

	City Council Meeting April 1, 2019 - 7:00 PM City Hall Council Chambers AGENDA Watch the meeting LIVE! Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. CALL TO ORDER

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

II. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

- A. **Presentation of Life Saving Award**
Chief Bill Pierson will present a Life Saving Award to Officer Damon Hewin.
- B. **Arbor Day Proclamation**
Mayor Backus to proclaim April 18, 2019 as "Arbor Day" in the city of Auburn.
- C. **2019 Heritage Tree Proclamation**
Mayor Backus to proclaim the Douglas Fir, located at Auburndale Park, as our "2019 Heritage Tree" in the city of Auburn.

III. APPOINTMENTS

- A. **Urban Tree Board**
City Council to confirm the appointment of Tanya Galat to the Urban Tree Board for a three-year term to expire December 31, 2021.

(Recommended Action: Move to approve the appointment to the Urban Tree Board.)

IV. AGENDA MODIFICATIONS

V. CITIZEN INPUT, PUBLIC HEARINGS AND CORRESPONDENCE

- A. **Public Hearings - (No public hearing is scheduled for this evening.)**
- B. **Audience Participation**

This is the place on the agenda where the public is invited to speak to the City Council on any issue. 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 18, 2019 Regular City Council Meeting
- B. Claim Vouchers (Coleman)
Claims voucher list dated 4/1/2019 which includes voucher numbers 453019 through 453170 in the amount of \$1,097,264.24 and four wire transfers in the amount of \$757,387.07.
- C. Payroll Vouchers (Coleman)
Payroll check numbers 538386 through 538398 in the amount of \$582,521.80, electronic deposit transmissions in the amount of \$1,918,316.22 for a grand total of \$2,500,838.02 for the period covering March 14, 2019 to March 27, 2019.
- D. Public Works Project No. CP1804 (Gaub)
City Council to award Contract No. 19-06, to Rino Construction on their low bid of \$391,260.00 plus Washington State sales tax of \$4,552.50 for a total contract price of \$395,812.50 for Project No. CP1804, Auburn Way North Sidewalk Improvement Project

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

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

X. ORDINANCES

- A. Ordinance No.6712 (Coleman)
An Ordinance of the City Council of the City of Auburn, Washington, amending Ordinance No. 6693, the 2019-2020 Biennial Operating Budget ordinance, authorizing amendment to the City of Auburn 2019-2020 budget as set forth in schedule "A" and schedule "B"

(RECOMMENDED ACTION: Move to adopt Ordinance No. 6712.)

- B. Ordinance No. 6713 (Gaub)
An Ordinance of the City Council of the City of Auburn, Washington related to underground utilities; authorizing the City to construct and pay for underground electric and telecommunication utility facility connections, providing for an appeal to the Public Works Director, and amending section 13.32A.130 of the Auburn City Code

(RECOMMENDED ACTION: Move to adopt Ordinance No. 6713.)

XI. RESOLUTIONS

A. Resolution No. 5415 (Hinman)

A Resolution of the City Council of the City of Auburn, Washington, authorizing and supporting its grant funding application to the Port of Seattle for Economic Development Partnership Program funds

(RECOMMENDED ACTION: Move to adopt Resolution No. 5415.)

XII. MAYOR AND COUNCILMEMBER REPORTS

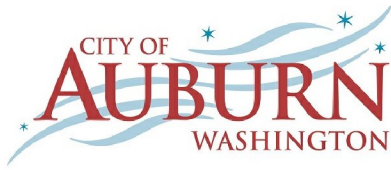
At this time the Mayor and City Council may report on significant items associated with their appointed positions on federal, state, regional and local organizations.

A. **From the Council**

B. **From the Mayor**

XIII. ADJOURNMENT

Agendas and minutes are available to the public at the City Clerk's Office, on the City website (<http://www.auburnwa.gov>), and via e-mail. Complete agenda packets are available for review at the City Clerk's Office.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes of the March 18, 2019 Regular City Council Meeting

Date:

March 26, 2019

Department:

City Council

Attachments:

[03-18-2019 Minutes](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

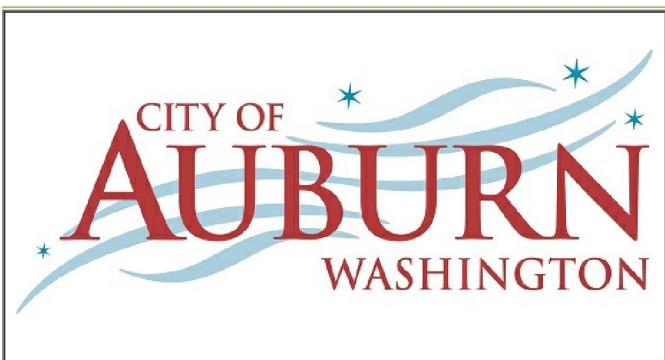
Revised Budget: \$0

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

Meeting Date: April 1, 2019

Staff:

Item Number: CA.A

	City Council Meeting March 18, 2019 - 7:00 PM City Hall Council Chambers MINUTES Watch the meeting LIVE! Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. **CALL TO ORDER**

Mayor Nancy Backus called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn City Hall, 25 West Main Street in Auburn.

A. **Pledge of Allegiance**

Mayor Backus led those in attendance in the Pledge of Allegiance.

B. **Roll Call**

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

Department directors and staff members present included: City Attorney Steve Gross, Director of Finance Shelley Coleman, Director of Administration Dana Hinman, Director of Innovation and Technology David Travis, Director of Public Works Ingrid Gaub, Director of Parks, Art and Recreation Daryl Faber, Economic Development Manager Doug Lein, Police Chief Bill Pierson and Deputy City Clerk Teresa Mattingly.

II. **ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS**

A. **Chief of Police Presentation**

Mayor Backus and Chief of Police Pierson presented Police Officers Michael Bateman, Stanley Sedillo, Matt Wilkinson and Ren Kapule with the Auburn Police Department Life Saving Medal Award for their efforts in reviving and saving an Auburn resident.

Mayor Backus thanked all the Auburn Police Officers for the professional work they do, their compassion and dedication, she also gave her personal gratitude to their families for allowing their loved ones to be part of the Auburn Police Department.

B. **Recognition of Auburn Mountainview High School Cheer Team**

Mayor Backus recognized Cheer Captain Taylor Altick, Sierra Zahnow, Elizabeth Enz, AvaClaire Andersen, Caitlin Barba-Burich, Isabelle Zahnow,

Chantelle Harms, Melina LaBoyne, Lily Hanley, Kendra Lewis, Saydee Alfrey, Kylie Alfrey, Katelyn Goodridge, Camryn Ketchum, Coach Shanna Biggs and Kaitlyn Hanley with the Auburn Mountainview High School Cheer Team for their winning season and accomplishments including; an undefeated season at the Washington Interscholastic Activities Association (WIAA) State Qualifiers, State Champions WIAA Medium NT Traditional, State Champions WIAA Small Game Day, 2nd Place in the Nation at the National High School Cheerleading Championship and winners of the 4A WIAA State Academic Award. The Mayor presented each member with a Certificate of Recognition for their outstanding accomplishments and thanked their families for all they do to allow their daughters to be successful.

C. Theatre in Our Schools Month Proclamation

Mayor Backus to proclaim March 2019 as "Theatre in Our Schools Month" in the city of Auburn.

Mayor Backus read and proclaimed March 2019 as "Theatre in Our Schools Month" in the City of Auburn.

Anna Van Vleet with the Auburn High School Theater Department Troupe 17, thanked the Mayor and Council for their support and for recognizing the importance of theatre arts in our schools.

III. APPOINTMENTS

A. Airport Advisory Board

City Council to confirm the appointment of Joseph Nessel to the Airport Advisory Board for a three-year term to expire December 31, 2021.

Deputy Mayor Peloza moved and Councilmember Baggett seconded to approve the appointment of Joseph Nessel to the Airport Advisory Board for a three-year term to expire on December 31, 2021.

MOTION CARRIED UNANIMOUSLY. 7-0

IV. AGENDA MODIFICATIONS

There was no modification to the agenda.

V. CITIZEN INPUT, PUBLIC HEARINGS AND CORRESPONDENCE

A. **Public Hearings - (No public hearing is scheduled for this evening.)**

B. **Audience Participation**

This is the place on the agenda where the public is invited to speak to the City Council on any issue. Those wishing to speak are reminded to sign in on the form provided.

Doug Happe, 420 E Main St, Auburn
Mr. Happe, Chairman of the Auburn Chamber of Commerce, requested a

meeting with Council to discuss fiscal issues in the City of Auburn.

Virginia Haugen, 2503 R St SE, Auburn

Ms. Haugen thanked Mayor Backus for honoring the cheerleaders and the police officers at tonight's Council meeting. She also expressed her concerns regarding property taxes and requested Council to look at the fiscal responsibilities for the whole community.

Carol Walker 1107 A Street NE, Auburn

Ms. Walker asked if the City could reroute the semi trucks coming down A Street NE. Director Gaub advised that the road is either a collector or a minor arterial and that the traffic is typical due to the road classification and the delivery locations of the businesses.

C. Correspondence

There was no correspondence for Council review.

VI. COUNCIL AD HOC COMMITTEE REPORTS

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

1. Finance Ad Hoc Committee (Chair Wales)

Councilmember Wales, Chair of the Finance Ad Hoc Committee, report she and Councilmember DaCorsi have reviewed the claims and payroll vouchers described on the Consent Agenda this evening and recommended their approval.

VII. CONSENT AGENDA

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

A. Minutes of the April 23, 2018, June 25, 2018 February 25, 2019 Study Session

B. Minutes of the March 4, 2018 Special City Council Meeting

C. Minutes of the March 4, 2019 Regular City Council Meeting

D. Claim Vouchers (Coleman)

Claims voucher numbers 452866 through 453018 in the amount of \$3,398,102.21 and four wire transfers in the amount of \$448,471.20 and dated March 18th, 2019.

E. Payroll Vouchers (Coleman)

Payroll check numbers 538370 through 538385 in the amount of \$236,761.31,

electronic deposit transmissions in the amount of \$1,962,532.78 for a grand total of \$2,199,294.09 for the period covering February 28, 2019 to March 13, 2019.

Deputy Mayor Peloza moved and Councilmember Holman seconded to approve the consent agenda.

MOTION CARRIED UNANIMOUSLY. 7-0

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. NEW BUSINESS

There was no new business.

X. RESOLUTIONS

A. Resolution No. 5402 (Gaub)

A Resolution of the City Council of the City of Auburn, Washington, approving the 2019 Stormwater Management Program Plan and authorizing the Mayor to provide the program plan in the National Pollutant Discharge Elimination System Western Washington Phase II Municipal Stormwater Permit annual report for 2018 to the Washington State Department of Ecology

Councilmember DaCorsi moved and Councilmember Wales seconded to adopt Resolution No. 5402.

MOTION CARRIED UNANIMOUSLY 7-0

B. Resolution No. 5412 (Hinman)

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute a fourth amendment to the lease agreement between the City of Auburn and Central Puget Sound Regional Transit Authority

Councilmember Holman moved and Councilmember Brown seconded to adopt Resolution No. 5412.

MOTION CARRIED UNANIMOUSLY 7-0

C. Resolution No. 5413 (Gaub)

A Resolution of the City Council of the City of Auburn, Washington, amending Section B, 5. Franchise Agreements Fees, of the current City of Auburn Master Fee Schedule

Councilmember Wales moved and Councilmember DaCorsi seconded to adopt Resolution No. 5413.

MOTION CARRIED UNANIMOUSLY 7-0

XI. MAYOR AND COUNCILMEMBER REPORTS

At this time the Mayor and City Council may report on significant items associated with

their appointed positions on federal, state, regional and local organizations.

A. From the Council

Deputy Mayor Peloza, reported he attended the WIRA 9 (Watershed Inventory Area No. 9) meeting.

Councilmember Trout-Manuel report she attended a workshop on Police Officers and Firefighters suicides at the National League of Cities conference.

Councilmember DaCorsi reported he attended the Affordable Housing Advisory Board meeting and the Senior Center Coffee Hour.

Councilmember Baggett reported he attended the Emergency Management Advisory Committee meeting.

B. From the Mayor

Mayor Backus reported she welcomed a group of students studying aviation, from Green River Community College and Clover Park Technical College from our Sister City in Guanghan, China. She also met with King County Councilmember Claudia Balducchi regarding the upcoming Parks Levy, attended the City of Des Moines Study Session to discuss Auburn passing the South King County Housing and Homeless Partnership (SKHHP) interlocal agreement, attended the National League of Cities Conference in Washington D.C with Deputy Mayor Peloza, Councilmember Holman and Trout-Manuel, and announced the State of the City address is on March 20 and invited everyone to attend.

XII. ADJOURNMENT

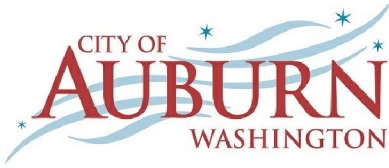
There being no further business to come before the Council, the meeting was adjourned at 8:00 p.m.

APPROVED this 1st day of April, 2019.

NANCY BACKUS, MAYOR

Teresa Mattingly, Deputy City Clerk

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AGENDA BILL APPROVAL FORM

Agenda Subject:

Claim Vouchers (Coleman)

Date:

March 27, 2019

Department:

Administration

Attachments:

No Attachments Available

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

approve claims vouchers

Background Summary:

Claims voucher list dated 4/1/2019 which includes voucher numbers 453019 through 453170 in the amount of \$1,097,264.24 and four wire transfers in the amount of \$757,387.07.

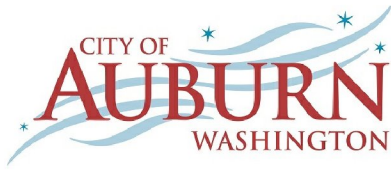
Reviewed by Council Committees:**Councilmember:****Staff:**

Coleman

Meeting Date: April 1, 2019

Item Number:

CA.B



AGENDA BILL APPROVAL FORM

Agenda Subject:

Payroll Vouchers (Coleman)

Date:

March 27, 2019

Department:

Administration

Attachments:

No Attachments Available

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

approve payroll vouchers

Background Summary:

Payroll check numbers 538386 through 538398 in the amount of \$582,521.80, electronic deposit transmissions in the amount of \$1,918,316.22 for a grand total of \$2,500,838.02 for the period covering March 14, 2019 to March 27, 2019.

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

Coleman

Meeting Date: April 1, 2019

Item Number:

CA.C



AGENDA BILL APPROVAL FORM

Agenda Subject:

Public Works Project No. CP1804 (Gaub)

Date:

March 25, 2019

Department:

Public Works

Attachments:

[Budget Status Sheet](#)

[Bid Tab Summary](#)

[Vicinity Map](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

City Council award Contract No. 19-06, to Rino Construction on their low bid of \$391,260.00 plus Washington State sales tax of \$4,552.50 for a total contract price of \$395,812.50 for Project No. CP1804, Auburn Way North Sidewalk Improvement Project.

Background Summary:

The City received seven (7) responsive bids and the low bid was approximately 9.30% below the engineer's estimate. Staff has performed reference checks and other verifications to determine that Rino Construction meets the responsible bidding criteria and recommends award.

The purpose of the project is to construct missing sections of sidewalk, construct ADA improvements, construct a Rectangular Rapid Flashing Beacon (RRFB) on Auburn Avenue just south of 5th Street NE, and install LED lighting along Auburn Way North.

Construction is expected to begin in May 2019 and be completed by August 2019.

A project budget contingency of \$25,200.00 remains in the 328 Capital Improvement fund and a project budget contingency of \$12,950.00 remains in the 462 Storm Drainage Fund.

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

Gaub

Meeting Date: April 1, 2019

Item Number:

CA.D

BUDGET STATUS SHEET

Project No: CP1804	Project Title: AWN Sidewalk Improvement Project
Project Manager: Luis Barba	

Initiation Date: 12/21/2017
 Advertisement Date: 3/5/2019
 Award Date: 4/1/2019

☐ Project Update
☐ Permission to Advertise
☒ Contract Award
☐ Change Order Approval
☐ Contract Final Acceptance

Date: March 25, 2019

Funds Budgeted (Funds Available)

Funding	Prior Years	2018 (Actual)	2019	Total
328 Fund - Citywide ADA and Sidewalks		87,750	160,000	247,750
328 Fund -State TIB Grant		263,250	0	263,250
462 Fund-Storm		0	76,000	76,000
Total	0	351,000	236,000	587,000

Estimated Cost (Funds Needed)

Activity	Prior Years	2018 (Actual)	2019	Total
Design Engineering - City Costs		74,906	12,000	86,906
Design Engineering - Permits		0	550	550
Construction Contract Bid		0	395,813	395,813
Authorized Construction Contingency (10%)		0	39,581	39,581
Construction Engineering - City Costs		0	26,000	26,000
Total	0	74,906	473,944	548,850

328 Capital Improvement Project Budget Status

	Prior Years	2018 (Actual)	2019	Total
*328 Funds Budgeted ()	0	(351,000)	(160,000)	(511,000)
328 Funds Needed	0	74,906	410,894	485,800
*328 Fund Project Contingency ()	0	(276,094)	0	(25,200)
328 Funds Required	0	0	250,894	0

462 Storm Budget Status

	Prior Years	2018 (Actual)	2019	Total
*462 Funds Budgeted ()	0	0	(76,000)	(76,000)
462 Funds Needed	0	0	63,050	63,050
*462 Fund Project Contingency ()	0	0	(12,950)	(12,950)
462 Funds Required	0	0	0	0

* (#) in the Budget Status Sections indicates Money the City has available.

ENG-270, Revised 12/17

Bid Tabulation - Bid Totals Summary

Project: CP1804, Auburn Way North Sidewalk Improvements , 19-06
 Prepared By: City of Auburn
 Bid Date: March 19, 2019

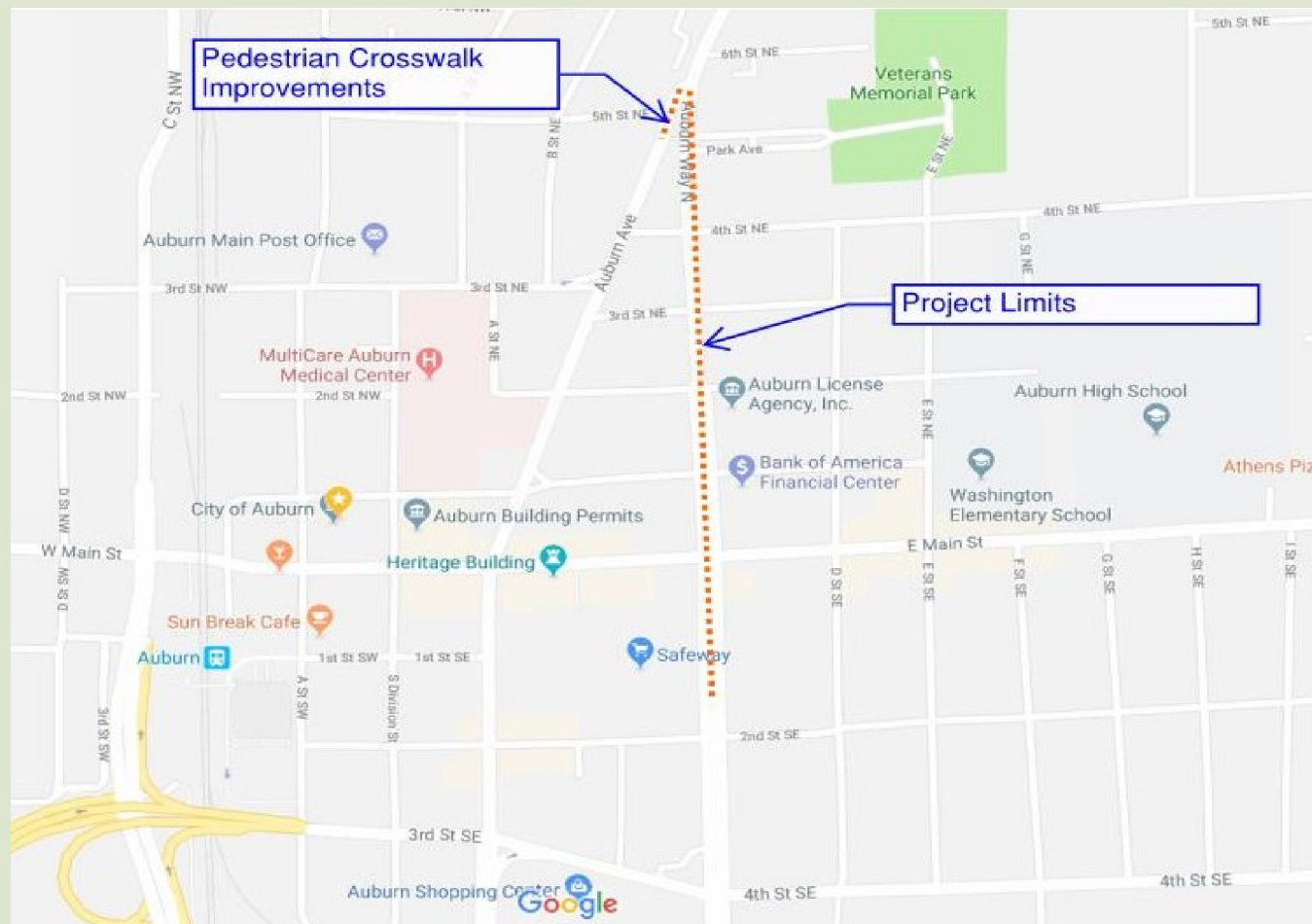
	W/O Tax	Inc. Tax	
ENGINEER'S ESTIMATE:	\$433,452.50	\$436,390.00	(not including tax)
AVERAGE BID AMOUNT:	\$450,486.83	\$453,940.97	

		Basic BID Amount	Total BID Amount	Total BID Spread \$	Total BID Spread %
LOW BIDDER:	Rino Construction	\$391,260.00	\$395,812.50	-\$40,577.50	-9.30%
Second Bidder:	Global Contractors, LLC	\$427,826.50	\$431,319.00	-\$5,071.00	-1.16%

	Basic BID (Tax not included)	Total BID (Including tax)
1. Rino Construction	\$391,260.00	\$395,812.50
2. Global Contractors, LLC	\$427,826.50	\$431,319.00
3. Northwest Cascade, Inc.	\$431,488.00	\$434,508.50
4. Nordvind Company	\$438,574.30	\$441,732.26
5. Sound Pacific Construction	\$453,365.00	\$456,383.50
6. R. W. Scott Construction Co.	\$470,571.00	\$473,666.50
7. Transportation Systems, Inc.	\$540,323.00	\$544,164.50

NOTE: An evaluation of whether a bidder is responsible or non-responsible was only made for the low bidder. This does not indicate, one way or the other, how other bidders would be considered if they were the low bidder.

PROJECT CP1804 VICINITY MAP



N
Not to Scale

SERVICE • ENVIRONMENT • ECONOMY • CHARACTER • SUSTAINABILITY • WELLNESS • CELEBRATION



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No.6712 (Coleman)

Date:

March 26, 2019

Department:

Finance

Attachments:

[Memo](#)

[Ordinance No. 6712](#)

[Schedule A](#)

[Schedule B](#)

Budget Impact:**Administrative Recommendation:**

City Council to introduce and adopt Ordinance No. 6712

Background Summary:

Ordinance No. 6712 (Budget Amendment #1) amends the 2019-2020 Adopted Budget as presented in the attached transmittal memorandum and supporting attachments.

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

Coleman

Meeting Date: April 1, 2019

Item Number:

ORD.A



Interoffice Memorandum

To: City Council
From: Shelley Coleman, Finance Director
CC: Nancy Backus, Mayor
Date: March 20, 2019
Re: Ordinance #6712 – 2019-2020 Budget Amendment #1

Budget Amendment #1 is the first amendment of the City of Auburn's 2019-2020 biennial budget. For details on specific requests to amend the 2019 budget, please refer to the accompanying ***Schedule A, Summary of 2019 Budget Adjustments by Fund***.

The main purpose of the first budget amendment of the year is to carry forward remaining 2018 budget authority for identified programs and costs that were budgeted in 2018 but not completed. The requested unspent budget authority from 2018 to be carried forward into the 2019 budget year for all funds is \$1,308,950.

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, and requests for funding for costs not anticipated in the 2019 budget.

Carryforward of unspent expenditure spending authority from 2018: This amendment enables the completion of various contracts in 2019 by carrying forward unspent resources at the end of 2018. Note that carry forwards in capital funds are not included in this budget amendment due to the adoption of multi-year capital budget, as approved in Ordinance No. 6682. Totals requested to be carried forward by fund are:

General Fund (Fund 001)	\$ 539,000
<u>Other Funds:</u>	
• Hotel/Motel Tax Fund (Fund 104)	\$ 6,650
• Housing & Community Development Fund (Fund 119)	269,900
• BIA Fund (Fund 121)	5,400
• Water Utility (Fund 430)	115,200
• Sewer Utility (Fund 431)	12,100
• Storm Drainage Utility (Fund 432)	13,800
• Airport Fund (Fund 435)	40,000
• Facilities Fund (Fund 505)	136,000
• Innovation & Technology Fund (Fund 518)	124,500
• Equipment Rental Capital Fund (Fund 560)	46,400
TOTAL	\$ 769,950

Revenue Adjustments:

- Reduce Private Security Revenues: This amendment adjusts 2019 estimated private security revenues in the General Fund downward by \$130,000 to reflect a lower level of service being requested by area businesses. Associated overtime and related costs will also be reduced in this amendment to offset the reduction in revenues.
- New Grant Revenues: This amendment increases General Fund revenues by \$72,300 to reflect new grant awards. Associated expenditure authority is being requested to reflect the use of these funds.

Expenditure Funding Adjustments: Expenditure funding adjustment requests included in this budget amendment revise the spending authority for existing programs. Total expenditure funding adjustment requests equal \$102,100, and include:

- Increase budget for landscaping costs due to new state prevailing wage requirements: This amendment adjusts 2019 estimated expenditures upward by \$27,100 to cover unanticipated increases in landscaping services costs resulting from the new Washington State Prevailing Wage requirements.
- Provide additional funding for the Pedestrian Accessibility and Safety Program: This amendment increases budget for the design and construction of pedestrian accessibility and safety improvements by \$75,000 to address citizen requests and identified high-priority concerns.

New Funding Requests: Requests for new funding

• Accelerate funding for Academy Pump Station replacement project from 2020 to 2019; to be bond funded	\$ 285,000
• Accelerate funding for Lea Hill AC Main replacement project from 2020 to 2019; to be bond funded	235,000
• Funding for vehicles originally scheduled for replacement in 2017	178,300
• Increase funding to pay downtown development traffic impact fees in catalyst area	150,000
• Replace electrical services/panels at City Hall	104,600
• Replace patrol unit beyond useful life	58,600
• Purchase truck and provide additional funding for tractor at the Auburn Airport	36,200
• Provide additional funding for 2019 Auburn Adventure Film Festival	35,000
• Change maintenance of Airport facilities from in-house to contracted services	13,200
• Additional budget for Senior Center kitchen equipment	12,000
TOTAL	\$ 1,247,900

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

Table 1: 2019 Budget as Amended

2019 Adopted Budget	\$ 315,500,679
Budget Amendment #1 (Ord #6712)	<u>1,630,750</u>
Budget as Amended	\$ 317,131,429

Attachments:

- ❖ 1. Proposed Ordinance #6712 (budget adjustment #1)
- ❖ 2. Summary of proposed 2019 budget adjustments by fund and department (Schedule A)
- ❖ 3. Summary of proposed changes to adopted 2019 budget by fund (Schedule B)

ORDINANCE NO. 6712

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING ORDINANCE NO. 6693, THE 2019-2020 BIENNIAL OPERATING BUDGET ORDINANCE, AUTHORIZING AMENDMENT TO THE CITY OF AUBURN 2019-2020 BUDGET AS SET FORTH IN SCHEDULE "A" AND SCHEDULE "B"

WHEREAS, the Auburn City Council at its regular meeting of December 3, 2018, adopted Ordinance No. 6693 which adopted the City of Auburn 2019-2020 Biennial budget; and

WHEREAS, the City of Auburn deems it necessary to appropriate additional funds to the various funds of the 2019 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 2019-2020 Biennial Budget. The 2019-2020 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" and Schedule "B". A copy of said Schedule "A" and Schedule "B" is on file with the City Clerk and available for public inspection.

Section 2. Implementation. The Mayor is authorized to implement those administrative procedures necessary to carry out the directives of this legislation.

Section 3. 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 of it to any person or circumstance, will not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 4. Effective date. This Ordinance will 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:

Shawn Campbell, MMC, City Clerk

APPROVED AS TO FORM:

Steven L. Gross, City Attorney

Published: _____

Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
General Fund (#001)				
2019 Adopted Budget	18,037,042	72,145,986	77,788,165	12,394,863
BA#1 (Ordinance #6712, Proposed):	539,000	(27,700)	538,400	(27,100)
Parks Department:				
Increase 4Culture for Local Arts grant revenue and associated expenditures	-	12,000	12,000	-
Accept and expend grant funds for Auburn International Farmers Market	-	20,000	20,000	-
Accept and expend 4Culture Historic Preservation grant funding	-	3,000	3,000	-
Accept and expend tourism grants (Transfer from F104)	-	8,500	8,500	-
Incr budget for landscaping costs due to new state prevailing wage requirements	-	-	27,100	(27,100)
Community Development Department:				
Carry forward funding for façade improvement program	171,300	-	171,300	-
Carry forward funding for Auburn Way South Corridor Plan	80,000	-	80,000	-
Police Department:				
Reduce private security revenues and associated expenditures	-	(130,000)	(130,000)	-
Carry forward funding for automatic vehicle locator system (T/F to F568)	22,500	-	22,500	-
Carry forward funding for electronic parking ticket system	43,000	-	43,000	-
Public Works Department:				
Carry forward funding for 15th Street NE/NW Preservation project (cp1521)	36,500	-	36,500	-
Administration Department:				
Accept and expend federal Emergency Management Performance Grant	-	28,800	28,800	-
Carry forward budget for Buy Local Auburn Program (from BA#5) (T/F from F518)	-	30,000	30,000	-
Collaborative / Multi-Departmental:				
C/F funds to implement Crime Prevention through Environmental Design proj	28,600	-	28,600	-
Carry forward budget for evaluation of commercial properties	30,000	-	30,000	-
Non-Departmental:				
C/F funding for cyber security management system project (Transfer to F518)	35,500	-	35,500	-
Carry forward funding for CRM system projects (Transfer to F518)	41,600	-	41,600	-
Carry forward funding for LEOFF1 reimbursement of long-term care expenses	50,000	-	50,000	-
Revised 2019 Budget - Fund 001	18,576,042	72,118,286	78,326,565	12,367,763

Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
Arterial Street Fund (#102)				
2019 Adopted Budget	1,492,777	1,633,100	1,781,400	1,344,477
BA#1 (Ordinance #6712, Proposed):	-	-	75,000	(75,000)
Provide additional funding for Pedestrian Accessibility and Safety Program	-	-	75,000	(75,000)
102.00.594.420.65 CONSTRUCTION PROJECTS			75,000	
102.00.599.200.06 UNDESIGNATED ENDING FUND BAL				(75,000)
Revised 2019 Budget - Fund 102	1,492,777	1,633,100	1,856,400	1,269,477

Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
Hotel/Motel Tax Fund (#104)				
2019 Adopted Budget	108,571	153,600	160,050	102,121
BA#1 (Ordinance #6712, Proposed):	6,650	-	41,650	(35,000)
C/F and provide additional funding for 2019 Auburn Adventure Film Festival	6,650	-	41,650	(35,000)
Accept and expend tourism grants (Transfer to General Fund)	-	-	-	-
Revised 2019 Budget - Fund 104	115,221	153,600	201,700	67,121

Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
Housing & Comm Develop Fund (#119)				
2019 Adopted Budget	36,458	590,000	590,000	36,458
BA#1 (Ordinance #6712, Proposed):	269,900	-	269,900	-
Carry forward unspent CDBG grant funds	269,900	-	269,900	-
Revised 2019 Budget - Fund 119	306,358	590,000	859,900	36,458

Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
BIA Fund (#121)				
2019 Adopted Budget	109,473	55,200	90,000	74,673
BA#1 (Ordinance #6712, Proposed):	5,400	-	5,400	-
C/F funds to implement Crime Prevention through Environmental Design proj	5,400	-	5,400	-
Revised 2019 Budget - Fund 121	114,873	55,200	95,400	74,673

Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
Mitigation Fees Fund (#124)				
2019 Adopted Budget	10,886,137	1,196,200	2,980,350	9,101,987
BA#1 (Ordinance #6712, Proposed):	-	150,000	-	150,000
Incr funding to pay downtown development traffic impact fees in catalyst area	-	150,000	-	150,000
Revised 2019 Budget - Fund 124	10,886,137	1,346,200	2,980,350	9,251,987

Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
Capital Improvements Fund (#328)				
2019 Adopted Budget	10,404,627	5,775,300	8,500,550	7,679,377
BA#1 (Ordinance #6712, Proposed):	-	54,000	204,000	(150,000)
C/F remaining budget for Senior Center kitchen equipment (T/F from F505)	-	54,000	54,000	-
Incr funding to pay downtown development traffic impact fees in catalyst area	-	-	150,000	(150,000)
Revised 2019 Budget - Fund 328	10,404,627	5,829,300	8,704,550	7,529,377

Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
Water Fund (#430)				
2019 Adopted Budget	3,787,175	15,678,500	14,334,065	5,131,610
BA#1 (Ordinance #6712, Proposed):	115,200	-	115,200	-
Carry forward funds for hydraulic modeling	100,000	-	100,000	-
C/F funding for cyber security management system project (Transfer to F518)	7,000	-	7,000	-
Carry forward funding for CRM system projects (Transfer to F518)	8,200	-	8,200	-
Revised 2019 Budget - Fund 430	3,902,375	15,678,500	14,449,265	5,131,610

Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
Sewer Fund (#431)				
2019 Adopted Budget	4,267,149	9,104,200	7,842,663	5,528,686
BA#1 (Ordinance #6712, Proposed):	12,100	-	12,100	-
C/F funding for cyber security management system project (Transfer to F518)	5,600	-	5,600	-
Carry forward funding for CRM system projects (Transfer to F518)	6,500	-	6,500	-
Revised 2019 Budget - Fund 431	4,279,249	9,104,200	7,854,763	5,528,686

Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
Storm Drainage Fund (#432)				
2019 Adopted Budget	2,859,814	10,156,900	8,865,312	4,151,402
BA#1 (Ordinance #6712, Proposed):	13,800	-	13,800	-
C/F funding for cyber security management system project (Transfer to F518)	6,400	-	6,400	-
Carry forward funding for CRM system projects (Transfer to F518)	7,400	-	7,400	-
Revised 2019 Budget - Fund 432	2,873,614	10,156,900	8,879,112	4,151,402

Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
Airport Fund (#435)				
2019 Adopted Budget	434,633	1,218,600	1,353,493	299,740
BA#1 (Ordinance #6712, Proposed):	40,000	-	53,200	(13,200)
Carry forward funding for tree trimming, currently in permitting process	40,000	-	40,000	-
Change maintenance of Airport facilities from in-house to contracted services	-	-	13,200	(13,200)
Revised 2019 Budget - Fund 435	474,633	1,218,600	1,406,693	286,540

Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
Water Capital Fund (#460)				
2019 Adopted Budget	138,010	9,037,400	6,612,686	2,562,724
BA#1 (Ordinance #6712, Proposed):	-	-	520,000	(520,000)
Move funding for Lea Hill AC Main repl. from 2020 to 2019; to be bond funded	-	-	235,000	(235,000)
Move funding for Academy Pump Sta. repl. from 2020 to 2019; to be bond funded	-	-	285,000	(285,000)
Revised 2019 Budget - Fund 460	138,010	9,037,400	7,132,686	2,042,724

Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
Airport Capital Fund (#465)				
2019 Adopted Budget	146,405	2,093,700	2,140,500	99,605
BA#1 (Ordinance #6712, Proposed):	-	-	36,200	(36,200)
Purchase truck and provide additional funding for tractor at the Auburn Airport	-	-	36,200	(36,200)
Revised 2019 Budget - Fund 465	146,405	2,093,700	2,176,700	63,405

Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
Facilities Fund (#505)				
2019 Adopted Budget	1,412,874	3,532,500	3,894,563	1,050,811
BA#1 (Ordinance #6712, Proposed):	136,000	(31,400)	288,000	(183,400)
Change maintenance of Airport facilities from in-house to contracted services	-	(31,400)	-	(31,400)
C/F remaining budget for Senior Center kitchen equipment (Transfer to F328)	42,000	-	54,000	(12,000)
Replacement of electrical services/panels at City Hall	-	-	140,000	(140,000)
Carry forward funding for demolition of caretaker home at Game Farm Park	94,000	-	94,000	-
Revised 2019 Budget - Fund 505	1,548,874	3,501,100	4,182,563	867,411

Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
Innovation & Technology Fund (#518)				
2019 Adopted Budget	2,573,504	6,429,110	6,437,640	2,564,974
BA#1 (Ordinance #6712, Proposed):	124,500	118,200	242,700	-
C/F funding for cyber security management system project (T/F frm various funds)	-	54,500	54,500	-
Carry forward funding for CRM system projects (Transfer from various funds)	-	63,700	63,700	-
C/F budget for Buy Local Auburn Program (from BA#5) (T/F to General Fund)	30,000	-	30,000	-
C/F Multimedia funding to publish the quarterly Auburn Magazine in-house	94,500	-	94,500	-
Revised 2019 Budget - Fund 518	2,698,004	6,547,310	6,680,340	2,564,974

Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
Equipment Rental Fund (#550)				
2019 Adopted Budget	3,091,626	2,007,606	2,746,591	2,352,641
BA#1 (Ordinance #6712, Proposed):	-	-	104,600	(104,600)
Funding for replacement of 24 golf carts beyond useful life – fully paid in	-	-	104,600	(104,600)
Revised 2019 Budget - Fund 550	3,091,626	2,007,606	2,851,191	2,248,041

Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
Equipment Rental Capital Fund (#560)				
2019 Adopted Budget	3,663,110	2,741,994	3,102,450	3,302,654
BA#1 (Ordinance #6712, Proposed):	46,400	36,200	319,500	(236,900)
Funding for vehicles originally scheduled for replacement in 2017	46,400	-	224,700	(178,300)
Funding to replace patrol unit beyond useful life - fully paid in	-	-	58,600	(58,600)
Purchase truck and provide additional funding for tractor at the Auburn Airport	-	36,200	36,200	-
Revised 2019 Budget - Fund 560	3,709,510	2,778,194	3,421,950	3,065,754

Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
IT Capital Fund (#568)				
2019 Adopted Budget	1,169,997	-	869,300	300,697
BA#1 (Ordinance #6712, Proposed):	-	22,500	22,500	-
Carry forward funding for automatic vehicle locator system (T/F from Gen'l Fund)	-	22,500	22,500	-
Revised 2019 Budget - Fund 568	1,169,997	22,500	891,800	300,697

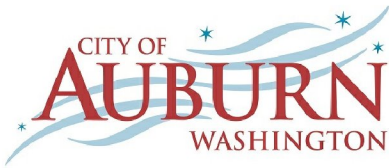
Schedule A
Summary of 2019 Budget Adjustments by Fund
Budget Amendment #1 (Ordinance #6712)

	Beg. Fund Balance	2019 Revenues	2019 Expenditures	Ending Fund Balance
Grand Total - All Funds				
2019 Adopted Budget	121,191,833	194,308,846	207,147,258	108,353,421
TOTAL BA#1 (Ordinance #6712, Proposed)	1,308,950	321,800	2,862,150	(1,231,400)
Revised 2019 Budget	122,500,783	194,630,646	210,009,408	107,122,021
		317,131,429		317,131,429

Schedule B

2019 Appropriations by Fund

Fund	2019 Adopted Budget	BA#1 (Ord #6712)	Revised Budget
General Fund (#001)	90,183,028	511,300	90,694,328
Arterial Street Fund (#102)	3,125,877	-	3,125,877
Local Street Fund (#103)	3,562,780	-	3,562,780
Hotel Motel Fund (#104)	262,171	6,650	268,821
Arterial Street Preservation Fund (#105)	4,541,657	-	4,541,657
Drug Forfeiture Fund (#117)	531,497	-	531,497
Housing & Community Development Grant Fund (#119)	626,458	269,900	896,358
Recreation Trails Fund (#120)	71,426	-	71,426
Business Improvement Area Fund (#121)	164,673	5,400	170,073
Cumulative Reserve Fund (#122)	10,304,512	-	10,304,512
Mitigation Fees Fund (#124)	12,082,337	150,000	12,232,337
1998 Library Fund (#229)	-	-	-
2010 Annex A&B Bond Debt Fund (#230)	1,664,900	-	1,664,900
2010 C&D Local Revitalization Debt Fund (#231)	601,696	-	601,696
SCORE Debt Service Fund (#238)	2,129,800	-	2,129,800
LID Guarantee Fund (#249)	1,648	-	1,648
LID #350 (#275)	16,059	-	16,059
Golf/Cemetery 2016 Refunding (#276)	374,100	-	374,100
Municipal Park Construction Fund (#321)	2,380,772	-	2,380,772
Capital Improvements Fund (#328)	16,179,927	54,000	16,233,927
Local Revitalization Fund (#330)	484,500	-	484,500
Water Fund (#430)	19,465,675	115,200	19,580,875
Sewer Fund (#431)	13,371,349	12,100	13,383,449
Storm Drainage Fund (#432)	13,016,714	13,800	13,030,514
Sewer Metro Fund (#433)	21,556,967	-	21,556,967
Solid Waste Fund (#434)	21,805,275	-	21,805,275
Airport Fund (#435)	1,653,233	40,000	1,693,233
Cemetery Fund (#436)	1,628,060	-	1,628,060
Water Capital Fund (#460)	9,175,410	-	9,175,410
Sewer Capital Fund (#461)	11,945,391	-	11,945,391
Storm Drainage Capital Fund (#462)	13,898,388	-	13,898,388
Airport Capital Fund (#465)	2,240,105	-	2,240,105
Cemetery Capital Fund (#466)	394,037	-	394,037
Insurance Fund (#501)	1,949,070	-	1,949,070
Workers Compensation Self Insurance Fund (#503)	3,300,188	-	3,300,188
Facilities Fund (#505)	4,945,374	104,600	5,049,974
Innovation and Technology Fund (#518)	9,002,614	242,700	9,245,314
Equipment Rental Fund (#550)	5,099,232	-	5,099,232
Equipment Rental Capital Fund (#560)	6,405,104	82,600	6,487,704
IT Capital Fund (#568)	1,169,997	22,500	1,192,497
Fire Pension Fund (#611)	2,326,269	-	2,326,269
Cemetery Endowment Fund (#701)	1,862,409	-	1,862,409
Total	315,500,679	1,630,750	317,131,429



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6713 (Gaub)

Date:

March 27, 2019

Department:

Public Works

Attachments:

[Ordinance No. 6713](#)

[Exhibit A](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

City Council introduce and adopt Ordinance No. 6713.

Background Summary:

This ordinance makes revisions to Auburn City Code (ACC) 13.32A.130, Underground Wiring. The proposed revisions are to sections related to converting aerial power and communication lines to underground as part of City projects. The current code requires properties with service connections to lines that are being undergrounded as part of a City project to either pay for the cost of undergrounding their private service line connections or to disconnect and remove the private service line connections. This requirement is to allow the City to have the utility poles removed from the public right-of-way and removes potential obstructions. These two options can be problematic to property owners as undergrounding the service connections is expensive and disconnecting them would result in the property being without electricity and telephone. These challenges can delay a City project that includes undergrounding and can result in additional costs to the City and impacts to the public.

The proposed code changes would provide a third option that would allow the City to connect the property to the newly undergrounded lines when it is determined to be in the best interest of the City's infrastructure and the public. Such a connection would be located outside of any building structures.

This ordinance was reviewed and discussed at the Council Study Session on March 25, 2019 and staff received consensus from the City Council to bring it forward for adoption.

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

Gaub

Meeting Date: April 1, 2019

Item Number:

ORD.B

ORDINANCE NO. 6713

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON RELATED TO UNDERGROUND UTILITIES; AUTHORIZING THE CITY TO CONSTRUCT AND PAY FOR UNDERGROUND ELECTRIC AND TELECOMMUNICATION UTILITY FACILITY CONNECTIONS, PROVIDING FOR AN APPEAL TO THE PUBLIC WORKS DIRECTOR, AND AMENDING SECTION 13.32A.130 OF THE AUBURN CITY CODE.

WHEREAS, the City's policy is to underground electric and telecommunication utility facilities whenever it is possible to reduce the number of power poles within the clear zone of a roadway and other public safety risks; and

WHEREAS, when underground utility facilities become available in the public rights-of-way, property owners must connect to the underground utility service or disconnect from the utility service; and

WHEREAS, the City Engineer has determined that it is in the best interest of the public for the City to conduct and pay for the underground electric and telecommunication utility connection to private property outside of structures when a failure to do so might result in construction delays and to avoid a temporary power structure in the clear zone; and

WHEREAS, the City will obtain additional consideration for the underground utility connection to private property through a separate agreement for the property owner to maintain their private underground power line and a construction easement, if necessary.

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

Section 1. Amendment to City Code. Section 13.32A.130 of the Auburn City Code is amended to read as shown in Exhibit A.

Section 2. Implementation. The Mayor is authorized to implement those administrative procedures necessary to carry out the directives of this legislation.

Section 3. 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 of it to any person or circumstance, will not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 4. Effective date. This Ordinance will 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:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Steven L. Gross, City Attorney

Published: _____

13.32A.130

A. *City Responsibilities.*

1. When service from underground electric and telecommunication utility facilities becomes available in all or part of a conversion area, the city engineer ~~shall~~ will issue a directive to the owners of all structures or improvements with service connections to the existing or temporary overhead utility facilities in the area by means of mailing a certified notice stating that:

- ~~_____ a. S~~ service from the underground utility facilities is available and notifying the property owners of the owner's responsibilities;
- ~~_____ b. To facilitate completion of the city's project, all electric and telecommunication service connections from the existing aerial utility facilities within the area to any structure or improvement must be decommissioned, disconnected and removed within 90 calendar days after the date of mailing;~~
- ~~_____ c. Should such owner fail to complete conversion of such service connections from the aerial system to the underground system within 90 calendar days after the date of mailing, the city will order the electric and telecommunication utilities to disconnect and remove the service connections;~~
- ~~d. The owner may object to the disconnection and removal of the service lines as provided in subsection D of this section.~~
- ~~_____ 2. Time in consummating such connection and disconnection of aerial services is of the essence and such notice to the property owner or occupant of the affected premises may be mailed.~~

B. *Property Owner's Responsibilities.*

1. To facilitate completion of the city's project, all electric and telecommunication service connections from the existing aerial utility facilities within the area to any structure or improvement must be decommissioned, disconnected and removed within 90 calendar days after the date of mailing. After existing aerial utility facilities identified by the City's notice in section A have been decommissioned, disconnected, and removed, the Property Owner must:

- ~~_____ a. Convert the service connections from the aerial system to the underground system within 90 calendar days after the date of receipt of the notice or the City will order the electric and telecommunication utilities to disconnect and remove the service connections. If the owner has filed written objections to this disconnection and removal with the city clerk within 30 calendar days after the date of mailing, the City will not order disconnection and removal until after the appeal hearing on those objections; or~~

b. Notify the city engineer in writing within 30 calendar days after the date of receipt of the notice provided under Section A that the Property Owner wants to discontinue utility service; or

c. If the city engineer determines it is in the best interest of the public and the City's infrastructure system for the City to complete the service connection from the underground system to the existing aerial service point of connection and the Property Owner desires the City to do so, the Property Owner will enter into an agreement with the City within 90 calendar days after the date of mailing to provide Property access to complete the conversion.

~~Such conversion of the service connection, including installation of any underground service connections, shall be completed within 90 calendar days of the city's mailing set forth in subsection A of this section and RCW 35.96.050 that service from the underground utility facilities is available.~~

~~—2. Property owners wishing to discontinue utility service shall provide written notice of that intent to the city engineer within 30 calendar days of receipt of the city engineer's notice that the underground system is available for service.~~

~~—3. If the owner of any structure or improvement with a service connection to an existing aerial electric and/or telecommunication utility facility within a conversion area fails to convert the service connection from aerial to underground service within 90 calendar days after the date of the mailing of the notice set forth in subsection A of this section, the city engineer shall order the electric and/or telecommunication utilities to disconnect and remove all such service connection; provided, that if the owner has filed written objections to such disconnection and removal with the city clerk within 30 calendar days after the mailing, then the city shall not order such disconnection and removal until after the appeal hearing on such objections.~~

C. Financial Responsibilities.

1. For city projects, the cost of relocating existing utility aerial distribution facilities ~~shall~~will be borne by the serving utility and the city in accordance with the filed tariffs or franchise agreement. ~~In absence of a~~If there is no filed tariff or franchise agreement, the cost of the relocation of existing aerial distribution facilities ~~shall~~will be borne by the serving utility.

2. For city projects, the undergrounding of the service connections for real property served by the aerial electric or telecommunication utility facilities that are being relocated underground ~~shall~~will be at the owner(s)'s expense, including:

a. Decommission, disconnect, and remove the service connections from those utility facilities to any structures or improvements located on the property.

b. Either install underground service connections to those structures/improvements on the property or, ~~upon~~ approval of the city engineer, discontinue utility service to one or more of the structures/improvements on the property.

Services that are being connected by the city per ACC 13.32A.130(B)(1)(c) are exempted from this requirement and the City will be financially responsible for those connection costs.

3. All ~~such~~ conversion of utility facilities to underground facilities may be undertaken by local improvement district or as otherwise permitted by law and as further authorized by RCW 35.96.030 and 35.96.040.

D. *Appeal Procedures.*

1. A ~~property owner~~Property Owner may ~~object~~appeal to the public works director the disconnection and removal of an aerial service connection by filing a written objection ~~thereto~~ with the city clerk within ~~30 calendar~~20 working days after the date of the mailing of the notice set forth in subsection A of this section. Failure to file a timely written objection within such time will constitute a waiver of the owner's right ~~thereafter~~ to object to such disconnection and removal. The public works director will have 15 working days to review the appeal, decide whether to uphold or modify the city engineer's decision, and notify the property owner of such decision.

- ~~2. Upon the timely filing by the owner of an objection, the owner shall have the right to file an appeal of the city engineer's directive, which shall be heard by the city of Auburn hearing examiner.~~

- ~~32. All appeals filed pursuant to this section of the public works director's decision must be filed in writing with the public works director within 10 working days of the public work director's decision. filing date of the owner's written objection and shall~~Appeals must specify the error of law or fact, or new evidence which could not have been reasonably available at the time of the ~~city engineer~~public work director's decision, which shall constitute the basis of the complaint.

- ~~4. Upon receipt of a timely written appeal, the public works director shall review the materials submitted and prepare a written staff report detailing the rationale of the city engineer's directive and findings of fact for the hearing examiner.~~

- ~~53. The public works director shall schedule the hearing in accordance with Chapter 2.46 ACC and notify the contesting party of the scheduled hearing~~Appeals will be heard by the city's hearing examiner pursuant to Chapter 2.46 ACC. Decisions of the hearing examiner will be based on whether the decision being appealed was consistent with applicable state law and city codes.

- ~~4. Upon receipt of a timely written appeal, the hearing examiner will review the materials submitted and prepare findings of fact. The hearing examiner decision will be final.~~ (Ord. 6442 § 8, 2012; Ord. 6238 § 2, 2009.)



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5415 (Hinman)

Date:

March 18, 2019

Department:

Administration

Attachments:

[Resolution 5415](#)
[Economic Development Partnership Agreement](#)
[Between the Port of Seattle and City of Auburn](#)

Budget Impact:

Current Budget: \$0
Proposed Revision: \$0
Revised Budget: \$0

Administrative Recommendation:

Adoption of Resolution No. 5415 authorizing the Mayor to enter into an agreement with the Port of Seattle for grant funds in the amount of \$65,000.00

Background Summary:

The Port of Seattle has authorized a 3rd round of grant funding for an Economic Development Partnership Program. More than \$962,000 is available to cities in King County as 2 to 1 matching funds. The grant funds are available on a \$1.00 per capita ratio with a maximum of \$65,000.00. As part of the program Cities receiving funding from the Port of Seattle are required to match \$0.50 on the dollar of Port grant monies, equating to \$32,500.00 for the City of Auburn.

The City of Auburn participated in the first and second rounds of the partnership programs where, among other things the City established and opened up a Business Incubator located in the Auburn Transit Station.

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

Hinman

Meeting Date: April 1, 2019

Item Number:

RES.A

RESOLUTION NO 5415

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE MAYOR TO SUBMIT A GRANT FUNDING APPLICATION TO THE PORT OF SEATTLE FOR ECONOMIC DEVELOPMENT PARTNERSHIP PROGRAM FUNDS AND TO ACCEPT AND EXPEND GRANT FUNDS

WHEREAS, the Port of Seattle has authorized an Economic Development Partnership Program to support local economic development activities; and

WHEREAS, more than \$962,000 in matching funds is available to King County cities; and

WHEREAS, if its application is approved, the City of Auburn would receive \$65,000, for the following eligible activities: business recruitment initiatives designed to attract new companies to a region or city; small business development (including incubator/accelerator projects); industry retention and expansion assistance (ex. Maritime, Aerospace, etc.); tourism development; downtown revitalization; commercial or industrial property development; and other community or economic development projects that support new investment and job creation. Auburn may collaborate with regional partners to enhance impact.

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

Section 1. The Auburn City Council authorizes the Mayor to apply to the Port of Seattle for 2019 Economic Development Partnership Program grant

funds. If the application is approved, the Mayor is authorized to enter into grant agreements, and to expend the grant funds within budgeted amounts

Section 2. Implementation. The Mayor is authorized to implement administrative procedures necessary to carry out the directives of this Resolution.

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

Dated and Signed this _____ day of _____, 2019.

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Steven L. Gross, City Attorney



**ECONOMIC DEVELOPMENT PARTNERSHIP AGREEMENT
BETWEEN
THE PORT OF SEATTLE AND CITY OF AUBURN
S-00319760**

This Economic Development Partnership Agreement (the "Agreement") is made by and between the Port of Seattle (the "Port") and the City of Auburn ("Agency"), both municipal corporations of the State of Washington (each, a "Party" or, collectively, the "Parties").

RECITALS

WHEREAS, engaging in the promotion of economic development is a recognized Port purpose authorized under RCW 53.08.245; and

WHEREAS, RCW 35.21.703 similarly authorizes cities to engage in economic development programs; and

WHEREAS, RCW 53.08.240(2) permits the Port to contract with another municipality to perform such undertakings each is authorized to perform; and

WHEREAS, the Port Commission of the Port of Seattle established the Economic Development Partnership Program (the "Program"), to advance the Port's Century Agenda, promote a dramatic growth agenda, support the creation of middle class jobs and help address the lack of economic development funding for local projects; and

WHEREAS, grant funding across the region is very limited for cities that want to pursue economic development projects or initiatives, and Washington State has not had an economic development grant program for over 20 years; and

WHEREAS, the Program will provide 38 King County cities per capita funding to advance local economic development throughout the region, and requires a 50% local match by the cities that receive the grants; and

WHEREAS, the Program will help the Port advance regional economic vitality through focused partnerships with King County cities; and

WHEREAS, the Program will make grants to cities that pursue programs and projects that stimulate business development, job creation and community revitalization, such as small business development, industry retention and expansion, and other economic development projects that support new investment and job

creation;

NOW, THEREFORE the parties agree as follows:

1. Purpose. The purpose of this Agreement is to establish a contractual arrangement under which the Port will pay the Agency Program funds in the amount set forth on Section 2 solely for the purpose of carrying out the local initiative described in Exhibit A, attached and incorporated hereto by this reference (the "Project"). This Agreement shall be interpreted in furtherance of this purpose.
2. Responsibilities of the Port. The Port shall contribute Sixty-five Thousand and 00/100 Dollars (\$65,000.00) (the "Grant Funds") to assist the Agency in funding the Project. The Port shall disburse the Grant Funds to the Agency no later than thirty (30) days after receipt of a complete and correct invoice detailing those Project deliverables completed in accordance with Exhibit A. Subject to the requirements of this Section and of Section 18 (where applicable), the Port shall make the final payment of the Grant Funds to the Agency no later than November 1, 2019, or receipt of the final report, whichever occurs later.
3. Responsibilities of the Agency.
 - 3.1 The Agency shall contribute local funds equivalent to at least fifty percent (50%) of the Grant Funds towards the Project.
 - 3.2 The Agency may contract with local non-profits to complete the Project or elements of the Project; *provided*, that the Port shall not, under any circumstance, disburse the Grant Funds to any of the Agency's contractors or subcontractors.
 - 3.3 The Agency shall complete the Project by November 1, 2019.
4. Term. This Agreement shall become effective as of the date the Port executes this Agreement and shall terminate on November 1, 2019, unless earlier terminated under another provision of this Agreement.
5. Termination for Convenience. The Port may terminate this Agreement at any time for any reason, by giving the Agency thirty (30) days' written notice. In the event the Agency has completed any portion of the Project by the time it receives the Port's notice of termination, the Port shall pay the Agency the percentage of the Grant Funds attributable to the Agency's completed portion of the Project.
6. Termination for Default. Except in the case of delay or failure resulting from circumstances beyond the control and without the fault or negligence of the Agency, the Port shall be entitled, by written or oral notice to the Agency, to terminate Agreement for breach of any of the terms and to have all other rights against the Agency by reason of the Agency's breach as provided by law.
7. Waiver. Failure at any time of the Port to enforce any provision of this Agreement shall not constitute a waiver of such provision or prejudice the right of the

Port to enforce such provision at any subsequent time. No term or condition of this Agreement shall be held to be waived, modified or deleted except by a written amendment signed by the Parties

8. Partial Invalidity. If any provision of this Agreement is or becomes void or unenforceable by force or operation of law, all other provisions hereof shall remain valid and enforceable.

9. Indemnification and Hold Harmless Agreement. The Agency shall defend, indemnify, and hold harmless the Port, its Commissioners, officers, employees, and agents (hereafter, collectively, the "Port") from all liability, claims, damages, losses, and expenses (including, but not limited to attorneys' and consultants' fees and other expenses of litigation or arbitration) arising out of or related to the fulfillment of this Agreement; *provided*, however, if and to the extent that this Agreement is construed to be relative to the construction, alternation, repair, addition to, subtraction from, improvement to, or maintenance of, any building, highway, road, railroad, excavation, or other structure, project, development, or improvement attached to real estate, including moving or demolition in connection therewith, and therefore subject to Section 4.24.115 of the Revised Code of Washington, it is agreed that where such liability, claim, damage, loss or expense arises from the concurrent negligence of (i) the Port, and (ii) the Agency, its agents, or its employees, it is expressly agreed that the Agency's obligations of indemnity under this paragraph shall be effective only to the extent of the Agency's negligence. Such obligations shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any person or entity described in this paragraph. This paragraph shall not be construed so as to require the Agency to defend, indemnify, or hold harmless the Port from such claims, damages, losses or expenses caused by or resulting from the sole negligence of the Port.

In any and all claims against the Port, by any employee of the Agency, its agent, anyone directly or indirectly employed by either of them, or anyone for whose acts any of them may be liable, the indemnification obligation of this paragraph shall not be limited in any way by any limitation on the amount or type of damages compensation benefits payable by or for the Agency, or other person under applicable industrial insurance laws (including, but not limited to Title 51 of the Revised Code of Washington), it being clearly agreed and understood by the Parties hereto that the Agency expressly waives any immunity the Agency might have had under such laws. By executing this Agreement, the Agency acknowledges that the foregoing waiver has been mutually negotiated by the parties.

The Agency shall pay all attorneys' fees and expenses incurred by the Port in establishing and enforcing the Port's right under this paragraph, whether or not suit was instituted.

10. Comply with All Laws. The Agency shall at all times comply with all federal, state and local laws, ordinances and regulations, including but not limited to all environmental laws, which in any manner apply to the performance of this

Agreement.

11. Integration. This Agreement, together with the attached Exhibit A, constitutes the entire agreement between the Parties and unless modified in writing by an amendment executed by the Parties, shall be implemented only as described herein.

12. Governing Law and Venue. This Agreement shall be governed by the laws of the State of Washington. Any action arising out of this Agreement shall be brought in King County.

13. No Employment Relationship Created. The Parties agree that nothing in this Agreement shall be construed to create an employment relationship between the Agency and the Port.

14. No Entity Created. The Parties agree that nothing in this Agreement shall be construed to create a joint entity between the Agency and the Port.

15. Notices. Notices to the Port shall be sent to the following address:

Port of Seattle
Economic Development Division
P. O. Box 1209
Seattle, WA 98111

Notices to the Agency shall be sent to the following address:

City of Auburn
Douglas Lein
25 W Main
Auburn, WA 98001

16. Audits and Retention of Records. The Agency in and make all books, records and documents (the "Records") relating to the performance of this Agreement open to inspection or audit by representatives of the Port or Washington State during the term of this Agreement and for a period of not less than six (6) years after termination of the Agreement; *provided*, that if any litigation, claim or audit arising out of, in connection with or related to this Agreement is initiated, the Agency shall retain such Records until the later of (a) resolution or completion of litigation, claim or audit; or (b) six (6) years after the termination of this Agreement.

17. Amendment. This Agreement may only be amended by written agreement of the Parties.

18. Dispute Resolution. The Parties shall use their best, good faith efforts to cooperatively resolve disputes that arise in connection with this Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this agreement as of the date first set forth above.

PORT OF SEATTLE

By: Paul Reed
Senior Manager, Purchasing

Signature

Dated

CITY OF AUBURN

By: Nancy Backus
Mayor, City of Auburn

Signature

Dated

EXHIBIT A - PROJECT

1. Project Description:

The City of Auburn, through this round of Port partnership funding, plans to continue to build upon projects from previous years. The majority of the partnership funding will again go to the operations, support and programming of Auburn's Small Business Incubator. The City will again, engage with other Community stakeholders, most notably the Green River College's Small Business Development Center, for instruction and one-on-one counseling services. Marketing of the Incubator promoting the benefits and value proposition of being a member of the Incubator will also continue to be a focus, however, a more targeted approach aimed towards already established in-home businesses will be used. The desired result to this approach will be a greater number of present (both mentally and physically) members, which in-turn will result in faster job creation and revenue generating "graduates" of the incubator program, ultimately producing results promised in round one.

The City will also continue to build up the Buy Local Auburn project seeded by previous partnership funding rounds. The City will continue to build upon the user experience of the website in a variety of ways, while also building capabilities into the back-end of the system that will provide robust, yet specific data on the individual businesses. Finally, Auburn plans to utilize a small portion of the partnership funding to secure booth space at industry specific conventions and expos. Targeted industries will be those that help propel not only the Port of Seattle's Century Agenda, but also Auburn's Initiative of creating more family-wage jobs. Recruitment of businesses in the manufacturing and other skilled trades will achieve both the Port and City's initiative and build upon an existing industry cluster fostered by a rich talent base, proximity to a large cluster of customers and an overall business friendly environment.

2. Project Scope of Work:

Outline project components, goal, desired outcomes and timelines using the table below (attach additional information if necessary):

Project or component:	Project goal(s):	Outcome(s) and final deliverable(s):	Estimated Completion:	Metrics or measures of success:
Business Incubator growth, operations & support.	•Continued programing and operation of the existing Business Incubator. •Increase the total Incubator member count (businesses) to 20 memberships by focusing in on existing, semi-established businesses in the startup stage who are growth minded and possess growth potential.	•Create and direct a digital marketing campaign specifically targeting existing home-based businesses highlighting the features and benefits of being a member of Auburn's Small Business Incubator. •Create print and other marketing pieces that highlight the features and benefits of belonging to the Incubator. (brochures, posters, etc.) • Establish relationships with WeWork and other co-working programs, College entrepreneurship programs and research labs. Modify the Incubator membership agreement requiring incoming businesses/member meet with Green River College SBDC business advisors at minimum on a quarterly basis.	•10/31/2019	•An increase in the total number of members (businesses) slightly changing the demographic to more actively engaged members. •Higher utilization and activation of the space. •Better synergies and collaboration among all Incubator members. •Faster incubation periods, higher volume of tangible results (graduates, jobs created, revenues earned)
•Business retention, expansion & growth	•Cultivate business to business activities in Auburn by showcasing available resources, products, and	•Build upon and continue to improve upon Auburn's ability to capture and track Auburn business data, increase awareness and demonstrate the	•10/31/2019	•Capital flow within the City, increased number of goods sold and increased sales tax generation. •Greater utilization of the buy-local

	services within Auburn.resources, products, and services within Auburn. •Foster buy- local synergy among business owners, and citizens to escalate activities that increase jobs and tax base.	value proposition of Auburn's buy-local site to Auburn residences and businesses. •Further promote the value of the buy-local sites ease of business license renewal, ability to customer target and its supply chain searching capabilities; while at the same time encouraging increased utilization of the site from the public by continuing to promote buy-local.		site from both businesses and residents. Reduction of capital leakage within Auburn's retail trade area. •Clearly defined and accurate data on existing businesses and industry clusters. Movement (expansion and contraction) of businesses and industry clusters, employment data and spatial footprint. Market voids will become more quickly and easily identifiable.
•Business Attraction & Support	•Support the Port of Seattle's vision of creating 100,000 new jobs through economic growth and 300,000 Port-related jobs while simultaneously supporting the City of Auburn's initiative to grow family- wage jobs within Auburn by: 1)Increased focus on support and retention of Auburn's existing businesses and	•Offer business assistance workshops, forums and classes of all skill levels (beginner, intermediate & advanced) to established local businesses, start-ups and community members interested in entrepreneurship. •Identify market voids within the targeted industries of aerospace, composites, additive and general manufacturing along with other skilled trades. •Create a presence	•10/31/2019	•Strengthened ties between local businesses and the City reducing the number of businesses relocating out of Auburn. •Partnering among existing businesses or existing businesses and start-ups, collaboration, mentorship. •Targeted meetings with companies that would not only fulfill Port and City agendas but also voids in the

vitality, diversity, growth and sustainability of the Auburn economy 2)Business attraction within targeted industry clusters that will take advantage of Auburn's strength of workforce, knowledge and location while at the same time fulfilling voids in the local market.	at industry tradeshow and exposes of those identified industry voids by becoming an exhibitor displaying Auburn's value proposition (available workforce, location to buyers, knowledge, business environment, Innovation Partnership zone, supply chain database (Buy Local Auburn)) for company relocation, or satellite office.	existing supply chain.
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3. Connection to Port of Seattle Interests:

By offering services to promote and support entrepreneurship through the Incubator, support growth of existing businesses through training classes as well as a searchable database and recruitment of new businesses from out of state, provides and encourages the opportunity to create new jobs. The creation 400,000 Port and Port-related jobs in our region is a stated vision of the Port of Seattle. Further, creating living-wage jobs through organic growth or recruitment efforts will bring disposable income and an increased tax base. More disposable income means the purchase of more goods and other services. This will in-turn have a positive effect on the amount of goods coming through the Ports sea and airports. It also means a higher level of recreational activity flowing through the sea and airports, both of which fulfil strategic objectives of the Ports Century Agenda.

4. Project Budget:

Identify each project budget category, total funds (including the monetary value of in-kind resources), Port of Seattle funds and City monetary and in-kind matching funds. Include the total funds from each column in the second to last row. Include the percentage contributions to the Port of Seattle's contribution in the last row.

Category:	Port of Seattle Funds:	City Monetary Matching Funds:	City In-kind Matching Funds:	Total Funds (Including In-Kind):
Category 1: Business Incubator Operations/Support Services	\$39,200	\$19,600		\$58,800
Category 2:	\$8,200	\$8,200		\$12,300

Business Incubator Marketing			
Category 3: Buy Local Auburn Maintenance/Support/Marketing	\$16,000	\$16,000	\$16,000
Category 4: Business Attraction	\$1,600	\$800	\$2,400
Total Funds:	\$65,000	\$32,500	\$97,500
Percentage contribution to Port Funds*:	100%	50%	

*City monetary and in-kind matching funds must add up to at least 50% of the Port of Seattle's total contribution.

5. Collaboration with partners:

Auburn will once again partner with the Small Business Development Center to provide one-on-one business consulting and instructional classes. The classes will cover a variety of business topics including: How to Start a Business in Auburn, Writing a Business Plan, Business Marketing, Business Financing and other subjects directed at varied levels of businesses; from start-ups to long established businesses. The Chamber of Commerce will partner with the City for continued promotion of business-to-business networking as well as the instructional classes, forums and workshops.

6. Use of consultants or contractors:

Resident Incubator member; Fruition Planning and Management will be contracted to put together some of the non-digital marketing pieces specific to the Incubator as well as developing and producing of a Member Handbook which will outline the Incubator's policies, procedures and support resources. The handbook will be delivered to all existing Incubator members and given to new members as they become part of the Incubator. Local Auburn companies will also be utilized for the Incubator's Janitorial and IT support. Auburn intends to contract with Praece Consulting of Auburn for hosting, integration and further build-out of Auburn's supply chain database: Buy Local Auburn and contracted services will be rendered in conjunction with in-house resources for the creation and implementation of all digital and non-digital marketing strategies and materials.