve new
3 development. As a condition of final approval, fifty percent (50%) of the impact fees
4 due for the plat shall be assessed and collected immediately prior to recording, using
the fee schedules in effect when the plat receives final approval. The balance of the
assessed fee shall be allocated evenly to the dwelling units in the plat and shall be
collected prior to building permit issuance.

5 11. The planter islands (if any) within the cul-de-sacs shall be maintained by the
6 abutting lot owners or homeowners association. This shall be stated on the face of the
final plat.

7 12. The proposed subdivision shall comply with the Critical Areas Code as outlined
8 in KCC 21A.24. Permanent survey marking and signs as specified in KCC
9 21A.24.160 shall also be addressed prior to final plat approval. Temporary marking
10 of critical areas and their buffers (e.g., with bright orange construction fencing) shall
be placed on the site and shall remain in place until all construction activities are
completed.

11 Preliminary plat review has identified the following specific requirements which
12 apply to this project. All other applicable requirements from KCC 21A.24 shall also
13 be addressed by the applicant.

14 Geotechnical:

15 a. The steep slope buffer as shown on the preliminary site plan must have a
16 minimum width of 15 feet where adjacent to lots 4 through 7 and a minimum width of
17 10 feet where adjacent to lots 8 through 12. These buffer widths are based on our
concurrence with recommendations in the Steep Slope Critical Areas Supplemental
Report by Golder Associates Inc. dated August 121, 2006.

18 b. A 15-foot-wide building setback area must be established adjacent to the
19 steep slope buffer. No building foundations are allowed within this building setback
20 area.

21 c. Stormwater runoff and discharge should be controlled during and
22 following development. Uncontrolled discharge may promote erosion and sediment
23 transport. Under no circumstances should concentrated discharges be allowed to flow
over the top of the steep slopes. All roof drains must be connected to the plat storm
water drainage system.

24 d. The common boundary between proposed Tract D and the building
25 setback area must be marked or otherwise flagged to the satisfaction of King County
prior to any clearing, grading, building construction or other development activity on
a lot subject to a critical area tract. The required marking or flagging shall remain in
place until all development proposal activities in the vicinity of the sensitive area are

{PAO807379.DOC;I\00083.900000\ }

completed. The buffer is identified separately on the site plan but included within the Tract.

e. All earth work on the site shall be monitored and approved by an experienced geotechnical engineer or engineering geologist. This will include structural fill placement, cut and fill slopes and the placement of rockeries and retaining walls.

f. The engineering plans shall be submitted and reviewed by Critical Areas Staff.

g. The following note shall be shown on the final engineering plan and recorded plat:

RESTRICTIONS FOR CRITICAL AREA TRACTS AND CRITICAL AREAS AND BUFFERS

Dedication of a critical area tract/critical area and buffer conveys to the public a beneficial interest in the land within the tract/critical area and buffer. This interest includes the preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, and protection of plant and animal habitat. The critical area tract/critical area and buffer imposes upon all present and future owners and occupiers of the land subject to the tract/critical area and buffer the obligation, enforceable on behalf of the public by King County, to leave undisturbed all trees and other vegetation within the tract/critical area and buffer.

The vegetation within the tract/critical area and buffer may not be cut, pruned, covered by fill, removed or damaged without approval in writing from the King County Department of Development and Environmental Services or its successor agency, unless otherwise provided by law.

The common boundary between the tract/critical area and buffer and the area of development activity must be marked or otherwise flagged to the satisfaction of King County prior to any clearing, grading, building construction or other development activity on a lot subject to the critical area tract/critical area and buffer. The required marking or flagging shall remain in place until all development proposal activities in the vicinity of the sensitive area are completed.

No building foundations are allowed beyond the required 15-foot building setback line, unless otherwise provided by law.

13. Suitable recreation space shall be provided consistent with the requirements of KCC 21A.14.180 and KCC 21A.14.190 (i.e., sport court[s], children's play equipment, picnic table[s], benches, etc.).

{PA0807379.DOC;1\00083.900000\}

1 a. A detailed recreation space plan (i.e., area calculations, dimensions,
2 landscape specifications, equipment specifications, etc.) shall be submitted for review
3 and approval by DDES and King County Parks prior to or concurrent with the
4 submittal of the engineering plan.

5 b. A performance bond for recreation space improvements shall be posted
6 prior to recording of the plat.

7 14. A homeowners' association or other workable organization shall be established to
8 the satisfaction of DDES which provides for the ownership and continued
9 maintenance of the recreation, open space and/or sensitive area tract(s).

10 15. Street trees shall be provided as follows (per KCRS 5.03 and KCC 21A.16.050):

11 a. Trees shall be planted at a rate of one tree for every 40 feet of frontage
12 long all roads. Spacing may be modified to accommodate sight distance requirements
13 for driveways and intersections.

14 b. Trees shall be located within the street right-of-way and planted in
15 accordance with Drawing No. 5-009 of the 1993 King County Road Standards, unless
16 King County Department of Transportation determines that trees should not be
17 located in the street right-of-way.

18 c. If King County determines that the requirements street trees should not be
19 located within the right-of-way, they shall be located no more than 20 feet from the
20 street right-of-way line.

21 d. The trees shall be owned and maintained by the abutting lot owners or the
22 homeowners association or other workable organization unless the County has
23 adopted a maintenance program. Ownership and maintenance shall be noted on the
24 face of the final recorded plat.

25 e. The species of trees shall be approved by DDES if located within the
right-of-way, and shall not include poplar, cottonwood, soft maples, gum, any fruit-
bearing trees, or any other tree or shrub whose roots are likely to obstruct sanitary or
storm sewers, or that is not compatible with overhead utility lines.

f. The applicant shall submit a street tree plan and bond quantity sheet for
review and approval by DDES prior to engineering plan approval.

g. The applicant shall contact Metro Service Planning at 206-684-1622 to
determine if South 298th Place is on a bus route. If South 298th Place is a bus route,
the street tree plan shall also be reviewed by Metro.

h. The street trees must be installed and inspected, or a performance bond
posted prior to recording of the plat. If a performance bond is posted, the street trees

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1 must be installed and inspected within one year of recording of the plat. At the time
2 of inspection, if the trees are found to be installed per the approved plan, a
3 maintenance bond must be submitted or the performance bond replaced with a
4 maintenance bond, and held for one year. After one year, the maintenance bond may
5 be released after DDES has completed a second inspection and determined that the
6 trees have been kept healthy and thriving.

7 i A landscape inspection fee shall also be submitted prior to plat recording.
8 The inspection fee is subject to change based on the current County fees.

9 16. The applicant shall comply with all applicable provisions of KCC Chapter 16.82,
10 concerning the preservation of "significant trees" on subdivisions located in the King
11 County "Urban" designated area. A detailed tree retention plan, which complies with
12 KCC 16.82.156B2 and other applicable requirements of this Code section, shall be
13 submitted to DDES for review and approval prior to engineering plan approval.
14 Bonding may be required by DDES to assure implementation of the tree retention
15 plan. No clearing or grading of the site shall occur until DDES approves the detailed
16 tree retention plan.

17 17. SPRINKLER REQUIREMENT: All future residences constructed within this
18 subdivision are required to be sprinkled NFPA 13D unless the requirement is
19 removed by the King County Fire Marshal or his/her designee. The Fire Code
20 requires all portions of the exterior walls of structures to be within 150 feet (as a
21 person would walk via an approved route around the building) from a minimum 20-
22 foot-wide, unobstructed driving surface. To qualify for removal of the sprinkler
23 requirement, driving surfaces between curbs must be a minimum of 28 feet in width
24 when parking is allowed on one side of the roadway, and at least 36 feet in width
25 when parking is permitted on both sides.

17 Additionally, the driving surface of the access tracts within this subdivision must
18 have minimum unobstructed widths of 20 feet (no parking permitted); or respective
19 lots accessed by those tracts will have to be sprinkled.

20 18. In the event that any archaeological objects are uncovered on the site, the
21 applicant shall comply with RCW Chapter 27.53, Archaeological Sites and
22 Resources. Immediate notification and consultation with the State Office of
23 Archaeology and Historical Preservation, King County Office of Cultural Resources
24 and relevant tribes (including the Suquamish, Puyallup and Muckleshoot tribes) is
25 required if discovered materials are prehistoric and a site is present.

19 The applicant must install at least one streetlight on the cul-de-sac. Though
20 Auburn staff conceded that because King County Code standards applied, the
21 Examiner has no authority to otherwise impose a requirement to install streetlights,
22 the applicant agreed to install at least one streetlight on the cul-de-sac at the public
23 hearing. The applicant must work with staff during the design review stage to
24 finalize the design.

{PA0807379.DOC;1\00083.900000\}

1 20. The applicant must install vertical curbing to match the City of Auburn's street
2 standards. Though Auburn staff conceded that because King County Code standards
3 applied, the Examiner has no authority to otherwise impose a requirement to install
vertical curbing, the applicant agreed to install vertical curbing at the public hearing.

4 21. Nothing in this decision shall be construed as exempting the applicant from City
5 of Auburn impact fees. Amounts and any applicable credits shall be governed by the
Auburn City Code.

6 OTHER CONSIDERATIONS:

7 1. The subdivision shall conform to KCC 16.82 relating to trading on private
8 property.

9 2. Development of the subject property may require registration with the
10 Washington State Department of Licensing, Real Estate Division.

11 3. Preliminary approval of this application does not limited the applicant's
12 responsibility to obtain any required permit or license from the State or other
regulatory body. This may include, but is not limited to, the following:

13 a. Forest Practice Permit from the Washington State Dept. of Natural
14 Resources.

15 b. National Pollutant Discharge Elimination System (NPDES) Permit from
16 WSDOE.

17 c. Water Quality Modification Permit from WSDOE.

18 d. Water Quality Certification (401) Permit from U.S. Army Corps of
19 Engineers.

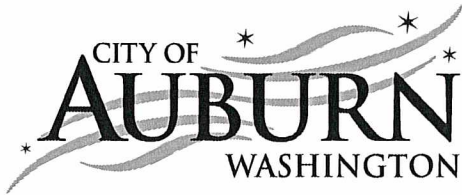
20 Dated this 2nd day of August 2010.

21 

22 Phil Olbrechts

23 City of Auburn Hearing Examiner

24 {PAO807379.DOC;1\00083.900000\}



CERTIFICATE OF IMPROVEMENTS

FINAL PLAT APPLICATION FAC15-0013

COMPLETION OF IMPROVEMENTS

The required improvements for the Final Plat of _____ have been completed in accordance with the Land Division Ordinance and the City of Auburn's standards and specifications.

City Engineer

Date

SECURITY IN LIEU OF COMPLETION

In lieu of the required public improvements for the Final Plat of **WYNCREST III**, an approved security **Plat Security Bond** for **\$29,436.00** (150% of the estimated costs of improvements) has been submitted and approved by the City Engineer.



City Engineer



Date

1. The developer has provided references and demonstrated a minimum of 3 years successful, non-defaulted plat development experience in the Puget Sound region.
2. The bond/security is based on the following costs:

Street: \$29,436.00 for the
Final Lift, Installation of Permanent Monuments and the Raising of Utilities to grade

cc: File: FAC15-0013
Thaniel Gouk, Senior Planner
Harry Schneider, Schneider Homes Inc.

ORDINANCE NO. 6 6 4 5

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF AUBURN, WASHINGTON, APPROVING
THE FINAL PLAT OF WYNCREST DIVISION III**

WHEREAS, the City of Auburn received a final plat application for the Plat of Wyncrest Division III, Application No. PLT16-0008, the final approval of which is appropriate for City Council Action; and

WHEREAS, based on the review given this Plat by the City, the City Council hereby makes and enters the following:

FINDINGS OF FACT

1. Schneider Family Homes, LLC has made application for the Final Plat of "Wyncrest Division III".
2. The Preliminary Plat of "Wyncrest Division III" (PLT08-0018) [originally known as "Frederic Allen"] was approved by the City's Hearing Examiner on August 2, 2010, as a single phase.
3. The Plat of "Wyncrest Division III" has been developed in accordance with all applicable conditions of the Preliminary Plat.
4. A Certificate of Improvements has been issued by the City Engineer. The applicant has provided a security in lieu of completion for the outstanding improvements which includes the final lift of asphalt, installation of permanent monuments, and the raising of utilities to grade.

CONCLUSIONS OF LAW

1. The Final Plat is in compliance and in conformity with applicable Zoning and Land Division Ordinances and other applicable land use controls.
2. The Final Plat of "Wyncrest Division III" is consistent with the Comprehensive Plan.
3. The Plat meets the requirements of Chapter 58.17 RCW.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN,
WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Ordinance No. 6645
March 21, 2017
Page 1 of 3

Section 1. Approval. Wyncrest Division III, a subdivision involving property located within the City of Auburn, Washington, which plat is legally described on Sheet 1 of 6 of the Final Plat and set forth below:

Parcel A:

The north half of the southeast quarter of the northeast quarter of the southeast quarter, Section 2, Township 21 North, Range 4 East, W.M., in King County, Washington;

Parcel B:

Tract G, Wyncrest, According to the plat thereof recorded in Volume 266 of Plats, Page(s) 52 through 56, inclusive, Records of King County, Washington.

[King County Tax Parcel Nos. 022104-9038, 957790-0310]

is hereby approved, and deemed to conform to the requirements for Plat approval pursuant to State and local law and Chapter 58.17 of the Revised Code of Washington and Section 58.17.140 thereof.

Section 2. Constitutionality or Invalidity. If any section, subsection clause or phase of this Ordinance is for any reason held to be invalid or unconstitutional such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance, as it is being hereby expressly declared that this Ordinance and each section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, adopted and approved and ratified irrespective of the fact that any one or more section, subsection, sentence, clause or phrase be declared invalid or unconstitutional.

Section 3. Recordation. Upon the passage, approval and publication of this Ordinance as provided by law, the City Clerk of the City of Auburn shall cause this Ordinance to be recorded in the office of the King County Auditor's Division.

Section 4. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 5. Effective Date. This ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication, as provided by law.

FIRST READING: _____

SECOND READING: _____

PASSED: _____

APPROVED: _____

CITY OF AUBURN

NANCY BACKUS,
MAYOR

ATTEST:

Danielle E. Daskam,
City Clerk

APPROVED AS TO FORM:

Daniel B. Heid,
City Attorney

Published: _____



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6646

Date:

March 29, 2017

Department:

Finance

Attachments:

[Transmittal Memo](#)

[Ordinance No. 6646](#)

[Schedule A](#)

[Schedule B](#)

[Schedule C](#)

Budget Impact:

\$0

Administrative Recommendation:

City Council adopt Ordinance No. 6646.

Background Summary:

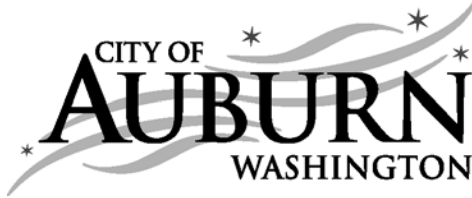
Ordinance No. 6646 (Budget Amendment #1) amends the 2017-2018 Adopted Budget as presented in the attached transmittal memorandum and supporting attachments.

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

Coleman

Meeting Date: April 3, 2017

Item Number: ORD.B



Interoffice Memorandum

To: City Council
From: Shelley Coleman, Finance Director
CC: Nancy Backus, Mayor
Date: March 27, 2017
Re: Ordinance #6646 – 2017-2018 Budget Amendment #1

Budget Amendment #1 is the first amendment of the City of Auburn's 2017-2018 biennial budget. For details on specific requests to amend the 2017 budget, please refer to the accompanying ***Schedule A, Summary of 2017 Budget Adjustments by Fund***.

The main purpose of the first budget amendment of the year is to carry forward remaining 2016 budget authority for identified programs and projects that were budgeted in 2016 but not completed. The requested unspent budget authority from 2016 to be carried forward into the 2017 budget year for all funds is \$15,352,289.

Additional items included in this amendment are recognition of new revenue, either grants or transfers in from other supporting funds, requests to change budget authority for projects, and requests for funding for projects and other costs not anticipated in the 2017 budget.

Carryforward of unspent project spending authority from 2016: This amendment enables the completion of various projects in 2017 by carrying forward unspent project resources at the end of 2016. Total amounts requested to be carried forward by fund are:

• General Fund (Fund 001)	\$ 465,997
• Arterial Street Fund (Fund 102)	896,832
• Local Street Fund (Fund 103)	713,354
• Arterial Street Preservation Fund (Fund 105)	1,843,036
• Cumulative Reserve Fund (Fund 122)	42,138
• Mitigation Fees Fund (Fund 124)	1,215,961
• Municipal Park Construction Fund (Fund 321)	65,414
• General Capital Construction Fund (Fund 328)	1,878,670
• Local Revitalization Fund (Fund 330)	39,239
• Water Utility (Fund 430)	106,324
• Sewer Utility (Fund 431)	55,424
• Storm Drainage Utility (Fund 432)	55,423
• Water Utility Capital Fund (Fund 460)	4,011,832
• Sewer Utility Capital Fund (Fund 461)	1,425,318

• Storm Drainage Utility Capital Fund (Fund 462)	1,480,104
• Facilities Fund (Fund 505)	431,914
• Innovation & Technology Fund (Fund 518)	66,000
• Equipment Rental Capital Fund (Fund 560)	396,309
• Innovation & Technology Capital Fund (Fund 568)	<u>163,000</u>
TOTAL	\$ 15,352,289

Revenue Adjustments:

- Increase Property Tax Revenues: This amendment adjusts 2017 estimated property tax revenues upward by \$500,000 to reflect a higher level of tax due to the use of banked levy capacity.

Project Funding Adjustments: Project funding requests included in this budget amendment establish spending authority for new projects or additional spending authority for existing projects. Total project funding requests equal \$2,343,128. Significant project funding requests include:

- Auburn Way South Corridor Safety Project (CP 1218): This amendment adjusts 2017 estimated expenditures upward by \$909,517 to fully fund the project. Increased project costs relate to design changes to meet Washington State Department of Transportation (WSDOT) requirements, coordination with the Muckleshoot Indian Tribe, and actual construction bids received. Funding for the cost increase will be from traffic impact fees and a contribution from WSDOT.
- A Street SE Corridor Signal Safety & Operations Improvements Project (CP 1707): This amendment adjusts 2017 estimated expenditures upward by \$504,350 recognizing the expected receipt of Federal grant funds for this project if all project phases are obligated prior to August 31, 2017.
- 22nd Street NE / I Street NE Intersection Improvements Project (CP 1513): This amendment moves \$940,000 in budgeted Federal grant and \$235,000 in traffic impact fees for this project from 2018 to 2017.
- Emergency Repairs at the Auburn Airport: This amendment adds budget of \$275,000 for emergency repairs of aircraft hangar support beams, as approved in Resolution No. 5276 in January 2017.

New Requests:

• Transfer from General Fund to Cumulative Reserve Fund	\$ 1,000,000
• Transfers to replenish Insurance Fund reserves (the last time the fund was rebuilt was 2007, to \$2.74 million; it has now depleted to less than \$1.44 million, so it is time to rebuild again); funding is from the General Fund and Water, Sewer, and Storm Drainage utilities	670,715
• Corrections to Police budgets	722,200
• Funding for Public Arts	103,000
• Reimbursement from CJTC / supernumerary position	97,758
• Utility rate study	90,000
• Prepayment of stop loss insurance	83,100
• IT security software	60,000
• Additional funding for replacement vehicles	54,955
• Temp help for large scale painting/maintenance projects	45,200
• Badge security update project	45,000

• Police grants	42,520
• New funding for Police recruiting and onboarding	36,700
• Temp grant writing staff	32,500
• Parks grants	27,000
• Grant-funded license plate reader	<u>24,095</u>
TOTAL	\$ 3,134,743

The following table summarizes the current and revised budget as a result of this amendment.

Table 1: 2017 Budget as Amended

2017 Adopted Budget	\$ 269,080,329
Budget Amendment #1 (Ord #6646)	<u>34,468,738</u>
Budget as Amended	\$ 303,549,067

Attachments:

- ❖ 1. Proposed Ordinance #6646 (budget adjustment #1)
- ❖ 2. Summary of proposed 2017 budget adjustments by fund and department (Schedule A)
- ❖ 3. Summary of proposed changes to adopted 2017 budget by fund (Schedule B)
- ❖ 4. Detailed listing of capital project carry forwards and new funding requests (Schedule C)

ORDINANCE NO. 6646

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING ORDINANCE NO. 6621, THE 2017-2018 BIENNIAL BUDGET ORDINANCE, AUTHORIZING AMENDMENT TO THE CITY OF AUBURN 2017-2018 BUDGET AS SET FORTH IN SCHEDULE "A", SCHEDULE "B", AND SCHEDULE "C"

WHEREAS, the Auburn City Council at its regular meeting of November 21, 2016, adopted Ordinance No. 6621 which adopted the City of Auburn 2017-2018 Biennial budget; and

WHEREAS, the City of Auburn deems it necessary to appropriate additional funds to the various funds of the 2017 budget as outlined in this Ordinance (BA#1); and

WHEREAS, this Ordinance has been approved by one more than the majority of all councilpersons in accordance with RCW 35A.34.200.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. **Amendment of the 2017-2018 Biennial Budget.** The 2017-2018 Biennial Budget of the City of Auburn is amended pursuant to Chapter 35A.34 RCW, to reflect the revenues and expenditures as shown on Schedule "A" attached hereto and incorporated herein by reference. The Mayor of the City of Auburn, Washington is hereby authorized to utilize revenue and expenditure amounts shown on said Schedule "A", Schedule "B", and Schedule "C". A copy of said Schedule "A", Schedule "B", and Schedule "C" is on file with the City Clerk and available for public inspection.

Section 2. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held to be invalid, the remainder of such code, ordinance or regulation or the application thereof to other person or circumstance shall not be affected.

Section 3. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

Section 4. Effective Date. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Held, City Attorney

PUBLISHED: _____

Schedule A
Summary of 2017 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6646)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance
General Fund (#001)				
2017 Adopted Budget	16,191,731	65,919,560	69,487,982	12,623,309
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	16,191,731	65,919,560	69,487,982	12,623,309
BA#1 (Ordinance #6646, Proposed):	465,997	794,230	3,390,744	(2,130,517)
General Fund Revenues:				
Increase property tax revenues to reflect use of banked capacity	-	500,000	-	500,000
Mayor's Office:				
Carry forward budget for Council Chamber furniture	17,000	-	17,000	-
Administration Department:				
Carry forward unspent EMPG grant funds	-	43,315	43,315	-
C/F budget for Economic Development partnership with Port of Seattle and Grant	32,500	65,000	97,500	-
Human Resources Department:				
New funding for Police recruiting and onboarding	-	-	36,700	(36,700)
Community Development:				
Carry forward budget for consulting services re: development regulations	29,886	-	29,886	-
Carry forward budget for Façade Improvement Program	87,500	-	87,500	-
Carry forward budget for Greenhouse Gas Inventory and Climate Action Plan	50,000	-	50,000	-
Carry forward budget for Livable City Year Program	46,600	-	46,600	-
Finance Department:				
Carry forward budget for development fee cost of service study	50,000	-	50,000	-
Correct budget for position #1430-002	-	-	41,359	(41,359)

Schedule A
Summary of 2017 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6646)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance
Police Department:				
Add budget for holidays worked (previously unbudgeted)	-	-	300,000	(300,000)
Add budget for comp time and other cashouts (prev unbudgeted)	-	-	400,000	(400,000)
Increase pension budget for Records Division (underbudgeted)	-	-	22,200	(22,200)
Purchase of grant-funded license plate reader (Transfer to F560)	-	24,095	24,095	-
Carry forward unspent grant funding for 2013 and 2014 COPS hiring grants	-	12,200	12,200	-
KC Emergency Medical Services grant for Distracted Driving Campaign	-	5,000	5,000	-
WA Traffic Safety Commission grant for Law Enforcement Liaison	-	4,500	4,500	-
Incr budget for JAG-Edward Byrne Memorial grant for Citizen's Academy	-	9,120	9,120	-
WA Traffic Safety Commission grant for Speed Reduction Program	-	24,000	24,000	-
Accept reimbursement from CJTC and add supernumerary position	-	90,000	97,758	(7,758)
Streets:				
Carry forward repair & maintenance budget under contract at year end	38,050	-	38,050	-
Parks Department:				
4Culture local arts agency funding (grant)	-	12,000	12,000	-
Funding for temporary staff support for grant writing efforts	-	-	32,500	(32,500)
KC Conservation District grant funds for Auburn Int'l Farmers Market	-	5,000	20,000	(15,000)
Non-Departmental:				
Carry forward budget for eBuilder project (T/F to F518)	10,385	-	10,385	-
T/F funds for vehicles in 2017 program improvements (T/F to F560 and F568)	-	-	-	-
Funding for emergency repairs at the Airport (per Resolution #5276) (T/F to F465)	-	-	275,000	(275,000)
Transfer to Insurance Fund (Transfer to F501)	-	-	500,000	(500,000)
Carry fwd funding for M&O Facility roof replacement project (T/F to F328)	41,226	-	41,226	-
C/F funding to complete of Council Chambers remodel project (T/F to F568)	62,850	-	62,850	-
Transfer to Cumulative Reserve Fund	-	-	1,000,000	(1,000,000)
Revised 2017 Budget - Fund 001	16,657,728	66,713,790	72,878,726	10,492,792

Schedule A
Summary of 2017 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6646)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance
Arterial Street Fund (#102)				
2017 Adopted Budget	1,632,556	2,539,076	2,794,818	1,376,814
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	1,632,556	2,539,076	2,794,818	1,376,814
BA#1 (Ordinance #6646, Proposed):	896,832	12,791,850	13,734,532	(45,850)
Carry forward budget for eBuilder project (T/F to F518)	10,385	-	10,385	-
Carry forward capital projects to update 2017-2022 CFP	886,447	10,959,572	11,846,019	-
New and revised funding for capital projects to update 2017-2022 CFP	-	1,832,278	1,878,128	(45,850)
Revised 2017 Budget - Fund 102	2,529,388	15,330,926	16,529,350	1,330,964
Local Street Fund (#103)				
2017 Adopted Budget	1,401,882	1,909,100	2,417,839	893,143
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	1,401,882	1,909,100	2,417,839	893,143
BA#1 (Ordinance #6646, Proposed):	713,354	-	713,354	-
Carry forward budget for eBuilder project (T/F to F518)	10,385	-	10,385	-
Carry forward capital projects to update 2017-2022 CFP	702,969	-	702,969	-
Revised 2017 Budget - Fund 103	2,115,236	1,909,100	3,131,193	893,143
Arterial Street Preservation Fund (#105)				
2017 Adopted Budget	1,378,878	3,755,600	4,768,470	366,008
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	1,378,878	3,755,600	4,768,470	366,008
BA#1 (Ordinance #6646, Proposed):	1,843,036	1,084,048	2,727,084	200,000
Carry forward budget for eBuilder project (T/F to F518)	10,385	-	10,385	-
Carry forward capital projects to update 2017-2022 CFP	1,832,651	1,084,048	2,916,699	-
Revised funding for capital projects to update 2017-2022 CFP	-	-	(200,000)	200,000
Revised 2017 Budget - Fund 105	3,221,914	4,839,648	7,495,554	566,008

Schedule A
Summary of 2017 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6646)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance
Cumulative Reserve Fund (#122)				
2017 Adopted Budget	7,546,199	20,500	200,000	7,366,699
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	7,546,199	20,500	200,000	7,366,699
BA#1 (Ordinance #6646, Proposed):	42,138	1,000,000	42,138	1,000,000
Carry forward funding for Arts & Cultural Center remodel (T/F to F328)	42,138	-	42,138	-
Transfer from General Fund	-	1,000,000	-	1,000,000
Revised 2017 Budget - Fund 122	7,588,337	1,020,500	242,138	8,366,699
Mitigation Fees Fund (#124)				
2017 Adopted Budget	4,274,362	1,520,200	1,365,081	4,429,481
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	4,274,362	1,520,200	1,365,081	4,429,481
BA#1 (Ordinance #6646, Proposed):	1,215,961	400,000	2,555,961	(940,000)
Carry forward capital projects to update 2017-2022 CFP (T/F to F102)	1,215,961	-	1,215,961	-
New funding for capital projects to update 2017-2022 CFP	-	-	1,340,000	(1,340,000)
C/F budget to pay transportation impact fees in catalyst block area (T/F from F328)	-	400,000	-	400,000
Revised 2017 Budget - Fund 124	5,490,323	1,920,200	3,921,042	3,489,481
Parks Construction Fund (#321)				
2017 Adopted Budget	453,426	2,186,796	2,358,106	282,116
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	453,426	2,186,796	2,358,106	282,116
BA#1 (Ordinance #6646, Proposed):	65,414	825,675	871,089	20,000
Eliminate duplicate budget for Les Gove Campus security cameras	-	-	(20,000)	20,000
Carry forward KC Proposition 2 funds for potential acquisition of parks, etc.	46,414	-	46,414	-
Carry forward funding for Brannan Park and Game Farm Park Improvements	19,000	75,000	94,000	-
C/F budget for Community Center H St. SE Extension (cp1606) (T/F from F328)	-	750,675	750,675	-
Revised 2017 Budget - Fund 321	518,840	3,012,471	3,229,195	302,116

Schedule A
Summary of 2017 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6646)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance
Capital Improvements Fund (#328)				
2017 Adopted Budget	7,347,302	3,172,114	2,722,117	7,797,299
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	7,347,302	3,172,114	2,722,117	7,797,299
BA#1 (Ordinance #6646, Proposed):	1,153,670	529,343	2,470,564	(787,551)
Add budget to repay interfund loan (inadvertently omitted from budget)	-	40,449	-	40,449
Funding for CIP for Public Art (REET2)	-	-	103,000	(103,000)
Carry forward 4Culture grant funding related to Arts & Cultural Center	-	10,000	10,000	-
Carry forward funding for Arts & Cultural Center remodel (T/F from F122)	-	42,138	42,138	-
C/F funding for M&O Facility roof replacement project (T/F from various funds)	-	226,756	226,756	-
C/F funding to complete of Council Chambers remodel project	3,966	-	3,966	-
Carry forward funding for City Hall generator replacement (T/F from F505)	-	180,000	180,000	-
Carry forward capital projects to update 2017-2022 CFP	749,704	30,000	1,504,704	(725,000)
C/F REET2 bud. to pay transportation impact fees in catalyst block area (T/F to F124)	400,000	-	400,000	-
Revised 2017 Budget - Fund 328	8,500,972	3,701,457	5,192,681	7,009,748
Local Revitalization Fund (#330)				
2017 Adopted Budget	325,651	600	326,251	-
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	325,651	600	326,251	-
BA#1 (Ordinance #6646, Proposed):	39,239	-	39,239	-
Carry forward budget to reconfigure City-owned parking lot (cp1616)	39,239	-	39,239	-
Revised 2017 Budget - Fund 330	364,890	600	365,490	-

Schedule A
Summary of 2017 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6646)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance
Water Fund (#430)				
2017 Adopted Budget	4,639,074	14,953,450	14,916,531	4,675,993
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	4,639,074	14,953,450	14,916,531	4,675,993
BA#1 (Ordinance #6646, Proposed):	106,324	-	211,786	(105,462)
Carry forward budget for eBuilder project (T/F to F518)	10,385	-	10,385	-
Carry forward budget for Water On-Call Hydraulic Modeling	50,900	-	50,900	-
Transfer to Insurance Fund (Transfer to F501)	-	-	65,462	(65,462)
Utility rate study	-	-	40,000	(40,000)
Carry fwd funding for M&O Facility roof replacement project (T/F to F328)	45,039	-	45,039	-
Revised 2017 Budget - Fund 430	4,745,398	14,953,450	15,128,317	4,570,531
Sewer Fund (#431)				
2017 Adopted Budget	1,765,613	8,195,290	8,726,193	1,234,710
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	1,765,613	8,195,290	8,726,193	1,234,710
BA#1 (Ordinance #6646, Proposed):	55,424	-	123,540	(68,116)
Carry forward budget for eBuilder project (T/F to F518)	10,385	-	10,385	-
Transfer to Insurance Fund (Transfer to F501)	-	-	43,116	(43,116)
Utility rate study	-	-	25,000	(25,000)
Carry fwd funding for M&O Facility roof replacement project (T/F to F328)	45,039	-	45,039	-
Revised 2017 Budget - Fund 431	1,821,037	8,195,290	8,849,733	1,166,594

Schedule A
Summary of 2017 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6646)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance
Storm Drainage Fund (#432)				
2017 Adopted Budget	2,077,239	9,318,627	9,618,886	1,776,980
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	2,077,239	9,318,627	9,618,886	1,776,980
BA#1 (Ordinance #6646, Proposed):	55,423	-	142,560	(87,137)
Carry forward budget for eBuilder project (T/F to F518)	10,385	-	10,385	-
Transfer to Insurance Fund (Transfer to F501)	-	-	62,137	(62,137)
Utility rate study	-	-	25,000	(25,000)
Carry fwd funding for M&O Facility roof replacement project (T/F to F328)	45,038	-	45,038	-
Revised 2017 Budget - Fund 432	2,132,662	9,318,627	9,761,446	1,689,843
Solid Waste Fund (#434)				
2017 Adopted Budget	3,849,877	14,912,500	14,528,476	4,233,901
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	3,849,877	14,912,500	14,528,476	4,233,901
BA#1 (Ordinance #6646, Proposed):	-	-	8,642	(8,642)
Carry forward Commercial Food Waste Outreach grant from King County	-	-	8,642	(8,642)
Revised 2017 Budget - Fund 434	3,849,877	14,912,500	14,537,118	4,225,259
Airport Fund (#435)				
2017 Adopted Budget	188,565	813,300	677,700	324,165
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	188,565	813,300	677,700	324,165
BA#1 (Ordinance #6646, Proposed):	-	-	40,449	(40,449)
Add budget to repay interfund loan (inadvertently omitted from budget)	-	-	40,449	(40,449)
Revised 2017 Budget - Fund 435	188,565	813,300	718,149	283,716

Schedule A
Summary of 2017 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6646)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance
Water Capital Fund (#460)				
2017 Adopted Budget	2,039	7,200,000	6,255,986	946,053
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	2,039	7,200,000	6,255,986	946,053
BA#1 (Ordinance #6646, Proposed):	4,011,832	577,159	4,873,991	(285,000)
Carry forward capital projects to update 2017-2022 CFP	4,011,832	577,159	4,588,991	-
New funding for capital projects to update 2017-2022 CFP	-	-	285,000	(285,000)
Revised 2017 Budget - Fund 460	4,013,871	7,777,159	11,129,977	661,053
Sewer Capital Fund (#461)				
2017 Adopted Budget	7,753,119	1,500,000	1,431,900	7,821,219
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	7,753,119	1,500,000	1,431,900	7,821,219
BA#1 (Ordinance #6646, Proposed):	1,425,318	-	1,425,318	-
Carry forward capital projects to update 2017-2022 CFP	1,425,318	-	1,425,318	-
Revised 2017 Budget - Fund 461	9,178,437	1,500,000	2,857,218	7,821,219
Storm Drainage Capital Fund (#462)				
2017 Adopted Budget	11,242,343	1,900,000	2,795,200	10,347,143
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	11,242,343	1,900,000	2,795,200	10,347,143
BA#1 (Ordinance #6646, Proposed):	1,480,104	-	1,480,104	-
Carry forward capital projects to update 2017-2022 CFP	1,480,104	-	1,480,104	-
Revised 2017 Budget - Fund 462	12,722,447	1,900,000	4,275,304	10,347,143

Schedule A
Summary of 2017 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6646)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance
Airport Capital Fund (#465)				
2017 Adopted Budget	158,410	316,667	363,334	111,743
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	158,410	316,667	363,334	111,743
BA#1 (Ordinance #6646, Proposed):	-	275,000	275,000	-
Funding for emergency repairs at the Airport (per Resolution #5276) (T/F from GF)	-	275,000	275,000	-
Revised 2017 Budget - Fund 465	158,410	591,667	638,334	111,743
Insurance Fund (#501)				
2017 Adopted Budget	1,312,689	1,500	229,980	1,084,209
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	1,312,689	1,500	229,980	1,084,209
BA#1 (Ordinance #6646, Proposed):	-	670,715	-	670,715
Transfer in from Other Funds	-	670,715	-	670,715
Revised 2017 Budget - Fund 501	1,312,689	672,215	229,980	1,754,924
Workers' Comp Fund (#503)				
2017 Adopted Budget	787,022	1,056,900	850,777	993,145
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	787,022	1,056,900	850,777	993,145
BA#1 (Ordinance #6646, Proposed):	-	-	83,100	(83,100)
Prepayment of 2018 stop loss insurance	-	-	83,100	(83,100)
Revised 2017 Budget - Fund 503	787,022	1,056,900	933,877	910,045

Schedule A
Summary of 2017 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6646)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance
Facilities Fund (#505)				
2017 Adopted Budget	1,330,105	3,462,500	3,507,030	1,285,575
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	1,330,105	3,462,500	3,507,030	1,285,575
BA#1 (Ordinance #6646, Proposed):	431,914	-	492,114	(60,200)
Carry forward funding for City Hall exterior water repellent/sealant	54,500	-	54,500	-
Funding for temporary help for large scale painting & maintenance projects	-	-	45,200	(45,200)
Carry forward funding for City Hall exterior cleaning	107,000	-	107,000	-
C/F and increase funding for City Hall elevator update	40,000	-	55,000	(15,000)
Carry fwd funding for M&O Facility roof replacement project (T/F to F328)	50,414	-	50,414	-
Carry forward funding for City Hall generator replacement (T/F to F328)	180,000	-	180,000	-
Revised 2017 Budget - Fund 505	1,762,019	3,462,500	3,999,144	1,225,375
Innovation & Technology Fund (#518)				
2017 Adopted Budget	229,416	6,184,022	5,978,710	435,128
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	229,416	6,184,022	5,978,710	435,128
BA#1 (Ordinance #6646, Proposed):	66,000	439,270	171,000	334,270
New funding to complete badge security update project	-	-	45,000	(45,000)
Correct interfund revenue to match charges to departments and funds	-	439,270	-	439,270
Purchase security-related software as per the recent security audit	-	-	60,000	(60,000)
C/F budget for Spillman geovalidation and network and other licensing support	66,000	-	66,000	-
Revised 2017 Budget - Fund 518	295,416	6,623,292	6,149,710	768,998

Schedule A
Summary of 2017 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6646)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance
Equipment Rental Fund (#550)				
2017 Adopted Budget	2,268,495	2,983,102	2,768,168	2,483,429
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	2,268,495	2,983,102	2,768,168	2,483,429
BA#1 (Ordinance #6646, Proposed):	-	-	40,297	(40,297)
Move budget for capital lease principal from capital to operating subfund	-	-	40,297	(40,297)
Revised 2017 Budget - Fund 550	2,268,495	2,983,102	2,808,465	2,443,132
Equipment Rental Capital Fund (#560)				
2017 Adopted Budget	1,365,513	1,809,631	1,798,201	1,376,943
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	1,365,513	1,809,631	1,798,201	1,376,943
BA#1 (Ordinance #6646, Proposed):	396,309	284,927	873,464	(192,228)
Transfer of funds for vehicles in 2017 program improvements (T/F from GF)	-	260,832	260,832	-
Move budget for capital lease principal from capital to operating subfund	-	-	(40,297)	40,297
Purchase of grant-funded license plate reader (Transfer from GF)	-	24,095	24,095	-
Add'l funds to replace #6116C Ford Super Duty bucket truck (Engineering)	-	-	54,955	(54,955)
Funds to replace #6208A Chevrolet Silverado 1500 (Community Develop)	-	-	39,060	(39,060)
Funds to replace #6709D Ford 250XL (Parks Department)	-	-	48,510	(48,510)
Carry forward funding to replace assets deferred from 2016	396,309	-	396,309	-
Funding to replace M&O front gate and automate rear gate w/badge access	-	-	90,000	(90,000)
Revised 2017 Budget - Fund 560	1,761,822	2,094,558	2,671,665	1,184,715

Schedule A
Summary of 2017 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6646)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance
IT Capital Fund (#568)				
2017 Adopted Budget	1,762,983	-	682,900	1,079,683
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	1,762,983	-	682,900	1,079,683
BA#1 (Ordinance #6646, Proposed):				
	163,000	169,232	332,232	-
Carry forward budget for eBuilder project (T/F from various funds)	-	72,695	72,695	-
Transfer of funds for vehicles in 2017 program improvements (T/F from GF)	-	33,687	33,687	-
Carry forward budget for Golf Course Fiber Expansion Project	163,000	-	163,000	-
C/F funding to complete of Council Chambers remodel project (T/F from GF)	-	62,850	62,850	-
Revised 2017 Budget - Fund 568	1,925,983	169,232	1,015,132	1,080,083
Fire Pension Fund (#611)				
2017 Adopted Budget	2,417,899	84,000	177,717	2,324,182
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	2,417,899	84,000	177,717	2,324,182
BA#1 (Ordinance #6646, Proposed):				
	-	-	42,970	(42,970)
Increase salaries and wages for Battalion Chief and Fire Marshall per CBA	-	-	42,970	(42,970)
Revised 2017 Budget - Fund 611	2,417,899	84,000	220,687	2,281,212
Grand Total - All Funds				
2017 Adopted Budget	88,839,185	180,241,144	186,485,122	82,595,207
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	88,839,185	180,241,144	186,485,122	82,595,207
TOTAL BA #1 (Ordinance #6646, Proposed)	14,627,289	19,841,449	37,161,272	(2,692,534)
Revised 2017 Budget	103,466,474	200,082,593	223,646,394	79,902,673
		303,549,067	-	303,549,067

Schedule B

2017 Appropriations by Fund

Fund	2017 Adopted Budget	BA#1 (Ord #6646)	Revised Budget
General Fund (#001)	82,111,291	1,260,227	83,371,518
Arterial Street Fund (#102)	4,171,632	13,688,682	17,860,314
Local Street Fund (#103)	3,310,982	713,354	4,024,336
Hotel Motel Fund (#104)	194,444	-	194,444
Arterial Street Preservation Fund (#105)	5,134,478	2,927,084	8,061,562
Drug Forfeiture Fund (#117)	444,997	-	444,997
Housing and Community Development Grant Fund (#119)	764,905	-	764,905
Recreation Trails Fund (#120)	56,998	-	56,998
Business Improvement Area Fund (#121)	103,716	-	103,716
Cumulative Reserve Fund (#122)	7,566,699	1,042,138	8,608,837
Mitigation Fees Fund (#124)	5,794,562	1,615,961	7,410,523
1998 Library Fund (#229)	283,850	-	283,850
2010 Annex A&B Bond Debt Fund (#230)	1,683,192	-	1,683,192
2010 C&D Local Revitalization Debt Fund (#231)	589,071	-	589,071
SCORE Debt Service Fund (#238)	2,033,474	-	2,033,474
LID #350 (#275)	19,205	-	19,205
Golf/Cemetery 2016 Refunding (#276)	554,393	-	554,393
Municipal Park Construction Fund (#321)	2,640,222	891,089	3,531,311
Capital Improvements Fund (#328)	10,519,416	1,683,013	12,202,429
Local Revitalization Fund (#330)	326,251	39,239	365,490
Water Fund (#430)	19,592,524	106,324	19,698,848
Sewer Fund (#431)	9,960,903	55,424	10,016,327
Storm Drainage Fund (#432)	11,395,866	55,423	11,451,289
Sewer Metro Fund (#433)	19,613,195	-	19,613,195
Solid Waste Fund (#434)	18,762,377	-	18,762,377
Airport Fund (#435)	1,001,865	-	1,001,865
Cemetery Fund (#436)	1,405,886	-	1,405,886
Water Capital Fund (#460)	7,202,039	4,588,991	11,791,030
Sewer Capital Fund (#461)	9,253,119	1,425,318	10,678,437
Storm Drainage Capital Fund (#462)	13,142,343	1,480,104	14,622,447
Airport Capital Fund (#465)	475,077	275,000	750,077
Cemetery Capital Fund (#466)	157,301	-	157,301
Insurance Fund (#501)	1,314,189	670,715	1,984,904
Workers Compensation Self Insurance Fund (#503)	1,843,922	-	1,843,922
Facilities Fund (#505)	4,792,605	431,914	5,224,519
Innovation and Technology Fund (#518)	6,413,438	505,270	6,918,708
Equipment Rental Fund (#550)	5,251,597	-	5,251,597
Equipment Rental Capital Fund (#560)	3,175,144	681,236	3,856,380
IT Capital Fund (#568)	1,762,983	332,232	2,095,215
Fire Pension Fund (#611)	2,501,899	-	2,501,899
Cemetery Endowment Fund (#701)	1,758,279	-	1,758,279
Total	269,080,329	34,468,738	303,549,067

Schedule C
Summary of 2017 Capital Budget Requests from
Budget Amendment #1 (Ordinance #6646)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance	CIP
Arterial Street Fund (#102)					
BA#1 (Ordinance #6646, Proposed):	886,447	12,791,850	13,724,147	(45,850)	
Carry fwd budget for ITS Dynamic Message Sign project (cp1701) (T/F from F328)	-	100,000	100,000	-	cp1701
Carry fwd budget for AWS & 112th Street SE Intersection Improvements (cp1114)	50,000	-	50,000	-	cp1114
Grant and add'l funding for A St SE Corridor Signal Safety & Oper project (cp1707)	-	458,500	504,350	(45,850)	cp1707
Carry fwd budget for Main Street Signal Upgrade project (cp1406) (T/F from F124)	320,000	118,946	438,946	-	cp1406
Grant funding for Traffic Signal Safety Improvements (cp1501)	-	398,955	398,955	-	cp1501
C/F budget and incr funding for AWS Corridor Safety proj. (cp1218) (T/F from F124)	-	3,234,620	3,234,620	-	cp1218
C/F budget for R St. SE & 21st St. SE Intersection Safety Improvements (asbd22)	75,000	-	75,000	-	asbd22
C/F budget for M St. SE & 29th St. SE Intersection Safety Improvements (asbd21)	50,000	-	50,000	-	asbd21
C/F budget for F Street SE Nonmotorized Improvements (cp1416) (T/F from F124)	40,000	248,783	288,783	-	cp1416
C/F budget & incr traffic impact fees for W Main St Corridor (cp1415) (T/F from F124)	65,471	1,503,532	1,569,003	-	cp1415
C/F budget and move grant funds for 22nd & I St. NE (cp1513) (T/F from F124)	25,000	1,296,103	1,321,103	-	cp1513
Carry fwd budget for SE 320th Street Corridor Safety Improvements (asbd19)	100,000	-	100,000	-	asbd19
Carry forward budget for A Street SE Safety Improvements (cp1110)	50,000	-	50,000	-	cp1110
Carry forward budget for 2016 Pedestrian Safety program (cp1615)	40,000	-	40,000	-	cp1615
C/F budget for A Street SE & 37th Street SE Traffic Signal Improvements (cp1502)	53,070	551,035	604,105	-	cp1502
Carry fwd budget for S 277th St. Corridor Improvements (T/F from F124)	17,906	4,330,230	4,348,136	-	c222a0
C/F budget for AWS Corridor Improvements project (cp1622) (T/F from F124)	-	92,460	92,460	-	cp1622
Carry forward budget for Lake Tapps Parkway ITS Expansion project (cp1618)	-	101,428	101,428	-	cp1618
C/F budget for Traffic Management Center Improvements (cp1514) (T/F from F124)	-	64,300	64,300	-	cp1514
Carry forward budget for Kersey Way SE Corridor Study (asbd11) (T/F from F124)	-	30,000	30,000	-	asbd11
C/F budget for A Street NW Wetland Maint. & Monitoring (c207a0) (T/F from F124)	-	56,752	56,752	-	c207a0
C/F budget for Lea Hill Road Corridor Improvements Study (asbd18) (T/F from F124)	-	100,000	100,000	-	asbd18
C/F and add'l funding for 104th SE building acq/demo (ms1510) (T/F from F124)	-	95,900	95,900	-	ms1510
Grant funding for fencing in the right of way adjacent to BNSF Railway (cp1702)	-	10,306	10,306	-	cp1702
Local Street Fund (#103)					
BA#1 (Ordinance #6646, Proposed):	702,969	-	702,969	-	
Carry fwd funding for 2017 Local Street Pavement Preservation project (cp1614)	300,000	-	300,000	-	cp1614
Carry fwd funding for 2016 Local Street Pavement Preservation project (cp1515)	402,969	-	402,969	-	cp1515

Schedule C
Summary of 2017 Capital Budget Requests from
Budget Amendment #1 (Ordinance #6646)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance	CIP
Arterial Street Preservation Fund (#105)					
BA#1 (Ordinance #6646, Proposed):	1,832,651	1,084,048	2,716,699	200,000	
C/F budget for M Street SE Storm Improvements project (cp1511) (T/F from F328)	150,000	131,750	281,750	-	cp1511
Carry forward budget for Auburn Way N Preservation project (cp1507)	823,499	887,383	1,710,882	-	cp1507
Carry forward budget for B Street NW Reconstruction project (cp1520)	777,340	-	777,340	-	cp1520
Carry forward budget for 15th Street NW Preservation project (cp1521)	20,844	23,707	44,551	-	cp1521
Carry forward budget for Lake Tapps Parkway Preservation project (cp1523)	14,818	41,208	56,026	-	cp1523
C/F budget for A St SE & 37th St SE Traffic Signal Imprvmnts (cp1502) (T/F to F102)	46,150	-	46,150	-	cp1502
C/F budget and replace funding for S 277th St. Corridor Improvements (c222a0)	-	-	(200,000)	200,000	c222a0
Mitigation Fees Fund (#124)					
BA#1 (Ordinance #6646, Proposed):	1,215,961	-	2,555,961	(1,340,000)	
C/F budget for Lea Hill Rd Corridor Improvements study (asbd18) (T/F to F102)	100,000	-	100,000	-	asbd18
C/F and add'l funding for 104th Ave SE building acq/demo (ms1510) (T/F to F102)	40,900	-	95,900	(55,000)	ms1510
C/F budget for A St. NW Wetland Maint. and Monitoring (c207a0) (T/F to F102)	56,752	-	56,752	-	c207a0
Carry forward budget for Main Street Signal Upgrade project (cp1406) (T/F to F102)	118,946	-	118,946	-	cp1406
Carry forward budget for Kersey Way SE Corridor Study (asbd11) (T/F to F102)	30,000	-	30,000	-	asbd11
C/F budget for Traffic Management Center Improvements (cp1514) (T/F to F102)	64,300	-	64,300	-	cp1514
Incr. traffic impact fees for W Main St. Corridor Imprvmnts (cp1415) (T/F to F102)	-	-	100,000	(100,000)	cp1415
Carry forward budget for F Street SE Non-Motorized Improvements (cp1416) (T/F to F102)	78,711	-	78,711	-	cp1416
C/F budget and traffic impact fees for 22nd/I St NE Imprvmnts (cp1513) (T/F to F102)	37,436	-	272,436	(235,000)	cp1513
C/F bdgt and traffic impact fees for AWS Corridor Imprvmnts (cp1218) (T/F to F102)	58,206	-	808,206	(750,000)	cp1218
C/F budget for Lake Tapps Parkway ITS Expansion project (cp1618) (T/F to F102)	18,478	-	18,478	-	cp1618
Carry forward budget for AWA Corridor Improvements study (cp1622) (T/F to F102)	92,460	-	92,460	-	cp1622
C/F budget and traffic impact fees for S 277th St Imprvmnts (c222a0) (T/F to F102)	519,772	-	719,772	(200,000)	c222a0
Capital Improvements Fund (#328)					
BA#1 (Ordinance #6646, Proposed):	749,704	30,000	1,504,704	(725,000)	
Carry forward budget for Marchini Meadows Improvements project (cp1407)	29,786	30,000	59,786	-	cp1407
C/F budget for Sidewalk Repairs (gcbd01) and transfer a portion to AWS (cp1705)	422,493	-	422,493	-	gcbd01
Carry forward budget for ITS Dynamic Message Sign project (cp1701) (T/F to F102)	100,000	-	100,000	-	cp1701
C/F budget for M Street SE Storm Improvements project (cp1511) (T/F to F105)	131,750	-	131,750	-	cp1511
Carry forward budget for AEP Boardwalk Phase 2 design (cp1611)	40,000	-	40,000	-	cp1611
REET2 funding for Auburn Community Ctr H St. SE Extension (cp1606) (T/F to F321)	25,675	-	750,675	(725,000)	cp1606

Schedule C
Summary of 2017 Capital Budget Requests from
Budget Amendment #1 (Ordinance #6646)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance	CIP
Water Capital Fund (#460)					
BA#1 (Ordinance #6646, Proposed):	4,011,832	577,159	4,873,991	(285,000)	
Carry forward budget for 2016 Local Street Pavement Reconstruction (cp1515)	154,955	-	154,955	-	cp1515
Carry forward budget for Auburn Way N Preservation project (cp1507)	28,000	-	28,000	-	cp1507
Carry forward budget for AWS Flooding Improvements Project, Phase 2 (cp1202)	70,376	-	70,376	-	cp1202
Carry forward budget for AWS Muckleshoot Plaza to Dogwood project (cp1218)	1,000,249	-	1,000,249	-	cp1218
Carry forward budget for F Street SE Non-Motorized Improvements (cp1416)	89,120	-	89,120	-	cp1416
Carry forward budget for Fulmer Well Field Improvements (cp1107)	287,726	-	287,726	-	cp1107
Carry forward budget for Lakeland Hills Reservoir 5 Improvements (cp0765)	154,325	-	154,325	-	cp0765
Carry forward budget for Lea Hill PRV Station Improvements (cp1617)	47,546	-	47,546	-	cp1617
Carry forward budget for M Street SE Storm Improvements project (cp1511)	449,135	-	449,135	-	cp1511
Carry forward budget for Muckleshoot Indian Tribe Master Meters (cp1411)	58,226	-	58,226	-	cp1411
Carry forward budget for S 272nd/S 277th St. Corridor Improvements (c222a0)	135,000	-	135,000	-	c222a0
Carry forward budget for Water Meter & Billing System Improvements (cp1317)	626,219	-	626,219	-	cp1317
Carry forward budget for Well 1 Improvements (cp0915)	258,252	-	258,252	-	cp0915
Carry forward budget for Well 4 Power and Chlorination (c512a0)	121,285	-	121,285	-	c512a0
Carry forward budget for West Hill Springs Improvements (cp1417)	473,653	-	473,653	-	cp1417
Carry forward budget for Reservoir 1 Seismic Control Valve project (cp1709)	25,000	175,000	200,000	-	cp1709
Carry forward budget for Coal Creek Springs Transmission Main Repl (cp1603)	-	402,159	402,159	-	cp1603
C/F budget and move fwd 2018 budget for 22nd St NE/I St NE Intersection (cp1513)	32,765	-	317,765	(285,000)	cp1513
460.00.590.100.06				(285,000)	cp1513
ENDING WORKING CAPITAL					
Sewer Capital Fund (#461)					
BA#1 (Ordinance #6646, Proposed):	1,425,318	-	1,425,318	-	
Carry forward budget for Auburn Way N Preservation Project (cp1507)	57,133	-	57,133	-	cp1507
Carry forward budget for 2015 Sewer Repair and Replacement project (cp1512)	430,000	-	430,000	-	cp1512
Carry forward budget for M Street SE Storm Improvements (cp1511)	371,864	-	371,864	-	cp1511
Carry forward budget for B Street NW Reconstruction project (cp1520)	41,321	-	41,321	-	cp1520
C/F budget for Sewer Repair & Replacement/System Improvements (sebd01)	525,000	-	525,000	-	sebd01
Storm Drainage Capital Fund (#462)					
BA#1 (Ordinance #6646, Proposed):	1,480,104	-	1,480,104	-	
Carry forward budget for 30th Street NE Area Flooding Project, Phase 1B (cp1522)	1,187,794	-	1,187,794	-	cp1522
C/F budget for Academy Drive 312th St SE & D St. Storm Improvements (cp1312)	217,570	-	217,570	-	cp1312
Carry forward budget for Auburn Way North Preservation project (cp1507)	74,740	-	74,740	-	cp1507



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6647

Date:

March 29, 2017

Department:

City Attorney

Attachments:

[Ordinance No. 6647](#)

Budget Impact:

\$0

Administrative Recommendation:

City Council adopt Ordinance No. 6647.

Background Summary:

Within the city's system for code enforcement, there are provisions for recovering from violators unpaid penalties and abatement costs. Currently, these code provisions provide a few methods of cost recovery including use of collection agencies, property liens, and special tax assessments. This ordinance clarifies the manner of using these cost recovery options.

The ordinance organizes the cost recovery provisions in code providing a clearer outline of the city's tools. The provisions for each collection method are separated and detailed.

The ordinance also adopts a method for foreclosing liens on property that the city has abated or penalized. The method and exceptions adopted are the same as those provided for in state law for foreclosing on material liens.

For special tax assessments, the ordinance adds to the costs that may be assessed on a violator's property tax assessment bill. Added to abatement costs are relocation assistance costs, penalties, interest, and administrative and legal costs.

For vegetation violations, the levying of a special tax assessment is added as a cost recovery option to the current option of liening the property.

The ordinance increases the daily penalty for violators that recommit the same violation within 60 days of remediation.

Like a notice of abatement, an order of abatement is required to be served by personal service or by mail and posted on the property.

Reviewed by Council Committees:

Councilmember:

Staff: Heid

Meeting Date: April 3, 2017

Item Number: ORD.C

ORDINANCE NO. 6 6 4 7

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF AUBURN, WASHINGTON, AMENDING
SECTIONS 1.25.065, 8.12.080 AND 8.20.050 OF
THE AUBURN CITY CODE RELATING TO THE
ABATEMENT OF PUBLIC NUISANCES**

WHEREAS, the current provisions of the Auburn City Code include several methodologies for abating certain types of nuisances; and

WHEREAS, the current provisions of the Auburn City Code also include varying methodologies for the recovery of costs associated with the abatement of nuisances; and

WHEREAS, the City has abated multiple nuisances but has been hindered in recovering costs thereof due to the variety of methodologies; and

WHEREAS, maintaining a flexible approach to the abatement of nuisances while consolidating recovery efforts into a uniform methodology for the recovery of costs associated with the abatement of nuisances will enhance City efforts to improve public health safety and welfare by improving cost recovery of past and future abatements;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. Recitals Adopted. The City Council hereby adopts the recital clauses contained in this Ordinance as Findings of Fact or Conclusions, as may be appropriate given the context of each recital.

Section 2. Amendment to City Code. That Section 1.25.065 of the Auburn City Code be and the same hereby is amended to read as follows:

1.25.065 Additional penalty and enforcement provisions.

A. Civil Penalty. In addition to any other enforcement actions available to the city, if the code enforcement official determines that a violation has not been

corrected pursuant to ACC 1.25.030 within the time specified in the notice to correct violation or recurs within sixty days of remediation of the same violation, he/she is authorized to impose a civil penalty against the property owner on whose property the violation exists, and/or the person in possession of the property, and/or the person otherwise causing or responsible for the violation. The penalty shall be up to \$500.00 for the first day and \$100.00 per day for each additional full day the violation continues. In the event a violation is remediated but recurs within sixty days, the city may impose a penalty that is double that of the above listed penalty amounts. Each day on which a violation or recurrence thereof continues shall constitute a separate violation. If unpaid within 14 calendar days of becoming effective, each penalty shall constitute a lien against the property of equal rank with state, county, and municipal taxes.

B. Notice of Penalty. The penalty shall be imposed by serving a notice of penalty. Service of the notice shall be made upon all persons identified in the notice either personally or by mailing a copy of such order by certified mail, postage prepaid, return receipt requested. If an address for mailed service cannot be ascertained, service shall be accomplished by posting a copy of the notice conspicuously on the affected property or structure. The initial penalty shall be effective and the recurring daily penalty shall commence on the date service is effective. Service by certified mail shall be effective five calendar days after the date of postmark, unless U.S. postal records show actual receipt prior to that date. If service is by personal service, service shall be deemed effective immediately. If service is made by posting, service shall be effective on the third day following the day the notice is posted. Recurring penalties shall become effective every 24 hours after midnight of the effective date of the initial penalty, if the violation is not corrected.

The notice shall contain all the information required to be placed in a notice to correct violation, under ACC 1.25.030, and in addition the following:

1. The amount of the initial penalty and the amount of the per day penalty for each day the violation(s) continues, and, if applicable, the conditions on which assessment of such civil penalty is contingent.

2. A statement that the recurring penalty accrues each day automatically, without further notice.

3. The procedure for appealing the penalty, as described in this chapter.

4. That if the penalties are unpaid within 10 days of when they become effective, they shall become a lien on the property that shall be of equal rank with state, county and municipal taxes.

C. Withdrawal. The code enforcement officer may withdraw a notice of penalty if compliance is achieved, as determined by the officer, within 14 calendar days of the service date of the notice. The officer shall not withdraw a notice of penalty if it is the second notice issued by the officer to the same person for the same or similar violation committed within six months.

D. Continued Duty to Correct. Payment of a penalty pursuant to this chapter does not relieve a person of the duty to correct the violation as ordered by the enforcement officer. Correction of the violation does not relieve a person

of the obligation to pay the penalty assessed, unless dismissed, withdrawn, or modified by the hearing examiner or the code enforcement officer.

E. Appeal of Notice of Penalty.

1. An assessed civil penalty may be appealed to the city hearing examiner within 14 calendar days of the penalty's effective date, in the same manner as determinations of the building official are appealed under ACC 15.07.130. After the 14-day period, penalties shall be final and binding. The hearing examiner may grant an extension of time for filing an appeal if the person establishes that he/she did not receive the notice of penalty due to good cause. The burden of proving such good cause circumstances is on the person making the claim.

2. The appeal shall be processed and the hearing conducted according to the provisions of ACC 15.07.130 and the provisions of that section are adopted by reference for the purpose of this chapter. The person appealing may appeal either the determination that a violation exists or the amount of the civil penalty imposed, or both. The person appealing may appeal all penalties that are not final and binding. The hearing examiner has the authority to affirm, dismiss, or modify the civil penalty. The city shall have the burden of proving by a preponderance of the evidence the commission of a violation. If the hearing examiner finds that a violation was not committed at the time the notice of penalty was issued, the examiner shall dismiss all penalties before him/her that were imposed for the alleged violation and the city shall dismiss all additional penalties, whether effective or final, that were imposed for the alleged violation.

3. The civil penalties for a continuing violation shall not continue to accrue pending determination of the appeal; however, the hearing examiner may impose a daily monetary penalty, to a maximum of \$100.00 per day, from the date of service of the notice of penalty if the hearing examiner finds that the appeal is frivolous or intended solely to delay compliance. An appeal does not lift or stay a notice to correct violation.

4. A person is precluded from appealing a penalty if the hearing examiner finds that it has determined in a prior appeal all the issues of fact and law raised by the person appealing.

5. At his/her discretion, the hearing examiner may consolidate appeals of penalties imposed on the same property for the same violations.

F. Cost Recovery and Lien.

1. Any monetary penalty imposed under this chapter constitutes a personal obligation of the person served the notice of penalty. The city attorney is authorized to collect the monetary penalty by use of appropriate legal remedies, the seeking of which shall neither stay nor terminate the accrual of additional per-day penalties so long as the violation continues.

2. The city may authorize the use of collection agencies to recover monetary penalties, in which case the cost of the collection process shall be assessed in addition to the monetary penalty.

3. Once civil penalties are effective and due, pursuant to this section, the code enforcement officer may file a lien with the county auditor on the property where the violation exists for the amount of the unpaid civil penalties. The lien shall be of equal rank with state, county and municipal taxes, and shall be in

similar form, be filed with the same county office, be enforced and foreclosed in the same manner, and subject to the same exemptions as state law provides for the foreclosure of labor and material liens. The claim of lien shall contain the following:

- a. The authority for imposing a civil penalty;
- b. A brief description of the civil penalty imposed, including the violations charged and the duration thereof;
- c. A legal description of the property to be charged with the lien;
- d. The name of the known or reputed owner; and
- e. The amount, including lawful and reasonable costs, for which the lien is claimed. (Ord. 6615 § 7, 2016; Ord. 6328 § 4, 2010.)

Section 3. Amendment to City Code. That Section 8.12.080 of the Auburn City Code be and the same hereby is amended to read as follows:

8.12.080 Abatement by city – Costs liability.

A. Abatement. Notwithstanding the existence or use of any other remedy, the city may order the abatement of any nuisance detrimental to the health and welfare of the public, or source of filth.

1. Prior to any order, written notice for the repair, demolition, remedy, removal, or abatement shall be signed by the director of community development and public works, or designee, and served upon the person owning, occupying, or controlling such premises.

2. If the nuisance has not been repaired, demolished, remedied, removed, or otherwise abated, or if the notice has not been appealed pursuant to subsection C within 10 calendar days after service thereof, then the director of community development and public works, or his or her designee, may issue an order authorizing the City to effect the abatement.

~~A. Abatement. Notwithstanding the existence or use of any other remedy, the city may order the abatement of any nuisance, or seek legal or equitable relief to enjoin or abate any nuisance. If 10 calendar days after service of a proper notice in writing for the abatement of any nuisance detrimental to health and welfare of the public, or source of filth as hereinabove defined, such notice to be signed by the director of community development and public works, or designee, the person owning, occupying or controlling such premises fails, neglects or refuses to remove the same, such nuisance may be repaired, demolished, remedied, removed or abated by order of the director. The director, or designee, may seek judicial process as he or she deems necessary to effect the repair, demolition, remedy, removal, or abatement of such nuisance.~~

B. Service. The director shall cause the any notice or order of abatement to be served on the property owner(s) and/or tenant(s), all parties that have an interest in the property, and to any person(s) causing or allowing or participating in the violation. The notice or order of abatement to the owner(s) shall be served by personal service or by mailing a copy of the notice by certified mail, postage prepaid, return receipt requested, sent to his/her last known address, and to any other such person(s) by sending via regular mail, postage prepaid to his/her last

known address. A Notice or order of abatement shall also be provided by posting a copy thereof conspicuously on the property.

C. Appeal.

1. Notices of abatement may be appealed to the hearing examiner within 10 calendar days of the date of mailing or service. The appeal may contest the determination that a violation exists, and the reasonableness of the corrective action ordered, or both. An appeal shall be filed by providing a written request to the city clerk. The application shall contain the following:

- a. The address that is the subject of the violation.
- b. The person's name, phone number, and address.
- c. A brief description of the legal interest the person has in the real or personal property to be abated.
- d. The reason(s) supporting reversal, modification, or limitation of the proposed abatement, together with any material facts that support those reason(s).

e. A description of the relief sought.

f. Signatures of the person(s) submitting the application.

2. A fee is not required to be paid to file an appeal, unless the examiner denies the appellant any relief regarding the abatement, in which case the fee is that fee set forth in the city of Auburn fee schedule.

32. If an appeal is properly and timely filed, the examiner shall set a date, time, and place for the hearing of the appeal. Such date shall be within 30 calendar days of the date the city received the request for an appeal. Written notice of the time and place of the hearing shall be given at least seven calendar days prior to the date of the hearing to each appellant by either causing a copy of such notice to be delivered to the appellant personally or by mailing a copy, postage prepaid, to the address shown on the appeal.

43. The effect of failure to appeal, the scope of the hearing, the hearing procedures, the conduct of the hearing, the right to review of the appeal, limitations of the examiner's authority, and the form and effective date of the examiner's decision shall all be governed by the provisions in ACC 15.07.130, as hereafter amended. The property owner shall have the burden of proof by a preponderance of the evidence that a violation has not occurred at the subject property and/or that the corrective action is unreasonable.

54. The timely filing of an appeal shall stay the abatement during the pendency of the appeal, but an appeal does not lift or stay a stop work order. Monetary penalties shall accrue during the appeal period unless the appellant prevails on appeal. In addition to ruling upon the issues presented by the appellant, the examiner may vacate or reduce any penalties pending, or previously imposed, for any violations related to the nuisance that is the subject of the abatement. If previously imposed penalties are vacated or reduced, any liens for those amounts shall be released or modified accordingly as well.

6. If the examiner denies the appellant's request for relief, the appellant shall pay the hearing fee as set forth in the city of Auburn fee schedule within 14 calendar days of the hearing. Failure to pay the fee shall be a cost of the abatement subject to cost recovery under this section.

D. Cost Recovery. The person on whom an order of abatement was served, in addition to incurring any penalty provided, shall become indebted to the city for the damages and legal and administrative costs and charges incurred by the city in the repair, demolition, remedy, removal, or abatement of such nuisance.

1. The city shall bill its costs to the person(s) obligated to perform the work under the notice of failure to correct a violation, an order to stop work or an order of a court, which costs shall become due and payable 30 calendar days after the date of the bill.

2. If the costs remain unpaid after 30 calendar days, the Mayor may levy a special assessment on the property on which the nuisance was abated, including interest at such rates as provided in RCW 84.56.020, as now or hereafter amended, and contract with the county treasurer to collect the assessment pursuant to RCW 84.56.035. The finance director shall certify to the county treasurer the city's costs, charges, and damages. The validity of any assessment made under the provisions of this chapter shall not be contested in any action or proceeding unless the same is commenced within 15 calendar days after the assessment is placed upon the assessment roll.

a. The special assessment shall be in the amount of the city's costs, charges and damages in abating the nuisance, including administrative and legal costs, the amount of relocation assistance advanced under RCW 59.18.085, the costs of enforcing the assessment, and the amount of all outstanding penalties. In any such assessment by the city, the city shall also be entitled to interest accruing at the rate of 12 percent per annum beginning thirty days after the date of the bill described in subsection 1.

3. Additionally, if the amount described in subsection 1 is unpaid after 30 calendar days, the Mayor, or his or her designee, is authorized to file a lien against the property where the nuisance was abated, or on the adjacent property where the nuisance was located on public property or on public right-of-way and where the nuisance was caused by or on behalf of the owner of the adjacent property.

a. The lien shall be in the amount of the city's damages and costs in abating the nuisance, including administrative and legal costs, the amount of relocation assistance advanced under RCW 59.18.085, the costs of enforcing the lien, and the amount of all outstanding penalties. In any such assessment by the city, the city shall also be entitled to interest accruing at the rate of 12 percent per annum beginning thirty days after the date of the bill described in subsection 1.

b. The lien shall be of equal rank with state, county and municipal taxes and shall be in similar form, be filed with the same county office, filed in the same manner, be enforced and foreclosed in the same way, and subject to the same exemptions as state law provides for the foreclosure of labor and material liens.

4. Additionally, the city may, in conformity with ACC 3.30, refer to a collection agency the abatement costs described in subsection 1, which shall include the collection agency fee and any penalty assessed, pursuant to Chapter 1.25 ACC.

5. The provisions of this chapter relative to the recovery of abatement costs are not exclusive, and all other rights or remedies of the city, or any citizen thereof, relative to recovering abatement costs are to remain in full force and effect.

6. For purposes of this section "administrative costs" shall include, but are not limited to, recording and filing fees, personnel costs incurred in the inspection of the property, preparation of notices, contracts, and other documents necessary for performing the abatement and providing law enforcement during the abatement.

4.7. In this section, "legal costs" shall include, but not be limited to, attorney fees, expert witness fees, recording and filing fees, and personnel costs incurred in preparing contracts, and notices necessary for performing the abatement.

~~D. Cost Recovery — Lien. The person on whom such notice was served, in addition to incurring any penalty provided, shall become indebted to the city for the damages and legal and administrative costs and charges incurred by the city in the repair, demolition, remedy, removal, or abatement of such nuisance.~~

~~The city shall bill its costs to the person(s) obligated to perform the work under the notice of failure to correct a violation, an order to stop work or an order of a court, which costs shall become due and payable 30 calendar days after the date of the bill.~~

~~If unpaid after 30 calendar days, such costs and charges are to be recovered by a civil action brought by the city against the person so served with such notice, which action the mayor or designee is authorized to bring for and on behalf of the city. The mayor or designee is also authorized to file a lien against the property on which the nuisance was abated, whether pursuant to this chapter or by other legal process, or on the adjacent property where the nuisance was located on public property or on public right of way and where the nuisance was caused by or on behalf of the owner of the adjacent property. The lien shall be in the amount of the city's damages and costs in abating the nuisance, including administrative and legal costs, the amount of relocation assistance advanced under RCW 59.18.085, the costs of enforcing the lien, the amount of all outstanding penalties, and all allowable interest. In any such abatement by the city, the city shall also be entitled to interest accruing at the rate of 12 percent per annum from the time of the expenditure of funds by the city for such abatement. The amount of unpaid civil penalties shall constitute a lien against the property that shall be of equal rank with state, county and municipal taxes.~~

~~For purposes of this section "administrative costs" shall include, but are not limited to, recording and filing fees, personnel costs incurred in the inspection of the property, preparation of notices, contracts, and other documents necessary for performing the abatement and providing law enforcement during the abatement. In this section, "legal costs" shall include, but not be limited to, attorney fees, expert witness fees, recording and filing fees, and personnel costs incurred in preparing contracts, and notices necessary for performing the abatement.~~

~~E. Special Assessment. Additionally, the mayor may levy a special assessment on the property on which the nuisance was abated for the amount of the city's damages and costs in abating the nuisance, unless previously paid, and to contract with the county treasurer to collect the assessment pursuant to RCW 84.56.035, including interest at such rates as provided in RCW 84.56.020, as now or hereafter amended. The finance director shall certify to the county treasurer the city's costs, charges, and damages. The validity of any assessment made under the provisions of this chapter shall not be contested in any action or proceeding unless the same is commenced within 15 calendar days after the assessment is placed upon the assessment roll.~~

~~EE. Salvage. Any salvage value proceeds resulting from the abatement of the property shall first be applied to the costs of abatement. Any remaining such monies shall be paid to the property owner as shown on the last equalized assessment roll.~~

~~EG. Obstruction with Work Prohibited. No person shall obstruct, impede or interfere with the city, its employees or agents, or any person who owns or holds any interest or estate in any property in the performance of any necessary act, preliminary or incidental to carrying out the requirements of this section. A violation of this provision shall constitute a misdemeanor, and shall be punishable as provided by ACC 1.24.010. (Ord. 6615 § 11, 2016; Ord. 6328 § 2, 2010; Ord. 5837 § 6, 2004; Ord. 5747 § 1, 2003; 1957 code § 7.04.330.)~~

Section 4. Amendment to City Code. That Section 8.20.050 of the Auburn City Code be and the same hereby is amended to read as follows:

8.20.050 Removal – Cost – Payment

When the city has effected the removal of said grass, weeds, brush or vegetation, a code enforcement officer shall render a statement covering the costs of such abatement, including all of the city's expenses, which may include the time of the officer to arrange for and accomplish the abatement, and mail the bill to the property owner at both the last known address and the address listed in the county's property tax records. The cost of such abatement shall be a lien upon the property that is of equal rank with state, county, and municipal taxes. If the property owner fails to pay such bill, or if the owner cannot be found, the officer may cause a special assessment to be levied, in the manner provided in ACC 8.12.080, and/or a lien to be filed against the property. The lien shall be in similar form, be filed with the same county office, filed within the same time and manner, and be enforced and foreclosed in the same way as state law provides for the foreclosure of labor and material liens. Additionally, the city may refer to a collection agency the abatement costs, which shall include the collection agency fee, and any penalty assessed pursuant to Chapter 1.25 ACC shall include the abatement costs. The provisions of this chapter relative to the recovery of abatement costs are not exclusive, and all other rights or remedies of the city, or any citizen thereof, relative to recovering abatement costs are to remain in full force and effect. (Ord. 6615 § 15, 2016; Ord. 5747 § 3, 2003; Ord. 4504 § 12, 1991; Ord. 4040 § 4, 1985.)

Section 5. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 6. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 7. Effective date. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

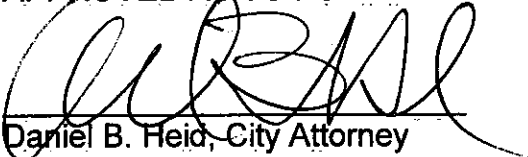
APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

Published: _____



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6649

Date:

March 29, 2017

Department:

City Attorney

Attachments:

[Ordinance No. 6649](#)

Budget Impact:

\$0

Administrative Recommendation:

City Council adopt Ordinance No. 6649.

Background Summary:

The current city code includes language relating to the various boards and commissions established by City Council.

Some of the City boards and commissions are established pursuant to State law calling for the establishment of such bodies and others are the product of individual needs of the City, where the board or commission serves in an advisory capacity.

A review of the city code provisions shows variations in the language of how boards and commissions are appointed and confirmed and how members are removed for non-attendance. It is advantageous to amend the provisions to make them more consistent.

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

Heid

Meeting Date: April 3, 2017

Item Number: ORD.D

ORDINANCE NO. 6 6 4 9

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING SECTIONS 2.08.030, 2.33.010, 2.33.020, 2.36.040, 2.42.020, 2.42.040, 2.43.020, AND 2.84.030 OF THE AUBURN CITY CODE, AND CREATING A NEW SECTION 2.30.040 OF THE CITY CODE, RELATING TO CITY BOARDS AND COMMISSIONS

WHEREAS, the current provisions of the Auburn City Code include language relating to various boards and commissions established by the City Council; and

WHEREAS, some of the City boards and commissions are established pursuant to state law calling for the establishment of such bodies, and others are the product of individual needs of the City being met by boards and commissions serving in an advisory capacity to the City Council; and

WHEREAS, a review of the city code provisions for such boards and commissions shows variations in the language of how boards and commissions are appointed and confirmed; and

WHEREAS, while some of the chapters for specific boards and commissions have language dealing with removal of members for non-attendance at meetings, Chapter 2.30 of the City Code contains provisions that address the same thing and that apply to all boards and commissions; and

WHEREAS, it is not necessary for specific provisions in individual board and commission chapters to contain the provisions repeated in chapter 2.30 of the City Code, and it is therefore appropriate to delete such references from the individual chapters; and

WHEREAS, it is advantageous for the City Council to amend the provisions relating to its boards and commissions so as to make these provisions more consistent, where appropriate, in terms of other language variations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. Amendment to City Code. That Section 2.08.030 of the Auburn City Code be and the same hereby is amended to read as follows:

[INDEPENDENT SALARY COMMISSION]

2.08.030 Membership.

A. The independent salary commission shall consist of five members who shall be registered voters and residents of the city of Auburn, appointed by the mayor and approved/confirmed by the city council; provided, that no person shall be appointed to a position on the independent salary commission unless that person has completed and submitted to the city an application for appointment to citizen boards, commissions and committees, on the form provided by the city.

B. The members of the independent salary commission shall serve without compensation.

C. Each member of the independent salary commission shall serve a term of four years, except that the first five commission members shall be appointed for different terms, as follows: one member to serve for a period of one year, one member to serve for a period of two years, one member to serve for a period of three years, and two members to serve for a period of four years. The mayor, with the approval/confirmation of the city council, may appoint alternate independent salary commission members as the need arises. The mayor shall annually appoint, subject to approval/confirmation by the city council, new members by March of any given year to fill the expiring terms on the independent salary commission.

D. No member may be appointed to more than two terms on the independent salary commission, whether or not those terms are held consecutively.

E. If, for any reason, a vacancy occurs during the term of an independent salary commission member, the mayor shall appoint, with the approval/confirmation of the city council, a new member to fill the unexpired term of that member.

F. The mayor and city council may remove an independent salary commission member at any time for cause of incapacity, incompetence, neglect of duty, or malfeasance in office or for a disqualifying change of residence, or for three consecutive unexcused absences of regularly scheduled meetings of the independent salary commission.

G. All members of the independent salary commission shall serve until their successors are duly appointed by the mayor and approved/confirmed by the city council. (Ord. 6504 § 1, 2014.)

Section 2. Amendment to City Code. That Section 2.33.010 of the Auburn City Code be and the same hereby is amended to read as follows:

[AUBURN MUNICIPAL AIRPORT ADVISORY BOARD]

2.33.010 Creation.

There is created a board, which shall be known as the Auburn Municipal Airport advisory board, which shall consist of five members, who shall serve without remuneration, ~~from a list provided. The members shall be appointed by the mayor to be appointed by confirmation of and confirmed by a majority of the members of the city council, from time to time, the first members thereof to be appointed within a reasonable time after the ordinance codified in this chapter becomes effective.~~ (Ord. 6572 § 1, 2015; Ord. 5924 § 1, 2005; Ord. 2820 § 1, 1974.)

Section 3. Amendment to City Code. That Section 2.33.020 of the Auburn City

Code be and the same hereby is amended to read as follows:

[AUBURN MUNICIPAL AIRPORT ADVISORY BOARD]

2.33.020 Appointment – Terms.

~~Immediately upon appointment, the members designated to act on the board shall assemble for organization, and for convenience of business transactions~~Annually, or more often as warranted, the members of the board shall elect a chairman and secretary whose duties shall be the duties indicated by such designation. The term of office for the board members shall be set up to five years from the date of appointment; ~~provided, that the term of office for any board members appointed or reappointed after December 1, 2004, shall be set up to three years from the date of appointment or reappointment. The city council shall be empowered to originally appoint one member for one year, one member for two years, one member for three years, one member for four years and one member for five years. All appointees will serve until successors are appointed and qualified. Members of the board shall be subject to removal in accordance with the provisions of Chapter 2.30 ACC as it currently exists or as it may be amended hereafter.~~ If the board considers an issue that relates to a board member's business interest at the airport, the board member shall disclose the fact and nature of the business interest prior to the taking of any vote bearing upon said interest. (Ord. 6572 § 1, 2015; Ord. 5924 § 1, 2005; Ord. 5879 § 1, 2004; Ord. 5803 § 3, 2003; Ord. 2820 § 2, 1974.)

Section 4. Amendment to City Code. That Section 2.36.040 of the Auburn City

Code be and the same hereby is amended to read as follows:

[HUMAN SERVICES COMMITTEE]

2.36.040 Appointment – Authority.

The members of the city human services committee shall be appointed by the mayor and confirmed by a majority of the council. (Ord. 4672 § 1, 1994; Ord. 3009 § 5, 1975.)

Section 5. Amendment to City Code. That Section 2.42.020 of the Auburn City

Code be and the same hereby is amended to read as follows:

[PARKS AND RECREATION BOARD]

2.42.020 Creation – Membership.

There is created a parks and recreation board, consisting of seven members, who shall be appointed by the mayor ~~with the consent of and~~ confirmed by the city council to serve a three-year term; or may be assigned to fill the unexpired term of the person they are replacing. (Ord. 6000 § 1, 2006; Ord. 3523 § 2, 1980.)

Section 6. Amendment to City Code. That Section 2.42.040 of the Auburn City

Code be and the same hereby is amended to read as follows:

[PARKS AND RECREATION BOARD]

2.42.040 Residency.

Members of the parks and recreation board shall be selected from residents living within the incorporated city limits of Auburn. Exception to this rule may be made, at the discretion of the mayor and the city council, in instances where an appointee brings a special interest or talent to the board.

~~From and after February 21, 2006, when any member of the board has three unexcused absences in succession, or misses more than 25 percent of the regular meetings of the board during any calendar year, the mayor of the city shall have the authority to dismiss the member from the board without stating any cause for the dismissal, except as otherwise provided by law. (Ord. 6000 § 1, 2006; Ord. 5803 § 6, 2003; Ord. 3523 § 2, 1980.)~~

Section 7. Amendment to City Code. That Section 2.43.020 of the Auburn City Code be and the same hereby is amended to read as follows:

[TREE BOARD]

2.43.020 Membership.

There shall be seven members of the tree board who shall be appointed by the mayor and confirmed by the city council, and who shall serve at the pleasure of the city council. Members of the tree board shall be selected from residents living within the incorporated city limits of Auburn. Exception to this rule may be made, at the discretion of the mayor and the city council, in instances where an appointee brings a special interest or talent to the board.

~~From and after February 21, 2006, when any member of the board has three unexcused absences in succession, or misses more than 25 percent of the regular meetings of the board during any calendar year, the mayor of the city shall have the authority to to dismiss the member from the board without stating any cause for the dismissal, except as otherwise provided by law. (Ord. 5999 § 1, 2006; Ord. 5875 § 1, 2004; Ord. 5836 § 1, 2004.)~~

Section 8. Amendment to City Code. That Section 2.84.030 of the Auburn City Code be and the same hereby is amended to read as follows:

[ARTS COMMISSION] and

2.84.030 Membership – Term.

The membership of the arts commission shall be 12 members to be appointed by the mayor with the approval of and confirmed by the city council. ~~Of the first 12 members appointed, four for one year, four shall be appointed for two years and four shall be appointed for three years, with the respective terms of each initial appointee to be determined by lot. Subsequent appointments~~Members shall be appointed for a period of three years or for the unexpired balance of the term for which appointed, whichever is the lesser period. Members of the committee shall be subject to removal in accordance with the provisions of Chapter 2.30 ACC as it currently exists or as it may be amended

hereafter. In addition to the 12 appointed members, one member of the city council shall be designated by the mayor to serve as an ex officio member of the arts commission. (Ord. 5803 § 12, 2003; Ord. 4007 § 3, 1984.)

Section 9. Creation of New Section to City Code. That a new Section 2.30.040 of the Auburn City Code be and the same hereby is created to read as follows:

2.30.040. Limitation on serving on more than one board or commission.

No person may serve on more than one board or commission of the city as set forth in Title 2 of the city code for a period of more than 6 months.

Section 10. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 11. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 12. Effective date. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

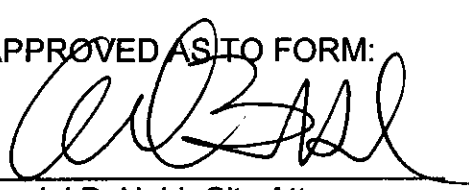
APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

Published: _____

Ordinance No. 6649

March 28, 2017