



**City Council Meeting
March 3, 2014 - 7:30 PM
Auburn City Hall
AGENDA**

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

I. CALL TO ORDER

- A. **Flag Salute**
- B. **Roll Call**
- C. **Announcements, Appointments, and Presentations**
 - 1. 2013 Waste Management Annual Report
- D. **Agenda Modifications**

II. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE

- A. **Public Hearings**
 - 1. **Public Hearing for Stormwater Management Program (Osborne/Snyder)**

City Council to conduct a public hearing to receive public comments, proposals and suggestions on the City's Stormwater Management Program
- 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.

III. COUNCIL COMMITTEE REPORTS

- A. **Municipal Services**
 - 1. **February 24, 2014 Minutes* (Peloza)**
- B. **Planning & Community Development**
 - 1. **February 24, 2014 Minutes* (Holman)**
- C. **Public Works**
 - 1. **February 18, 2014 Minutes* (Osborne)**
- D. **Finance**
 - 1. **February 18, 2014 Minutes* (Wales)**

- E. **Les Gove Community Campus**
- F. **Council Operations Committee**

IV. **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 February 18, 2014 regular meeting***
- B. **Claims Vouchers (Wales/Coleman)**
Claims voucher numbers 427534 through 427692 in the amount of \$2,796,334.48 and one wire transfer in the amount of \$1710.08 and dated March 3, 2014.
- C. **Payroll Vouchers (Wales/Coleman)**
Payroll check numbers 534524 through 534553 in the amount of \$276,248.62 electronic deposit transmissions in the amount of \$1,351,415.06 for a grand total of \$1,627,663.68 for the period covering February 13, 2014 to February 26, 2014.
- D. **Public Works Project No. CP00925 (Wagner/Tate)**
City Council to grant permission to advertise for bids for Project No. CP0925, Les Gove Community and Event Center

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

V. **UNFINISHED BUSINESS**

There is no unfinished business.

VI. **NEW BUSINESS**

There is no new business.

VII. **RESOLUTIONS**

- A. **Resolution No. 5035* (Osborne/Snyder)**
A Resolution of the City Council of the City of Auburn, Washington, approving the 2014 Stormwater Management Program Plan and authorizing the Mayor to submit a copy to the Washington State Department of Ecology in response to the City's National Pollutant Discharge Elimination System Western Washington Phase II Municipal Stormwater Permit

(RECOMMENDED ACTION: City Council adopt Resolution No. 5035.)

- B. **Resolution No. 5047* (Holman/Snyder)**
A Resolution of the City Council of the City of Auburn, Washington, authorizing the City to expend funds to abate the litter, junk, and yard waste nuisance at 911 17th Street NE, Auburn

(RECOMMENDED ACTION: City Council adopt Resolution No. 5047.)

VIII. **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**

IX. 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:

Public Hearing for Stormwater Management Program

Date:

February 20, 2014

Department:

Public Works

Attachments:

No Attachments Available

Budget Impact:

\$0

Administrative Recommendation:

City Council to conduct a public hearing. For further action on this item, please see Resolution No. 5035.

Background Summary:

City Council to conduct a public hearing on the City's Stormwater Management Program that was prepared in response to the Washington State Department of Ecology's Western Washington Phase II Municipal Stormwater Permit. The Phase II permit covers the discharges from Auburn's storm drainage system. Implementation of the Stormwater Management Program is designed to reduce the discharge of pollutants, protect water quality, and meet the requirements of the Federal Clean Water Act. ***See Resolution 5035 for a copy of the 2014 Stormwater Management Plan ***

Reviewed by Council Committees:

Planning And Community Development, Public Works

Councilmember: Osborne

Staff:

Snyder

Meeting Date: March 3, 2014

Item Number: PH.1



AGENDA BILL APPROVAL FORM

Agenda Subject:

February 24, 2014 Minutes

Date:

February 26, 2014

Department:

Police

Attachments:

[February 24, 2014 Minutes](#)

Budget Impact:

\$0

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

Councilmember: Peloza

Staff:

Meeting Date: March 3, 2014

Item Number: MS.1



**Municipal Services Committee
February 24, 2014 - 3:30 PM
City Hall Conference Room 3
MINUTES**

I. CALL TO ORDER

Chair Pelosa called the meeting to order at 3:30 p.m. in Conference Room 3 of City Hall, 25 West Main Street, Auburn, WA.

A. Roll Call

Members present: Chair Bill Pelosa, Vice Chair Wayne Osborne and Member Claude DaCorsi.

Staff present: Mayor Nancy Backus, Chief of Police Bob Lee, Assistant Chief of Police Bill Pierson, City Attorney Dan Heid, Finance Director Shelley Coleman, Parks, Arts & Recreation Director Daryl Faber, Arts & Events Manager Julie Krueger, Arts Coordinator Maija McKnight and Police Secretary/Scribe Heather Shaw. **Others present:** Auburn Symphony Board member Nancy Colson and Auburn Reporter representative Robert Whale.

B. Announcements

C. Agenda Modifications

II. CONSENT AGENDA

A. February 10, 2014 Minutes

Vice Chair Osborne moved to accept the Minutes as presented. Member DaCorsi seconded. Chair Pelosa concurred.

MOTION PASSED: 3-0

III. ACTION

A. Resolution No. 5041 (Faber)

Parks, Arts & Recreation Director Daryl Faber briefed the committee on Resolution No. 5041 which authorizes the Mayor and City Clerk to execute an agreement between the City of Auburn and the Auburn Symphony Orchestra for tourism promotion services. For the past several years the City has supported the Auburn Symphony Orchestra and would contract for each concert individually. It was discussed after the 2013 season that the City would work towards a single

contract for the entire Symphony season. The contract would be a specific scope of services that outlines all deliverables, sponsorship services, marketing, outreach and audience building, introduces performance measures and includes a matrix. The intent is to work together in order to showcase Auburn as a destination for arts and events. The contract was reviewed in detail and the committee identified items that needed to be addressed further and the requested documentation will be provided to the committee for review by March 17, 2014. Committee discussion followed and this item will be reviewed for action at the March 24, 2014 meeting of the Municipal Services Committee.

IV. DISCUSSION ITEMS

A. False Alarm Prevention Program (Lee)

Bill Pierson, Assistant Chief of Police, reported on the False Alarm Prevention Program. Each year the Auburn Police Department responds to hundreds of false alarm calls. As a result, the City enacted Ordinance No. 6216 in 2009 to address this issue and help reduce these types of calls. Since implementation of this Ordinance, the City has issued a total of 8,430 alarm permits. Of this total, 466 alarm permits have been suspended due to non-payment or excessive false alarms. Between 2008 and 2013, false alarm calls have decreased by 63.0 percent. Chair Pelozo remarked that a citizen inquired about the possibility for the City to consider changing to one false alarm per year. AC Pierson commented that one of the benefits to this Ordinance is that it holds citizens accountable for maintaining their alarm equipment. The policy is a reminder to citizens about the importance of having an alarm system and maintaining communication with the alarm company in order to avoid false alarm charges. Committee discussion followed.

B. AVHS Board Review / Animal Control Licensing Program (Coleman)

Finance Director Shelley Coleman provided a review on the Animal Control Licensing Program. Figures through January 2014 show an increase over this same month in 2013. It is anticipated that we will receive more licensing revenue this year over 2013. Cost categories include animal control, marketing, payments to the Auburn Valley Humane Society (AVHS) per contract, pet licensing administration, pet licensing points of sale and central administration. Additionally, Director Coleman requested at last week's AVHS Board meeting that they include a 'licensing clinic' at all of their community events in order to promote pet licensing. Mayor Backus inquired about moving the monthly report on Animal Control Licensing to a quarterly report instead as a more efficient way of seeing trends in pet licensing revenue. Committee discussion followed and it was agreed that reporting on the animal control licensing program be provided to the

Municipal Services Committee on a quarterly basis moving forward.

C. Project Matrix

The following change was identified for the Project Matrix:

Item 4I: Review date updated.

V. **ADJOURNMENT**

The meeting was adjourned at 4:55 pm. The next regular meeting of the Municipal Services Committee is scheduled for Monday, March 24, 2014 in Conference Room 3 of City Hall, 25 West Main Street, Auburn, WA.

Signed this _____ day of March, 2014.

Bill Peloza, Chair

Heather Shaw, Police Secretary/Scribe



AGENDA BILL APPROVAL FORM

Agenda Subject:

February 24, 2014 Minutes

Date:

February 25, 2014

Department:

Planning and Development

Attachments:

[February 24, 2014 Draft Minutes](#)

Budget Impact:

\$0

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

Councilmember: Holman

Staff:

Meeting Date: March 3, 2014

Item Number: PCD.1



**Planning and Community Development
February 24, 2014 - 5:00 PM
Annex Conference Room 2
MINUTES**

I. CALL TO ORDER

Chair John Holman called the meeting to order at 5:00 p.m. in Annex Conference Room 2 located on the second floor of One Main Professional Plaza, One East Main Street, Auburn, Washington.

A. Roll Call

Chair John Holman, Member Yolanda Trout, and sitting in for Vice-Chair Wales, Councilmember Osborne were present. Also present were Mayor Nancy Backus, Director of Community Development & Public Works Kevin Snyder, Assistant Director of Community Development Services Jeff Tate, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Economic Development Manager Doug Lein, Water Quality Project Coordinator Chris Thorn, Environmental Services Manager Chris Andersen, Storm Drainage Engineer Tim Carlaw, Planning Secretary Tina Kriss.

Members of the public present were: Robert Whale of the Auburn Reporter.

B. Announcements

C. Agenda Modifications

There were no agenda modifications.

II. CONSENT AGENDA

A. Minutes - February 10, 2014 (Tate)

Member Trout moved and Councilmember Osborne seconded to approve the Planning and Community Development Committee minutes as written.

Motion carried unanimously. 3-0

III. ACTION

A. Resolution No. 5047 – Property Abatement for 911 17th Street NE, Auburn, WA 98002 (Tate)

Jeff Tate, Assistant Director of Community Development Services, provided the staff report on Resolution No. 5047. Resolution No. 5047 would authorize the City to expend funds to abate the litter, junk, and yard waste nuisance at 911 17th Street NE, Auburn, Washington. The condition of the property violates the City's nuisance code as the property is littered with household trash, recyclables, garbage, and yard waste debris in a quantity sufficient to pose a danger to public health, safety and welfare.

City Code Enforcement staff have requested compliance, issued correction notices, and imposed civil penalties upon the owner of the property, but all efforts have been apparently inadequate to prompt them to correct the nuisance conditions at that property.

The Committee and staff discussed the conditions of the property, how the City would proceed with this property abatement action, and any known liens against the property. The Committee was supportive of Resolution No. 5047.

Councilmember Osborn moved and Member Trout seconded to recommend City Council adopt Resolution No. 5047.

Motion carried unanimously. 3-0

IV. DISCUSSION ITEMS

A. Resolution No. 5035 – Stormwater Management Program Plan (Thorn)

Water Quality Program Manager Chris Thorn provided background information on Resolution No. 5035, regarding the City's Stormwater Management Program Plan (SWMP Plan). The SWMP details how the City intends to implement the requirements of the Western Washington Phase II Municipal Stormwater Permit (Permit) issued by the Washington State Department of Ecology. The City is required to update the SWMP Plan annually.

As part of the Permit requirements the public is required to participate in the update of the SWMP Plan. A public review and comment period for Auburn's SWMP Plan began February 18th and will close March 3, 2014.

The Committee and staff discussed if the City would require additional staffing due to the updated Permit requirements. Director Snyder and staff explained that future discussions will take place to determine if additional resources will be needed to meet the additional requirements of the permit in addition to the work staff performs on a daily basis.

The City is required to submit the SWMP Plan to the Department of Ecology by March 31, 2014. On March 3, 2014 staff will be going forward to the Public Works Committee for approval of the SWMP Plan. If the Plan is forwarded through the Public Works Committee, staff will present Resolution No. 5035 for adoption by the City Council at the March 3, 2014 meeting.

B. Floodplain Development Regulations Update (Andersen)

Environmental Services Manager Chris Andersen distributed a memorandum regarding the work plan for the update of Flood Hazard Area Regulations, Chapter 15.68 ACC, and a City of Auburn Regulatory Floodplain map.

In April, 2010, the City of Auburn adopted Ordinance No. 6295 amending the City's Flood Hazard Area regulations in Chapter 15.68 and other chapters of the Auburn City Code to adopt the provisions of the Federal Emergency Management Act (FEMA) model ordinance. In doing so, Auburn became what is referred to as an NFIP Door #1 Community, a reference to FEMA's '3 Doors' analogy used to describe the options available to participating National Flood Insurance Program (NFIP) communities to meet the requirements of the NMFS biological opinion.

In September 2011, the City received written confirmation from FEMA that the City's regulations as amended by Ordinance No. 6295 met FEMA's requirements for implementation of the biological opinion. On November 6, 2013, the City received notice from FEMA that the agency updated its model ordinance for floodplain development in November 2013, and that the City was required to resubmit its floodplain development regulations to FEMA to maintain the City's Door #1 status. The City has been given 180 days to resubmit its regulations.

Staff reviewed the options available to the City and staff explained that as part of the City's Comprehensive Plan update process, it is anticipated that a number of City development regulations will also need to be amended to implement the plan the City selects and meet the requirements of changes in state law, including at a minimum Critical Areas and Shorelines.

The Committee and staff discussed the balance between potential economic, environmental, and public safety benefit trade-offs between the adoption of regulations representing the updated requirements versus adopting higher regulatory standards.

Staff discussed the benefits of each option and stated it is staff's recommendation the City proceed with the development and adoption of code amendments to incorporate the provisions of the 2013 FEMA model ordinance and resubmit an amended version of the model ordinance (Option # 3) presented by staff. Submitting the amended version will satisfy the federal requirements and the biological opinion. The City would also seek continued status as a Door #1 Community from FEMA.

The committee and staff reviewed the draft work plan and timeline. The Committee expressed that the economic advantages of decreasing the area of regulatory floodplain need to be considered. Environmental Services Manager Chris Andersen stated staff will return to the committee with a status briefing and a matrix of benefits and impacts of the regulations with respect to various community elements, e.g., economic, environmental, public safety, ect.

- C. Department Organization and Overview (Tate)
Provide the Committee with an overview of the Community Development Division.

Assistant Director of Community Development Services Jeff Tate provided an overview of the City's Community Development division operations. Staff reviewed the number of plan reviews, inspections, code enforcement cases and customers served by the areas of service within the Community Development division. Staff reviewed the primary and secondary functions of the Building, Engineering, Planning, Code Enforcement, Permit Center, Construction Management, Administrative, and Environmental divisions.

- D. Director's Report (Tate)

Assistant Director Tate reported that Saars Market has submitted a building permit application for tenant improvements to occupy the recently vacated Top Food & Drug store off Auburn Way North.

City Council has taken action on Ordinance No. 6501, Temporary Signs. Staff will be sending out a letter to business owners with registered temporary signs to provide them with weatherproof stickers. The stickers will have a registration number to assist code enforcement in identifying registered, allowed signs. The second letter will be sent to business owners needing to register signs and will include a registration form along with the sign regulation.

Assistant Director Tate distributed information on the City's Environmental Park and M1 zoning, Chapter 18.23. Staff would like to initiate a conversation with the Committee at the next meeting regarding the Environmental Park zoning.

- E. PCDC Matrix (Tate)

The Committee had no changes or additions to the matrix.

V. ADJOURNMENT

There being no further business to come before the Planning and Community Development Committee, the meeting was adjourned at 6:53 p.m.

Approved this ____ day of _____, 2014.

John Holman
Chairman

Tina Kriss
Planning Secretary



AGENDA BILL APPROVAL FORM

Agenda Subject:

February 18, 2014 Minutes

Date:

February 26, 2014

Department:

Public Works

Attachments:

[Draft Minutes](#)

Budget Impact:

\$0

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

Councilmember: Osborne

Staff:

Meeting Date: March 3, 2014

Item Number: PW.1



**Public Works Committee
February 18, 2014 - 3:30 PM
Annex Conference Room 2
MINUTES**

I. CALL TO ORDER

Chairman Wayne Osborne called the meeting to order at 3:30 p.m. in Conference Room #2, located on the second floor of Auburn City Hall, One East Main Street, Auburn, Washington.

A. Roll Call

Chairman Wayne Osborne, Vice-Chair Bill Pelozza, and Member Claude DaCorsi were present. Also present during the meeting were: Community Development & Public Works Director Kevin Snyder, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Assistant Director of Public Works Operations Randy Bailey, Utilities Engineer Dan Repp, Transportation Manager Pablo Para, Project Engineer Robert Lee, Project Engineer Kim Truong, Project Engineer Seth Wickstrom, Engineering Aide Amber Mund, Senior Project Engineer Jacob Sweeting, Assistant City Attorney Steve Gross, Senior Project Engineer Ryan Vondrak, Water Quality Program Coordinator Chris Thorn, Storm Drainage Engineer Tim Carlaw, Water Engineer Susan Fenhaus, and Public Works Secretary Jennifer Cusmir.

B. Announcements

There were no announcements.

C. Agenda Modifications

There were no agenda modifications.

II. CONSENT AGENDA

A. Approval of Minutes

Vice-Chair Pelozza asked about the status of the notices going out to property owners regarding the airport storm fees. Assistant Director of Engineering Services/City Engineer Gaub stated that the notices have not been mailed out and the Finance Department is working on the notices.

Vice-Chair Pelozza asked that the word "alternate," used in the discussion about speed cushion design, page 9 of 169, be changed to

“new.”

It was moved by Vice-Chair Peloza, seconded by Member DaCorsi, that the Committee approve the Public Works Committee Meeting minutes for date, February 3, 2014, as amended.

Motion carried 3-0.

B. Public Works Project No. C524A (Lee)
SCADA Utility Site Improvements

Project Engineer Lee explained that staff is asking for permission to advertise for the physical site improvements portion of the SCADA Project. The scope of work will include fences and other security improvements.

Project Engineer Lee will provide the Committee a list of the facilities included in the scope of work, as requested by Vice-Chair Peloza, prior to the Council meeting.

Assistant Director of Engineering Services/City Engineer Gaub noted that this project includes all of the non-technology improvements at the facilities.

The Committee and staff discussed the project budget and funding sources.

Project Engineer Lee provided background information regarding the project's design phase, in response to a question asked by Member DaCorsi.

It was moved by Vice-Chair Peloza, seconded by Member DaCorsi, that the Committee recommend City Council grant permission to advertise for bids for Project No. C524A, SCADA Physical Site Improvements.

Motion carried 3-0.

C. Public Works Project No. CP1202 (Lee)
Auburn Way South Flooding Imp – Phase II

Project Engineer Lee reported that the need for additional sewer repairs and replacement of the water main was discovered during the project's preliminary design.

Answering a question asked by Chairman Osborne, Project Engineer Lee explained that the problems with the sewer main include broken pipes and old manholes and the water main is old and in the path of construction. Staff believes it will be cost effective to make repairs and

replacements at this time as significant street restoration is already planned to be done with the storm improvements.

The Committee and staff discussed the increased scope of work and possible affect to the funding for the Fulmer Wellfield project where the scope has been significantly reduced. This funding transfer will not impact the current phase of the Fulmer Field project.

It was moved by Vice-Chair Peloza, seconded by Member DaCorsi, that the Committee recommend City Council grant permission to enter into amendment No. 2 for Consultant Agreement No. AG-C-425 with KPG, Inc. for engineering services for Project No. CP1202 Auburn Way South Flooding Improvements – Phase II.

Motion carried 3-0.

D. Public Works Project No. CP1207 (Truong)
'D' Street Utility Improvements

Chairman Osborne asked if a consultant worked on the project's design. Project Engineer Truong answered that the project design was completed in-house, by City staff. Assistant Director of Engineering Services/City Engineer Gaub stated that there was a consultant used for the geotechnical work.

Project Engineer Truong explained that the soils within the project limits are soupy in nature and it is necessary to over excavate to create a better foundation to lay the pipe on, following questions asked by Chairman Osborne.

It was moved by Vice-Chair Peloza, seconded by Member DaCorsi, that the Committee recommend City Council approve Change Order No. 1 in the amount of \$231,110.03 to Contract No. 13-10 for work on Project No. CP1207, D Street Utility Improvements.

Motion carried 3-0.

E. Public Works Project No. CP1302 (Wickstrom)
2013 Pavement Patching, Chipseal, and Overlay Project

Project Engineer Wickstrom was present.

Vice-Chair Peloza asked if 2nd Street NE, between Auburn Way N and Auburn Avenue is a local street and included in Save Our Street Program. Assistant Director of Engineering Services/City Engineer Gaub stated that it is a local street and is on the list for needing a total rebuild but is not included in the 2014 project.

It was moved by Vice-Chair Peloza, seconded by Member DaCorsi,

that the Committee recommend City Council approve Final Pay Estimate No. 5 to Contract No. 13-06 in the amount of \$4,454.00 and accept construction of Project No. CP1302, 2013 Pavement Patching, Chipseal, and Overlay Project.

Motion carried 3-0.

F. Public Works Project No. CP1307 (Wickstrom)
Control Structure Installation Project

Seth Wickstrom provided a brief background summary of the project. There were no questions from the Committee.

It was moved by Vice-Chair Peloza, seconded by Member DaCorsi, that the Committee recommend City Council approve Final Pay Estimate No 1 to Limited Public Works Contract No. 13-17 in the amount of \$36,873.10 and accept construction of Project No. CP1307, Control Structure Installation Project.

Motion carried 3-0.

III. ORDINANCES

A. Ordinance No. 6491 (Mund)
An Ordinance of the City Council of the City of Auburn, Washington, Granting to T-Mobile West LLC, a Delaware Limited Liability Company, A Franchise for Telecommunications

Engineering Aide Mund reported that there was a Public Hearing held at the February 3, 2014 City Council Meeting and the ordinance is scheduled to go to City Council for introduction and adoption on February 18, 2014.

Mund answered questions asked by Member DaCorsi regarding the terms of the franchise agreement.

Assistant Director of Engineering Services/City Engineer Gaub explained the tree trimming requirements, following a question asked by Member DaCorsi.

It was moved by Vice-Chair Peloza, seconded by Member DaCorsi, that the Committee recommend City Council introduce and adopt Ordinance No. 6491.

Motion carried 3-0.

B. Ordinance No. 6499 (Sweeting)
An Ordinance of the City Council of the City of Auburn, Washington, Declaring Public Use and Necessity Regarding City Project CP1119 - Auburn Way South Corridor Improvements, Fir Street SE to Hemlock

Street SE Project, and Authorizing Condemnation

Senior Project Engineer Sweeting distributed an updated map, identifying the acquisition areas included in the ordinance, to the Committee.

Senior Project Engineer Sweeting explained that Ordinance No. 6499 will establish that portions, or all, of the properties identified for the roadway project are of public need and authorize condemnation should the City not reach settlement agreements with the property owners for the purchase of the proposed right-of-way.

The Committee and staff discussed why acquisition of the entire property labeled "1" is necessary.

Senior Project Engineer Sweeting stated that negotiations to acquire the properties are still taking place, however agreements have not yet been reached and condemnation action may be needed, in response to a question asked by Member DaCorsi.

It was moved by Vice-Chair Peloza, seconded by Member DaCorsi, that the Committee recommend City Council introduce and adopt Ordinance No. 6499.

Motion carried 3-0.

IV. RESOLUTIONS

A. Resolution No. 5043 (Wickstrom)

A Resolution of the City Council of the City of Auburn, Washington, Authorizing the Mayor to Accept a Washington State Department of Ecology Grant for the Maintenance and Operations Storm Drainage Improvement Project

Using an aerial map, Project Engineer Wickstrom outlined the project scope with the Committee.

Assistant Director of Engineering Services/City Engineer Gaub responded to questions asked by Chairman Osborne regarding the Cities of Algona and Pacific participating in the project, as per their agreements with the City of Auburn for the decant facility portion of the project only.

The Committee and staff reviewed the project funding and match requirements.

It was moved by Vice-Chair Peloza, seconded by Member DaCorsi, that the Committee recommend City Council adopt Resolution No. 5043.

Motion carried 3-0.

B. Resolution No. 5033 (Repp)

A Resolution of the City Council of the City of Auburn, Washington, Authorizing the Mayor to Execute a Lease Agreement Between the City of Auburn and Valley Communications Center

Chairman Osborne thanked Utilities Engineer Repp for his service to the City, as Utilities Engineer Repp will be leaving the City's employ.

Utilities Engineer Repp explained that ValleyComm would like to enter into an agreement with the City to install radio equipment at Water Utility Reservoir #5. Repp spoke about the equipment ValleyComm is proposing to install and the terms of the agreement.

The Committee and staff discussed ValleyComm's access into the facility and the impact that their equipment may have on City maintenance of the facility.

Vice-Chair Peloza recommended the Assistant City Attorney Gross make some minor changes to the agreement template to be applied to future agreements, for the sake of consistency. .

The Committee and staff discussed the lease fees.

It was moved by Vice-Chair Peloza, seconded by Member DaCorsi, that the Committee recommend City Council adopt Resolution No. 5033.

Motion carried 3-0.

C. Resolution No. 5044 (Snyder)

A Resolution of the City Council of the City of Auburn, Washington, Selecting a Nominee to Serve as a Member of the Board of Commissioners for Pierce Transit

There were no questions from the Committee.

It was moved by Vice-Chair Peloza, seconded by Member DaCorsi, that the Committee recommend City Council adopt Resolution No. 5044.

Motion carried 3-0.

V. **DISCUSSION ITEMS**

A. NPDES II Stormwater Program Plan (Carlaw/Thorn)

Water Quality Program Coordinator Thorn provided the Committee with a background summary regarding the Stormwater Management Program Permit (SWMP). Thorn explained the requirements of the permit, the permitting process and outlined the schedule for staff's plan to comply with the SWMP Plan submittal deadline.

The public review and comment period on the City's SWMP Plan began February 18, 2014.

Water Quality Program Coordinator Thorn explained how throughout the life of the 5-year NPDES II Permit, different requirements are faded in during the cycle.

The Committee and staff discussed the possible budget impacts that will occur as the permit requirements are met by the City and developers.

Staff answered questions asked by Member DaCorsi regarding how developers are educated about the requirements of the plan and utility impacts for the various development sites.

Thorn noted that the Department of Ecology is not requiring the submittal of an annual report for 2013.

B. Capital Project Status Report (Sweeting)

Item 23 – CP1202 – AWS Flooding Phase 2: Assistant Director of Engineering Services/City Engineer Gaub stated that now that the Committee has approved the change order, the amount will be added into the total budget, responding to a question asked by Chairman Osborne.

Item 28 – CP1402 – 2014 Citywide Pavement Patching and Overlay Project: Senior Project Engineer Sweeting pointed out that this is a new project and had just been included in the report.

Item A – CP1115 – City Hall NW Plaza Improvements: Assistant Director of Engineering Services/City Engineer Gaub stated that staff has met and developed a list of possible projects for the remainder of the LRF funds and that list will be presented to the Planning and Community Development Committee.

C. Significant Infrastructure Projects by Others - Public Works Status Report (Gaub)

Item 6 – 2nd Street NE Gas Main Replacement: Assistant Director of Engineering Services/City Engineer Gaub said that PSE open cut Auburn Way North and the pavement restoration needs to be completed. Vice-Chair Pelosa noted the poor condition of 2nd Street

NE.

D. Action Tracking Matrix (Gaub)

Assistant Director of Engineering Services/City Engineer Gaub responded to questions asked by Vice-Chair Peloza regarding the possibility of including 2nd Street NE in the 2014 SOS project list.

Chairman Osborne asked staff to provide the Committee with a rough estimate of the cost to rebuild 2nd Street NE.

Assistant Director of Public Works Operations Bailey suggested some maintenance measures that may be able to be taken to improve the condition of 2nd Street NE until it can be funded for replacement.

Vice-Chair Peloza asked that a report on 2nd Street NE be added to the matrix.

Vice-Chair Peloza asked that the sewer odor problem near the Amberview Apartments be added back to the matrix. Assistant Director of Public Works Operations Bailey stated that every effort to alleviate the odor has been made.

The Committee and staff discussed if there are any other options to explore. Bailey noted that staff is not convinced the odor is coming from the sewer system.

The Committee and staff discussed storm fees for park's properties and the Golf Course.

The Committee and staff discussed an accident near the 116th and 320th intersection. Staff was tasked with reviewing the accident report and examining the intersection to determine if there are issues with the road design.

Vice-Chair Peloza asked that the review of the intersection be added to the matrix.

VI. ADJOURNMENT

There being no further business to come before the Public Works Committee, the meeting was adjourned at 4:37 p.m.

Approved this 3 day of March, 2014.



AGENDA BILL APPROVAL FORM

Agenda Subject:

February 18, 2014 Minutes

Date:

February 25, 2014

Department:

Administration

Attachments:

[2-18-2014 Minutes](#)

Budget Impact:

\$0

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

Councilmember: Wales

Staff:

Meeting Date: March 3, 2014

Item Number: FN.1



**Finance Committee
February 18, 2014 - 5:00 PM
Annex Conference Room 1
MINUTES**

I. CALL TO ORDER

Chair Largo Wales called the meeting to order at 5:00 p.m. in Annex Conference Room 1 located on the second floor of the City Hall Annex located at One East Main Street.

A. Roll Call

Chair Wales, Vice Chair John Holman, and Member Yolanda Trout were present.

Officials and staff members in attendance during the meeting included: Director of Administration Michael Hursh, Finance Director Shelley Coleman, Assistant City Attorney Steve Gross, Parks, Arts and Recreation Director Daryl Faber, Arts and Events Manager Julie Kruger, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Senior Project Engineer Jacob Sweeting, Utilities Engineer Dan Repp, Project Engineer Seth Wickstrom, and Deputy City Clerk Shawn Campbell.

B. Announcements

There was no announcement.

C. Agenda Modifications

There was no agenda modification.

II. CONSENT AGENDA

A. February 3, 2014 Meeting Minutes

Vice Chair Holman moved and Member Trout seconded to approve the minutes as distributed.

MOTION CARRIED UNANIMOUSLY. 3-0

B. Claims Vouchers (Coleman)

Claims voucher number 427353 through 427533 in the amount of \$1,563,106.60 and three wire transfers in the amount of \$18,812.31 and dated February, 18 2014.

Committee members reviewed the claims vouchers and the payroll

vouchers.

Member Trout moved and Vice Chair Holman seconded to approve and forward the 2013 and 2014 claims vouchers and payroll vouchers to the full Council for consideration.

MOTION CARRIED UNANIMOUSLY. 3-0

- C. Payroll Vouchers (Coleman)
Payroll check numbers 534491 through 534523 in the amount of \$841,639.11, electronic deposit transmissions in the amount of \$1,274,365.38 for a grand total of \$2,116,004.48 for the period covering January 30, 2014 to February 12, 2014.

See claims vouchers above for approval of payroll vouchers.

III. DISCUSSION ITEMS

- A. December 2013 Financial Report (Coleman)

Director Coleman presented the December 2013 Financial Report. The report is presented in a cash basis format. In 2013, the City received revenue in excess of the amended budget. The additional funds are from sales tax, utility tax, sales tax annexation credits and development fees. The expenditures for 2013 were under budget.

Chair Wales asked about the debt from the golf course. Director Coleman explained that since the golf course is no longer under an enterprise fund the debt from the interfund loan is assumed by the general fund.

Director Coleman stated the Mayor has agreed to the financial reports being presented to the Finance Committee on a quarterly basis in the future. This will allow for a more in-depth report with additional information.

Vice Chair Holman asked about the reduction in telephone tax and garbage tax. Director Coleman explained the phones with voice over IP do not pay taxes and the garbage tax reduction is from when the City started servicing an area of Auburn was previously serviced by an outside vendor. The City can only charge six percent tax for external customers but internal customers can be charged a higher rate.

Director Coleman explained the updated numbers will be included in the next budget amendment.

Director Coleman stated the City finished the 2013 budget approximately \$5,000,000.00 to the good.

- B. Ordinance No. 6499 (Gaub)

An Ordinance of the City Council of the City of Auburn, Washington, declaring Public Use and Necessity regarding City Project CP1119 - Auburn Way South Corridor Improvements, Fir Street SE to Hemlock Street SE Project, and authorizing condemnation

Senior Project Engineer Sweeting presented Ordinance No. 6499. The ordinance will declare public necessity for two parcels needed to complete CP1119 Auburn Way South Project. The ordinance also allows the City to move forward with condemnation if a settlement cannot be reached with the property owners.

C. Resolution No. 5033 (Repp)

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute a lease agreement between the City of Auburn and Valley Communications Center

Utilities Engineer Repp introduced Resolution No. 5033. The resolution is for an agreement with Valley Communications to allow installation of equipment on Reservoir 5 for better public safety communication.

Chair Wales questioned the lease payment amount. Utilities Engineer Repp explained the City typically offers a reduced fee to other public agencies. The fee would be higher if it was for a commercial vendor.

Member Trout asked how many leases the City has allowing equipment to be placed on the reservoir. Utilities Engineer Repp explained this agreement is for one, and the City currently has two others for a total of three.

D. Resolution No. 5041 (Faber)

A Resolution of the City Council of the City of Auburn, Washington authorizing the Mayor and City Clerk to execute an agreement between the City of Auburn and the Auburn Symphony Orchestra for tourism promotion services

Director Faber introduced Resolution No. 5041. The City of Auburn has contracted with the Auburn Symphony for many years. Previously each agreement has been on an individual event. The City is working to make the agreement with the Symphony more transparent and to set a scope of work for the Symphony. The new agreement will require the City be listed as the main sponsor for all Symphony events.

Assistant City Attorney Gross explained the agreement is for two years. The City has added a funding out clause for 2015.

Vice Chair Holman asked if the Symphony had performance standards previously. Director Faber explained the City had a very broad performance standard in the last agreement with the

Symphony. The agreement proposed as part of this resolution has a very detailed performance standard included.

Chair Wales asked if the Symphony is required to use 13 percent of the funds provided by the City for marketing and where the remainder of the are funds going. Chair Wales would like to ensure the City's logo is the most prominent item on the promotional material. She added if the City of Auburn is the primary donor to the Auburn Symphony, their annual fund raiser should be required to be in the City of Auburn including using a caterer from Auburn. She noted the funds raised from people attending the symphony fund raiser are going to neighboring cities. The City needs to work with the Symphony to allow students to attend the concerts for free. Director Faber said all of the Committees concerns could be addressed with the Symphony.

E. Resolution No. 5043 (Wickstrom)

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to accept a Washington State Department of Ecology grant for the Maintenance and Operations Storm Drainage Improvement Project

Project Engineer Wickstrom introduced Resolution 5043. The resolution allows the City to accept a grant from the Washington State Department of Ecology for the maintenance and operations storm drainage improvement project.

IV. ADJOURNMENT

There being no further business to come before the Committee, the meeting adjourned at 5:46 p.m.

APPROVED this ____ day of March, 2014.

Largo Wales, Chair
Clerk

Shawn Campbell, Deputy City



AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes of the February 18, 2014 regular meeting

Date:

February 25, 2014

Department:

Administration

Attachments:

[2-18-2014 Minutes](#)

Budget Impact:

\$0

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

Meeting Date: March 3, 2014

Staff:

Item Number: CA.A



**City Council Meeting
February 18, 2014 - 7:30 PM
Auburn City Hall
MINUTES**

I. CALL TO ORDER

A. Flag Salute

Mayor Nancy Backus called the meeting to order at 7:30 p.m. and led those in attendance in the Pledge of Allegiance.

B. Roll Call

City Councilmembers present: Deputy Mayor Wagner, Bill Peloza, Largo Wales, Wayne Osborne, John Holman, Claude DaCorsi, and Yolanda Trout.

Department directors and staff members present: Assistant City Attorney Steve Gross, Police Commander Mark Caillier, Finance Director Shelley Coleman, Community Development and Public Works Director Kevin Snyder, Assistant Director of Community Development Services Jeff Tate, Director of Administration Michael Hursh, Public Affairs and Marketing Liaison Dana Hinman, Deputy City Clerk Shawn Campbell.

C. Announcements, Appointments, and Presentations

1. Boards and Commission Appointments

City Council to approve the appointment of the following to the Lodging Tax Advisory Committee, for a new three year term to expire December 31, 2016:

1. Chantelle Herburger, Outlet Collection
2. Satpal Sohal, LaQuinta Hotel
3. Bob Fraser, Emerald Downs

Deputy Mayor Wagner moved and Councilmember Peloza seconded to confirm the appointment of Chantelle Herburger, Satpal Sohal and Bob Fraser to the Lodging Tax Advisory Committee.

MOTION CARRIED UNANIMOUSLY. 7-0

2. Boards & Commission Appointments

City Council to approve the reappointments of the following to the Auburn International Farmers Market Board, for a new three year term to expire December 31, 2016:

1. Linda Morris
2. Tren Walker

Deputy Mayor Wagner moved and Councilmember Peloza seconded to confirm the appointment of Linda Morris and Tren Walker to the Auburn International Farmers Market Board.

MOTION CARRIED UNANIMOUSLY. 7-0

City Council to approve the reappointment of the following to the White River Valley Museum Board for a new three year term to expire December 31, 2016:

1. Kim Perry

Deputy Mayor Wagner moved and Councilmember Peloza seconded to confirm the appointment of Kim Perry to the White River Valley Museum Board.

MOTION CARRIED UNANIMOUSLY. 7-0

D. Agenda Modifications

There was no change to the agenda.

II. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE

A. Public Hearings

There was no public hearing.

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.

Connie Orvis, 3210 Auburn Way South, Auburn, WA
Ms. Orvis explained she is a property owner involved in negotiations with the City for the purchase of her property. The property is needed to complete City Project CP1119 - Auburn Way South Corridor Improvements. Ms. Orvis expressed concerns with the City's use of Universal Field Services as a third party negotiator. She does not

feel they are offering her a fair deal and would like to deal directly with the City.

Assistant City Attorney Gross explained the City regularly uses a third party negotiator, and Ordinance No. 6499 authorizes condemnation, but it is for timeline purposes. The City is still willing to negotiate with the property owners. The City must communicate with Ms. Orvis through her attorney.

C. Correspondence

There was no correspondence for Council review.

III. COUNCIL COMMITTEE REPORTS

A. Municipal Services

Chair Pelosa reported the Municipal Services Committee met on February 10, 2014. The Committee received a briefing on auto thefts from the Auburn Police Department. The Committee also discussed Ordinance No. 6398 regarding pull tabs in the City. The next regular meeting of the Municipal Services Committee is scheduled for February 24, 2014 at 3:30 p.m.

B. Planning & Community Development

Chair Holman reported the Planning and Community Development Committee met February 10, 2014. The Committee reviewed Ordinance No. 6501 regarding temporary signs. The Committee also received a presentation on the Comprehensive Plan Survey and the Director's Report. The next regular meeting of the Planning and Community Development Committee is scheduled for February 24, 2014 at 5:00 p.m.

C. Public Works

Chair Osborne reported the Public Works Committee met this afternoon. The Committee reviewed the contract award for Public Works Projects C524A - Utility Site Improvements, CP1202 - Auburn Way South Flooding Imp - Phase II, CP1207 - "D" Street Utility Improvements, CP1302 - 2013 Pavement Patching, Chipseal and Overlay, CP1307 - Control Structure Installation Project, Ordinance No. 6491 authorizing a franchise agreement for telecommunications, Ordinance No. 6499 declaring public use and necessity regarding City Project CP1119 - Auburn Way South Corridor Improvements, Fir Street SE to Hemlock Street SE Project and authorizing condemnation, and Resolution No. 5044 nominating a member to the Board of Commissioners for Pierce Transit. The next regular meeting of the Public Works Committee is scheduled for March 3, 2014 at 3:30 p.m.

D. Finance

Chair Wales reported the Finance Committee met this evening at 5:00. The Committee reviewed claims vouchers in the amount of approximately \$1.5 million and payroll vouchers in the approximate amount of \$2.1 million. The Committee discussed the December 2013 Financial Report, Ordinance No. 6499 declaring public use and necessity regarding City Project CP1119 - Auburn Way South Corridor Improvements, Fir Street SE to Hemlock Street SE Project, and authorizing condemnation, Resolution No. 5033 authorizing a lease agreement between the City of Auburn and Valley Communications Center, Resolution No. 5041 approving an agreement with Auburn Symphony Orchestra for Tourism promotion services, and Resolution No. 5043 accepting a Washington State Department of Ecology grant for the Maintenance and Operations Storm Drainage Improvement Project. The next regular meeting of the Finance Committee is scheduled for March 3, 2014 at 5:00 p.m.

E. Les Gove Community Campus

The next regular meeting of the Les Gove Community Campus Committee is scheduled for February 26, 2014.

F. Council Operations Committee

The next regular meeting of the Council Operations Committee is scheduled for February 26, 2014.

Junior City Council

Deputy Mayor Wagner reported the Junior City Council met earlier this evening at 5:00. The Council discussed a draft survey for the uses of the Auburn Community Center, the Community Center Business Plan, inclusion of Junior City Councilmembers on the City website and the Downtown Revitalization Plan. The next regular meeting of the Junior City Council is scheduled for March 17, 2014.

IV. 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. February 3, 2014 Meeting Minutes

B. Claims Vouchers (Wales/Coleman)

Claims voucher number 427353 through 427533 in the amount of \$1,563,106.60 and three wire transfers in the amount of \$18,812.31 and dated February, 18 2014.

C. Payroll Vouchers (Wales/Coleman)

Payroll check numbers 534491 through 534523 in the amount of

\$841,639.11, electronic deposit transmissions in the amount of \$1,274,365.38 for a grand total of \$2,116,004.48 for the period covering January 30, 2014 to February 12, 2014.

- D. Public Works Project No. CP1202 (Osborne/Snyder)
City Council to approve amendment No. 2 to consultant agreement No. AG-C-425 with KPG, Inc. for engineering services for Project No. CP1202 Auburn Way South Flooding Imp – Phase II
- E. Public Works Project No. CP1207 (Osborne/Snyder)
City Council to approve change order No. 1 in the amount of \$231,110.03 to contract No. 13-10 for work on Project No. CP1207 'D' Street Utility Improvements
- F. Public Works Project No. CP1302 (Osborne/Snyder)
City Council to approve final pay estimate No. 5 to contract No. 13-06 in the amount of \$4,454.00 and accept construction of Project No. CP1302, 2013 Pavement Patching, Chipseal, and Overlay Project
- G. Public Works Project No. CP1307 (Osborne/Snyder)
City Council to approve final pay estimate No. 1 to Limited Public Works Contract No. 13-17 in the amount of \$36,873.10 and accept construction of Project No. CP1307, Control Structure Installation Project
- H. Public Works Project No. C524A (Osborne/Snyder)
City Council to grant permission to advertise for bids for Project No. C524A Utility Site Improvements

Deputy Mayor Wagner moved and Councilmember Peloza seconded to approve the Consent Agenda.

The Consent Agenda includes claims and payroll vouchers and Public Works Project Nos. CP1202, CP1207, CP1302, CP1307 and C524A.

MOTION CARRIED UNANIMOUSLY. 7-0

V. UNFINISHED BUSINESS

There was no unfinished business.

VI. NEW BUSINESS

There was no new business.

VII. ORDINANCES

- A. Ordinance No. 6491 (Osborne/Snyder)
An Ordinance of the City Council of the City of Auburn, Washington, granting to T-Mobile West LLC, a Delaware Limited Liability Company, a franchise for telecommunications

Councilmember Osborne moved and Councilmember Pelosa seconded to introduce and adopt Ordinance No. 6491.

Councilmember Osborne explained the Ordinance is for a franchise agreement with T-Mobile West LLC for telecommunications. T-Mobile had a previous agreement with King County. The area was annexed to the City, so they now need a franchise agreement with the City of Auburn.

MOTION CARRIED UNANIMOUSLY. 7-0

- B. Ordinance No. 6495 (Holman/Tate)
An Ordinance of the City Council of the City of Auburn, Washington, approving the request of Wesley Homes Lea Hill, LLC for rezoning of three parcels totaling approximately 18.5 acres located south of SE 320th ST from R5, Residential and R7, Residential to I, Institutional, to implement the Comprehensive Plan and amending the City's Zoning Maps

Councilmember Holman moved and Councilmember Wales seconded to introduce and adopt Ordinance No. 6495.

Councilmember Holman said the rezone will allow Wesley Homes to build a Community Health and Rehabilitation Center.

MOTION CARRIED UNANIMOUSLY. 7-0

- C. Ordinance No. 6496 (Holman/Tate)
An Ordinance of the City Council of the City of Auburn, Washington, approving the request of Fonpee, LLC and Stanberry for rezoning a portion of two parcels totaling approximately 2.1 acres located at the NW corner of West Valley Hwy N and 37th ST NW from C3, Heavy Commercial, to M1, Light Industrial, to implement the Comprehensive Plan and amending the City's Zoning Maps

Councilmember Holman moved and Councilmember Wales seconded to introduce and adopt Ordinance No. 6496.

Councilmember Holman explained the Ordinance will bring the entirety of both properties under the same zoning designation.

MOTION CARRIED UNANIMOUSLY. 7-0

- D. Ordinance No. 6497 (Holman/Tate)
An Ordinance of the City Council of the City of Auburn, Washington, approving the City-Initiated Rezoning of two parcels totaling approximately 1.56 acres located at the northwest corner of Auburn Way South and Hemlock Street SE from R5, Residential to C1, Light Commercial to implement the Comprehensive Plan and amending the City's Zoning Maps

Councilmember Holman moved and Councilmember Wales seconded to introduce and adopt Ordinance No. 6497.

MOTION CARRIED UNANIMOUSLY. 7-0

- E. Ordinance No. 6499 (Osborne/Snyder)
An Ordinance of the City Council of the City of Auburn, Washington, declaring public use and necessity regarding City Project CP1119 - Auburn Way South Corridor Improvements, Fir Street SE to Hemlock Street SE Project, and authorizing condemnation

Councilmember Osborne moved and Councilmember Peloza seconded to introduce and adopt Ordinance No. 6499.

Councilmember Osborne explained this is not the actual condemnation of the property, but just one step in the process.

MOTION CARRIED UNANIMOUSLY. 7-0

- F. Ordinance No. 6501 (Holman/Snyder)
An Ordinance of the City Council of the City of Auburn, Washington, amending Sections 18.56.010, 18.56.020 and 18.56.030 of the Auburn City Code and City of Auburn Ordinance Numbers 6327, 6353, and 6403 as to the effective dates of said ordinance amendments all relating to temporary signs

Councilmember Holman moved and Councilmember Wales seconded to introduce and adopt Ordinance No. 6501.

Councilmember Holman explained the City has been renewing the temporary sign ordinance for several years. This ordinance will consolidate various ordinances regarding temporary signs for two years; and if it is successful, the Council will consider making the changes permanent.

MOTION CARRIED UNANIMOUSLY. 7-0

VIII. RESOLUTIONS

- A. Resolution No. 5033 (Osborne/Snyder)
A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute a lease agreement between the City of Auburn and Valley Communications Center

Councilmember Osborne moved and Councilmember Peloza seconded to adopt Resolution No. 5033.

Resolution No. 5033 authorizes a lease agreement with Valley Communications Center to allow installation of radio equipment on Reservoir 5. Reservoir 5 is located at 1326 57th Drive SE in Auburn.

MOTION CARRIED UNANIMOUSLY. 7-0

- B. Resolution No. 5043 (Osborne/Snyder)
A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to accept a Washington State Department of Ecology Grant for the Maintenance and Operations Storm Drainage Improvement Project

Councilmember Osborne moved and Councilmember Peloza seconded to adopt Resolution No. 5043.

Resolution No. 5043 authorizes acceptance of a grant from Washington State Department of Ecology.

MOTION CARRIED UNANIMOUSLY. 7-0

- C. Resolution No. 5044
A Resolution of the City Council of the City of Auburn, Washington, selecting a nominee to serve as a member of the Board of Commissioners for Pierce Transit

Councilmember Osborne moved and Councilmember Peloza seconded to adopt Resolution No. 5044.

Resolution No. 5044 nominates Steilacoom Councilmember Nancy Henderson to the Board of Commissioners for Pierce Transit.

MOTION CARRIED UNANIMOUSLY. 7-0

IX. 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 Wagner reported on his attendance at the Arts Commission meeting, the Daughters of the American Revolution dinner and the Junior City Council meeting.

Councilmember Trout reported on her attendance at a meeting on homelessness, the Auburn Youth Resources breakfast and the State of the City at the Auburn Chamber of Commerce luncheon.

Councilmember Osborne reported on his attendance at the Law Enforcement and Fire Fighters Disability (LEOFF) Board meeting, a community art show, the Valley Regional Fire Authority Board of Governance meeting, and the Auburn Youth Resources breakfast.

Councilmember Pelosa reported on his attendance at the Joint Base Lewis McChord ICOR Change of Command ceremony, the 33rd Daughters of the American Revolution dinner, King Conservation District Board meeting, the Sound Cities Association Regional Policy Committee meeting, the Sound Cities Association Public Issues Committee meeting, the Valley Regional Fire Authority Board of Governance meeting, a watershed ecosystem forum, the King County Solid Waste Advisory Committee meeting, and the Auburn Youth Resources breakfast.

Councilmember Holman reported he attended the Puget Sound Regional Council Growth Management Board meeting.

Councilmember Wales reported on her attendance at the Pierce County Board of Health meeting and the Senior Center coffee hour. Councilmember Wales also reported she was interviewed by Junior City Councilmember Mauricio Martinez-Torres.

Councilmember DaCorsi reported on his attendance at the Auburn Valley Creative Arts Open House, the Auburn Youth Resources breakfast, City of Auburn Chamber of Commerce luncheon for the State of the City Address, and an Association of Washington Cities class on understanding utility rates.

B. From the Mayor

Mayor Backus reported on her attendance at the Auburn Rotary Club meeting, a meeting with Auburn Golf Course "Turf Team", the "Go Red for Women" event at MultiCare Hospital, a meeting with Mayor Hill of Algona, the Valley Regional Fire Authority Board of Governance meeting, the Green River Community College Painting with the Stars painting session, the Sound Cities Association Public Issues Committee meeting, and the Wesley Homes Town Hall meeting. Mayor Backus also had the opportunity to be interviewed by Junior City Councilmember Cole Lindell and presented her State of the City Address at the Auburn Area Chamber of Commerce luncheon.

X. EXECUTIVE SESSION

At 8:36 p.m., Mayor Backus recessed the meeting to executive session for approximately twenty minutes in order to discuss purchase or sale of real property pursuant to RCW 42.30.100(1)(b). Mayor Backus indicated no action would follow the executive session. Department directors and staff required for the executive session included Assistant City Attorney Gross, Director of Administration Hursh, and Community Development and Public Works Director Snyder.

The executive session concluded at 8:56 p.m.

XI. ADJOURNMENT

There being no further business to come before the City Council, the meeting adjourned at 8:56 p.m.

APPROVED this _____ day of March, 2014

Nancy Backus, Mayor

Shawn Campbell, Deputy City Clerk



AGENDA BILL APPROVAL FORM

Agenda Subject:

Claims Vouchers

Date:

February 25, 2014

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:

\$0

Administrative Recommendation:

Approve claims vouchers.

Background Summary:

Claims voucher numbers 427534 through 427692 In the amount of \$2,796,334.48 and one wire transfer in the amount of \$1710.08 and dated March 3, 2014.

Reviewed by Council Committees:

Councilmember: Wales

Staff: Coleman

Meeting Date: March 3, 2014

Item Number: CA.B



AGENDA BILL APPROVAL FORM

Agenda Subject:

Payroll Vouchers

Date:

February 25, 2014

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:

\$0

Administrative Recommendation:

Approve Payroll Vouchers.

Background Summary:

Payroll check numbers 534524 through 534553 in the amount of \$276,248.62 electronic deposit transmissions in the amount of \$1,351,415.06 for a grand total of \$1,627,663.68 for the period covering February 13, 2014 to February 26, 2014.

Reviewed by Council Committees:

Councilmember: Wales

Staff: Coleman

Meeting Date: March 3, 2014

Item Number: CA.C



AGENDA BILL APPROVAL FORM

Agenda Subject:

Public Works Project No. CP00925

Date:

February 27, 2014

Department:

Planning and Development

Attachments:

No Attachments Available

Budget Impact:

\$0

Administrative Recommendation:

City Council grant permission to advertise for bids for Project No. CP0925, Les Gove Community and Event Center.

Background Summary:

Staff is seeking permission to prepare the invitation to bid and to distribute the invitation for bid publication.

Construction for this project is anticipated to begin on July 5, 2014 and be completed in May 2015.

A potential budget adjustment of approximately \$1.5 million from another funding source may be required this year to fund the project. The project currently has \$9 million in secured funding, however three separate construction estimate suggest that the project may be closer to \$10.5 million. Currently, the funding source for the additional \$1.5 million is unidentified. Publishing an invitation to bid and evaluating bid proposals will help further refine the likely cost of the project. The actual budget adjustment required (if any) will be determined after the bids are opened.

Reviewed by Council Committees:

Les Gove Community Campus Other: Planning

Councilmember: Wagner

Staff: Tate

Meeting Date: March 3, 2014

Item Number: CA.D



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5035

Date:

February 20, 2014

Department:

Public Works

Attachments:

[Resolution 5035](#)

Budget Impact:

\$0

Administrative Recommendation:

City Council adopt Resolution No. 5035.

Background Summary:

The City of Auburn was issued a municipal stormwater permit by the Washington State Department of Ecology in compliance with the provisions of the State of Washington Water Pollution Control Law and the Federal Water Pollution Control Act (The Clean Water Act).

Requirements of the Permit include the development and annual update of a Stormwater Management Program (SWMP) which details the actions and activities to be implemented by the City in order to reduce the discharge of pollutants.

The SWMP is to include measures related to Public Education and Outreach, Public Involvement and Participation, Illicit Discharge Detection and Elimination, Controlling Runoff from New Development, Redevelopment and Construction Sites, and Pollution Prevention and Operation and Maintenance for Municipal Operations. The Permit lists specific actions and methods that the City must implement through the SWMP.

The City of Auburn is accepting comments on the draft 2014 Stormwater Management Program. Written comments must be received by close of business on March 3, 2014. There will be a public hearing at the March 3, 2014 City Council meeting where comments will also be accepted.

Reviewed by Council Committees:

Planning And Community Development, Public Works

Councilmember: Osborne

Staff: Snyder

Meeting Date: March 3, 2014

Item Number: RES.A

RESOLUTION NO. 5035

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, APPROVING THE 2014 STORMWATER MANAGEMENT PROGRAM PLAN AND AUTHORIZING THE MAYOR TO SUBMIT A COPY TO THE WASHINGTON STATE DEPARTMENT OF ECOLOGY IN RESPONSE TO THE CITY'S NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM WESTERN WASHINGTON PHASE II MUNICIPAL STORMWATER PERMIT

WHEREAS, the Washington State Department of Ecology issues a National Pollutant Discharge Elimination System Western Washington Phase II Municipal Stormwater Permit that regulates the discharge of stormwater from municipal stormwater systems; and

WHEREAS, the City operates a municipal stormwater system and is regulated under the National Pollutant Discharge Elimination System Western Washington Phase II Municipal Stormwater Permit; and

WHEREAS, the National Pollutant Discharge Elimination System Western Washington Phase II Municipal Stormwater Permit requires development and implementation of a Stormwater Management Program Plan; and

WHEREAS, the National Pollutant Discharge Elimination System Western Washington Phase II Municipal Stormwater Permit requires submittal of the Stormwater Pollution Program Plan to the Washington State Department of Ecology;

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

Section 1. The Stormwater Management Program Plan is approved for implementation in the City of Auburn in substantial conformity with the agreement attached hereto, marked as Exhibit "A" and incorporated herein by this reference.

Section 2. That the Mayor is authorized to implement such other administrative procedures as may be necessary to carry out the directives of this legislation, including submitting a copy of the Stormwater Management Program Plan to the Washington State Department of Ecology

Section 3. That this Resolution shall take effect and be in full force upon passage and signatures hereon.

Dated and Signed this _____ day of _____, 2014

CITY OF AUBURN

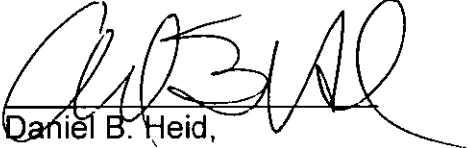
NANCY BACKUS
MAYOR

ATTEST

Danielle E. Daskam,
City Clerk

Resolution No 5035
January 8, 2014
Page 2

APPROVED AS TO FORM:



Daniel B. Heid,
City Attorney

Resolution No. 5035
January 8, 2014
Page 3

CITY OF AUBURN
2014 STORMWATER MANAGEMENT
PROGRAM PLAN

City of Auburn, WA
March 2014

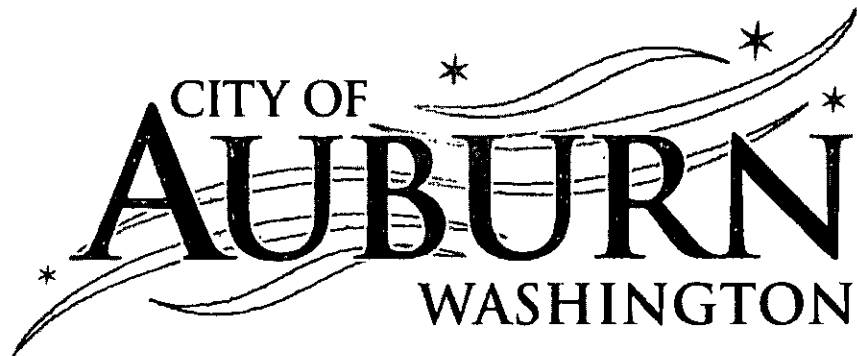


TABLE OF CONTENTS

1 INTRODUCTION.....	1
1.1 Overview	1
1.2 Regulatory Background	1
1.3 City of Auburn Regulated Area	2
1.4 SWMP Implementation Responsibilities	2
1.5 Document Organization	2
2. STORMWATER MANAGEMENT PROGRAM ADMINISTRATION	3
2.1 Permit Requirements	3
2.2 Planned 2014 Compliance Activities.	3
3. PUBLIC EDUCATION AND OUTREACH	4
3.1 Permit Requirements	4
3.2 Planned 2014 Compliance Activities.	4
4. PUBLIC INVOLVEMENT AND PARTICIPATION	6
4.1 Permit Requirements	6
4.2 Planned 2014 Compliance Activities.	6
5. ILLICIT DISCHARGE DETECTION AND ELIMINATION	7
5.1 Permit Requirements	7
5.2 Planned 2014 Compliance Activities.	7
6. CONTROLLING RUNOFF FROM NEW DEVELOPMENT, REDEVELOPMENT, AND CONSTRUCTION SITES.	8
6.1 Permit Requirements	8
6.2 Planned 2014 Compliance Activities.	9
7. MUNICIPAL OPERATIONS AND MAINTENANCE	10
7.1 Permit Requirements	10
7.2 Planned 2014 Compliance Activities.	11
8. COMPLIANCE WITH TOTAL MAXIMUM DAILY LOAD REQUIREMENTS	12
8.1 Planned 2014 Compliance Activities.	13
9. MONITORING.....	14
9.1 Permit Requirements	14
9.2 Planned 2014 Compliance Activities.....	14
APPENDIX A	15

LIST OF TABLES

Table 2-1 2014 Stormwater Management Administration Program Work Plan	3
Table 3-1 2014 Public Education and Outreach Work Plan	5
Table 4-1 2014 Public Involvement and Participation Work Plan.	6
Table 5-1 2014 Illicit Discharge Detection and Elimination Work Plan	7
Table 6-1 2014 Controlling Runoff from Development, Redevelopment, and Construction Sites Work Plan.	.9
Table 7-1 2014 Municipal Operations and Maintenance Work Plan.	11
Table 8-1 2014 Compliance with TMDL Load Requirements Work Plan.	13
Table 9-1 2014 Water Quality Monitoring Work Plan. ...	14

CITY OF AUBURN 2014 STORMWATER MANAGEMENT PROGRAM PLAN

1. INTRODUCTION

1.1 Overview

This document presents the City of Auburn's Stormwater Management Program (SWMP). Preparation and maintenance of this SWMP Plan is required by the Washington State Department of Ecology (Ecology) as a condition of the Western Washington Phase II Municipal Stormwater Permit (the Phase II Permit). The Phase II permit covers discharges from regulated small municipal separate storm sewer systems (MS4s). The SWMP Plan is intended to inform the public of the planned SWMP activities for the upcoming year.

The permit to discharge stormwater is designed to reduce the discharge of pollutants, protect water quality, and meet the requirements of the federal Clean Water Act.

Appendix A includes acronyms and definitions from the Permit to help the reader understand the City's Stormwater Management Program.

1.2 Regulatory Background

The National Pollutant Discharge Elimination System (NPDES) permit program is a requirement of the federal Clean Water Act, which is intended to protect and restore waters for "fishable, swimmable" uses. The federal Environmental Protection Agency (EPA) has delegated permit authority to state environmental agencies, and these agencies can set permit conditions in accordance with and in addition to the minimum federal requirements. In Washington, the NPDES-delegated permit authority is the Washington State Department of Ecology (Ecology).

In Washington, municipalities with a population of over 100,000 are designated as Phase I communities and must comply with Ecology's Phase I NPDES Municipal Stormwater Permit. Auburn's population is below the 100,000 threshold, so the City must comply with the Phase II Municipal Stormwater Permit. About 100 other municipalities in Washington must also comply with the Phase II Permit, as operators of small municipal separate storm sewer systems (MS4s). Ecology's Phase II Municipal Stormwater Permit is available on Ecology's website at

<http://www.ecy.wa.gov/programs/wq/stormwater/municipal/phaseIIww/wwphiipermitt.html>

The Permit allows municipalities to discharge stormwater runoff from municipal drainage systems into the state's water bodies (e.g., streams, rivers, lakes, wetlands, and aquifers) as long as municipalities implement programs to protect water quality by reducing the discharge of "non-point source" pollutants to the "maximum extent practicable" (MEP) through application of Permit-specified "best management practices" (BMPs). The BMPs specified in the Permit are collectively referred to as the Stormwater Management Program (SWMP) and grouped under the following Program components:

- Public Education and Outreach
- Public Involvement and Participation
- Illicit Discharge Detection and Elimination
- Controlling Runoff from New Development, Redevelopment, and Construction Sites

- Municipal Operations and Maintenance

In addition to the SWMP components the Permit contains special conditions covering

- Compliance with Total Maximum Daily load requirements
- Monitoring and Assessment
- Reporting Requirements

The Permit issued by Ecology became effective on August 1, 2013 and expires on July 31, 2018. The Permit requires the City to submit an annual report no later than March 31st of each year beginning in 2015, on progress in SWMP implementation. The Permit also requires submittal of a SWMP Plan which describes proposed SWMP activities for the current calendar year. The SWMP Plan is to be updated annually and be included in the submittal of the previous year's annual report.

1.3 City of Auburn Regulated Area

The Western Washington Phase II Permit applies to operators of regulated small MS4s that discharge stormwater to waters of Washington State located west of the crest of the Cascade Range (west of the eastern boundaries of Whatcom, Skagit, Snohomish, King, Pierce, Lewis and Skamania counties). For cities, the Permit requirements extend to those areas of each City that drain to MS4s. Most of Auburn drains to MS4s that ultimately discharge into the Green River, the White River, or Mill Creek. In addition, some portions of the City drain to regional infiltration basins.

1.4 SWMP Implementation Responsibilities

The Utilities Engineering Division in the Public Works Department coordinates the overall administration of efforts to comply with Permit requirements. The work plan tables in each Chapter provide the lead departments for the associated task. Other major departments/divisions included in the 2014 SWMP implementation are Maintenance and Operations (M&O), Human Resources (HR), Development Engineering, Permit Center, Innovation and Technology (IT), and Parks.

1.5 Document Organization

The contents of this document are based upon Permit requirements and Ecology's "Guidance for City and County Annual Reports for Western Washington, Phase II Municipal Stormwater General Permits." The program components of this SWMP are organized as listed in the Permit:

- **Section 2.0** addresses administering the City's Stormwater Management Program
- **Section 3.0** addresses public education and outreach.
- **Section 4.0** addresses public involvement and participation.
- **Section 5.0** addresses illicit discharge detection and elimination
- **Section 6.0** addresses controlling runoff from new development, redevelopment, and construction sites.
- **Section 7.0** addresses municipal operations and maintenance.
- **Section 8.0** addresses compliance with TMDL requirements.
- **Section 9.0** addresses monitoring

Each section includes a summary of the relevant Permit requirements and a table showing the planned activities for 2014. This document also includes acronyms and definitions in Appendix A for easy reference.

CITY OF AUBURN 2014 STORMWATER MANAGEMENT PROGRAM PLAN

2 STORMWATER MANAGEMENT PROGRAM ADMINISTRATION

This section of the SWMP describes Permit requirements related to overall Stormwater Management Program administration, and planned compliance activities for 2014.

2.1 Permit Requirements

The Permit (Section S5.A) requires the City to:

- Develop and implement a Stormwater Management Program (SWMP) and prepare written documentation (SWMP Plan) for submittal to Ecology by March 31 of each year. The purpose of the SWMP is to reduce the discharge of pollutants from the municipal stormwater system to the maximum extent practicable and thereby protect water quality. The SWMP Plan is intended to inform the public of the planned SWMP activities for the upcoming calendar year, and any actions to meet the requirements of S7 Compliance with Total Maximum Daily Load Requirements, and S8 Monitoring.
- Implement a program for gathering, tracking, maintaining, and using information to evaluate SWMP development, implementation and permit compliance and to set priorities
- Coordinate with other permittees on stormwater related policies programs, and projects within adjacent or shared areas.
- Coordinate between City departments to eliminate barriers to compliance with the terms of the permit.

2.2 Planned 2014 Compliance Activities

Auburn has positioned itself to maintain compliance. Table 2-1 presents the proposed work plan for the 2014 SWMP administration activities.

Table 2-1. 2014 Stormwater Management Administration Program Work Plan			
Task ID	Task Description	Lead	Compliance Timeframe
SWMP-1	Revise and update the City's Stormwater Management Program Plan (SWMP Plan) to identify planned SWMP activities for 2014.	Utilities Engineering	The SWMP submittal is due by March 31st of each year.
SWMP-2	Track program element implementation.	Utilities Engineering	Annual Reporting is due by March 31 st of each year beginning in 2015

CITY OF AUBURN 2014 STORMWATER MANAGEMENT PROGRAM PLAN

3. PUBLIC EDUCATION AND OUTREACH

This section describes the Permit requirements related to public education and outreach, and planned compliance activities for 2014.

3.1 Permit Requirements

The Permit (Section S5.C.1) requires the City to:

- Prioritize and target education and outreach activities to specified audiences, including the general public, businesses, residents/homeowners, landscapers, property managers, engineers, contractors, developers, review staff and land use planners, and other City employees to reduce or eliminate behaviors and practices that cause or contribute to adverse stormwater impacts.
- Have an outreach program that is designed to improve the target audience's understanding of the problem and what they can do to solve it
- Create and/or partner with existing organizations to encourage residents to participate in stewardship opportunities.
- Measure the understanding and adoption of the targeted behaviors for at least one target audience in at least one subject area. Use the resulting measurements to direct education and outreach resources most effectively
- Track and maintain records of public education and outreach activities.

3.2 Planned 2014 Compliance Activities

The City plans to continue the program that has been developed over the last permit cycle. The target audiences include.

- The general public
- Businesses (including home-based and mobile businesses)
- Residents/homeowners
- Landscapers
- Property managers
- Engineers, contractors, and developers
- City plan review staff, land use planners, and other City employees.

Table 3-1 presents the work plan for the 2014 SWMP public education and outreach activities.

Table 3-1. 2014 Public Education and Outreach Work Plan			
Task ID	Task Description	Lead	Compliance Timeframe
EDUC-1	Continue collaboration with other NPDES municipalities through Stormwater Outreach for Regional Municipalities (STORM) and Puget Sound Starts Here efforts to promote regional education and outreach programs.	Utilities Engineering	Refinements to existing public education and outreach activities are ongoing
EDUC-2	Refine education and outreach strategy to supplement existing education activities. An example would be evaluating the current pet waste cleanup education strategy and whether existing education activities should be supplemented for better results.	Utilities Engineering	
EDUC-3	Implement new or modify existing education and outreach activities. An example would be implementing actions related to our Kid's Day educational activities based on the evaluation done after the 2013 event.	Utilities Engineering	
EDUC-4	Staff training related to Surface Water Management Manual Implementation/Technical Standards • Permitting • Plan Review • Site Inspections • Maintenance Standards	Utilities Engineering	
EDUC-5	Inform public employees, businesses and the general public of the hazards associated with illegal discharges and improper disposal of waste.	Utilities Engineering	Ongoing
EDUC-6	Provide stewardship opportunities such as planting native plants and invasive species removal at the Auburn Environmental park	Planning and Public Works Divisions	2014

CITY OF AUBURN 2014 STORMWATER MANAGEMENT PROGRAM PLAN

4. PUBLIC INVOLVEMENT AND PARTICIPATION

This section describes the Permit requirements related to public involvement and participation, and planned compliance activities for 2014.

4.1 Permit Requirements

The Permit (Section S5 C.2) requires the City to:

- Provide ongoing opportunities for public involvement and participation through advisory boards or commissions, public hearings, watershed committees, public participation in developing rate structures and budgets, or other similar activities. The public must be able to participate in the decision-making processes, including development, implementation, and update of the SWMP
- Make the SWMP Plan and Annual Compliance Report available to the public, by posting on the City's website. Make any other documents required to be submitted to Ecology in response to Permit conditions available to the public.

4.2 Planned 2014 Compliance Activities

The City of Auburn has a history of including the public in decision making. Table 4-1 below presents the work plan for the 2014 SWMP public involvement and participation activities.

Table 4-1. 2014 Public Involvement and Participation Work Plan			
Task ID	Task Description	Lead	Compliance Timeframe
PI-1	Provide public involvement opportunities for annual SWMP update	Utilities Engineering	Public involvement opportunities will be available before the March 31, 2014 submittal.
PI-2	Make SWMP document Report available to public by posting on the City website.	Utilities Engineering	

CITY OF AUBURN 2014 STORMWATER MANAGEMENT PROGRAM PLAN

5. ILLICIT DISCHARGE DETECTION AND ELIMINATION

This section describes the Permit requirements related to illicit discharge detection and elimination (IDDE), and planned compliance activities for 2014.

5.1 Permit Requirements

The Permit (Section S5.C.3) requires the City to:

- Implement an ongoing program to detect and remove illicit discharges, connections, and improper disposal, including any spills into the municipal separate storm sewers owned or operated by the City
- Maintain a storm sewer system map, have ordinances that prohibit illicit discharges, and implement an ongoing program to detect and address illicit discharges.
- Publicly list and publicize a hotline or other local telephone number for public reporting of spills and other illicit discharges. Track illicit discharge reports and actions taken in response through close-out, including enforcement actions.
- Inform public employees, businesses and the general public of hazards associated with illegal discharges and improper disposal of waste
- Train staff on proper IDDE response SOP's and train municipal field staff to recognize and report illicit discharges.
- Summarize all illicit discharges and connections reported to the City and response actions taken, including enforcement actions, in the Annual Compliance Report; identify any updates to the SWMP

5.2 Planned 2014 Compliance Activities

Table 5-1 presents the work plan for 2014 SWMP illicit discharge detection and elimination activities.

Table 5-1. 2014 Illicit Discharge Detection and Elimination Work Plan			
Task ID	Task Description	Lead	Compliance Timeframe
IDDE-1	Continue to implement City-wide IDDE Program and develop any necessary supplemental IDDE activities.	Utilities Engineering	Ongoing
IDDE-2	Continue to review and update storm system map to address data gaps and Permit requirements	Utilities Engineering/IT	Ongoing
IDDE-3	Integrate illicit discharge field screening into the public facility and catch basin inspection programs.	Utilities Engineering	2014

CITY OF AUBURN 2014 STORMWATER MANAGEMENT PROGRAM PLAN

6 CONTROLLING RUNOFF FROM NEW DEVELOPMENT, REDEVELOPMENT, AND CONSTRUCTION SITES

This section describes the Permit requirements related to controlling runoff from new development, redevelopment, and construction sites, and planned compliance activities for 2014.

6.1 Permit Requirements

The Permit (Section S5.C.4) requires the City to:

- Implement, and enforce a program to reduce pollutants in stormwater runoff (i.e., illicit discharges) to the municipal separate storm sewer system from new development, redevelopment, and construction site activities. The program must apply to both private and public projects, including roads, and address all construction/development-associated pollutant sources.
- Have adopted regulations (codes and standards), have plan review, inspection, and escalating enforcement SOPs necessary to implement the program in accordance with Permit conditions, including the minimum technical requirements in Appendix 1 of the Permit by December 31, 2016.
- Review, revise and make effective local development-related codes, rules, standards, or other enforceable documents to incorporate and require Low Impact Development (LID) principles and LID best management practices (BMPs) with the intent of making LID the preferred and commonly-used approach to site development by December 31, 2016.
- Participate in watershed-scale stormwater planning under condition S5.C.4.c of the Phase I Municipal Stormwater General Permit if required.
- Have adopted regulations (codes and standards) and processes to verify adequate long-term operations and maintenance of new post-construction permanent stormwater facilities and BMPs in accordance with Permit conditions, including an annual inspection frequency and/or approved alternative inspection frequency and maintenance standards for private drainage systems as protective as those in Chapter 4 of Volume V of the 2012 Ecology Stormwater Management Manual for Western Washington by December 31, 2016.
- Provide copies of the Notice of Intent (NOI) for construction or industrial activities to representatives of the proposed new development and redevelopment.
- Provide training to staff on the new codes, standards, and SOPs and create public education and outreach materials.
- Record and maintain records of all inspections and enforcement actions by staff
- Summarize annual activities for the “Controlling Runoff” component of the Annual Compliance Report, identify any updates to the SWMP

6.2 Planned 2014 Compliance Activities

The City has a program to help reduce stormwater runoff from new development and construction sites. Table 6-1 presents the work plan for 2014 SWMP activities related to runoff control for new development, redevelopment, and construction sites.

Table 6-1. 2014 Controlling Runoff from Development, Redevelopment, and Construction Sites Work Plan			
Task ID	Task Description	Lead	Compliance Timeframe
CTRL-1	Track and report construction, new development, and redevelopment permits, inspections and enforcement actions.	Planning/ Permit Center	On-going
CTRL-2	Conduct annual inspection of all treatment and flow control BMPs/facilities (other than catch basins) – i.e. private systems	Utilities Engineering	On-going
CTRL-3	Begin process to update city code related to controlling runoff from new development, redevelopment and construction site projects.	Storm Drainage Utility and Building Division	2016
CTRL-4	Begin process to develop and adopt a stormwater management manual equivalent to the 2012 <i>Stormwater Management Manual for Western Washington</i> .	Storm Drainage Utility and Building Division	2016
CTRL-5	Begin process to review, revise and make effective development-related codes, rules, standards, or other enforceable documents to incorporate and require LID principles and LID BMPs	Storm Drainage Utility and Planning Division	2016

CITY OF AUBURN 2014 STORMWATER MANAGEMENT PROGRAM PLAN

7. MUNICIPAL OPERATIONS AND MAINTENANCE

This section describes the Permit requirements related to municipal operations and maintenance, and planned compliance activities for 2014

7.1 Permit Requirements

The Permit (Section S5.C.5) requires the City to:

- Implement an O&M program, with the ultimate goal of preventing or reducing pollutant runoff from municipal separate stormwater system and municipal O&M activities.
- Implement maintenance standards for the municipal separate stormwater system that are at least as protective as those specified in the 2012 Stormwater Management Manual for Western Washington.
- Conduct annual inspection of all municipally owned or operated permanent stormwater treatment and flow control BMPs/facilities and perform maintenance as needed to comply with maintenance standards
- Inspect all catch basins and inlets owned or operated by the City at least once no later than August 1, 2017 and every two years thereafter. Clean the catch basins if inspections indicate cleaning is needed to comply with maintenance standards.
- Check treatment and flow control facilities after major storms and perform repairs as needed in accordance with adopted maintenance standards.
- Have SOPs in place to reduce stormwater impacts associated with runoff from municipal O&M activities, including but not limited to streets, parking lots, roads, or highways owned or maintained by the City, and to reduce pollutants in discharges from all lands owned or maintained by the City
- Train staff to implement the SOPs and document that training
- Prepare Stormwater Pollution Prevention Plans (SWPPPs) for all heavy equipment maintenance or storage yards identified for year-round facilities or yards, and material storage facilities owned or operated by the City
- Summarize annual activities for the “Pollution Prevention and Operations and Maintenance for Municipal Operations” component of the Annual Compliance Report; identify any updates to the SWMP

7.2 Planned 2014 Compliance Activities

Table 7-1 presents the work plan for 2014 SWMP activities related to municipal operations and maintenance.

Table 7-1. 2014 Municipal Operations and Maintenance Work Plan			
Task ID	Task Description	Responsible	Schedule Notes
MOM-1	Conduct annual inspection of all treatment and flow control (other than catch basins) in the public system and perform maintenance as triggered by the maintenance standards.	Utilities Engineering	On-going
MOM-2	Inspect 25% of the public catch basins before July 31, 2014 and perform maintenance as triggered by the maintenance standards.	M&O	On-going
MOM-3	Perform street sweeping to reduce the amount of street waste that enters the storm drainage conveyance system	M&O	Ongoing

CITY OF AUBURN 2014 STORMWATER MANAGEMENT PROGRAM PLAN

8. COMPLIANCE WITH TOTAL MAXIMUM DAILY LOAD REQUIREMENTS

The federal Clean Water Act requires that Ecology establish “Total Maximum Daily Loads” (TMDL) for rivers, streams, lakes, and marine waters that don’t meet water quality standards. A TMDL is a calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards. After the TMDL has been calculated for a given water body, Ecology determines how much each source must reduce its discharges of the pollutant in order bring the water body back into compliance with the water quality standards. TMDL requirements are included in the stormwater NPDES permits for discharges into affected water bodies.

Stormwater discharges covered under this Permit are required to implement actions necessary to achieve the pollutant reductions called for in applicable TMDLs. Applicable TMDLs are those approved by the EPA before the issuance date of the Permit or which have been approved by the EPA prior to the issue date of the Permit or the date Ecology issues coverage under the Permit, whichever is later. Information on Ecology’s TMDL program is available on Ecology’s website at www.ecy.wa.gov/programs/wq/tmdl.

In accordance with Permit condition S7 Compliance with Total Maximum Daily Load Requirements the City must comply with the following TMDL.

Name of TMDL	Puyallup Watershed Water Quality Improvement Project
Document(s) for TMDL	<i>Puyallup River Watershed Fecal Coliform Total Maximum Daily Load – Water Quality Improvement Report and Implementation Plan</i> , June 2011, Ecology Publication No. 11-10-040. http://www.ecy.wa.gov/biblio/1110040.html
Location of Original 303(d) Listings	Puyallup river 16712, 7498, White River 16711, 16708, 16709, Clear Creek 7501, Swan Creek 7514, Boise Creek 16706
Area Where TMDL Requirements Apply	Requirements apply in all areas regulated under the Permittee’s municipal stormwater permit and discharging to water bodies listed within the specific requirement in this TMDL section.
Parameter	Fecal Coliform
EPA Approval Date	September 2011
MS4 Permittee	Phase I Permit: King County, Pierce County Phase II Permit: Auburn, Edgewood, Enumclaw, Puyallup, Sumner

Actions required of the City under this TMDL include

- Beginning no later than October 1, 2013, conduct twice monthly wet weather sampling of stormwater discharges to the White River at Auburn Riverside High School to determine if specific discharges from Auburn's MS4 exceed the water quality criteria for fecal coliform bacteria.
 - Data shall be collected for one wet season.
 - Data shall be collected in accordance with an Ecology-approved QAPP
 - Data collected since EPA TMDL approval can be used to meet this requirement.
- For any of the outfalls monitored, above showing discharges that exceed water quality criteria for primary contact recreation: designate those areas discharging via the MS4 of concern as high priority areas for illicit discharge detection and elimination efforts and implement the schedules and activities identified in S5.C.3 of the Western Washington Phase II permit for response to any illicit discharges found beginning no later than August 1, 2014
- Install and maintain pet waste education and collection stations at municipal parks and other Permittee owned and operated lands adjacent to streams. Focus on locations where people commonly walk their dogs.

8.1 Planned 2014 Compliance Activities

Table 8-1 presents the work plan for 2014 SWMP activities related to TMDL requirement compliance.

Table 8-1. 2014 Compliance with TMDL Load Requirements			
Task ID	Task Description	Responsible	Schedule Notes
TMDL-1	Conduct twice monthly wet weather sampling for fecal coliform in accordance with the approved QAPP	Utilities Engineering	Wet Weather Season is October through April
TMDL-2	Maintain pet waste education and collection stations at municipal parks and other public lands adjacent to the White River and it's tributaries.	Parks Department	On-going

CITY OF AUBURN 2014 STORMWATER MANAGEMENT PROGRAM PLAN

9. MONITORING

This section describes the Permit requirements related to water quality monitoring, and planned compliance activities for 2014.

9.1 Permit Requirements

The Permit (Section S8) requires the City to either conduct Status and Trends Monitoring, and Effectiveness Studies, or pay annually into a collective fund to implement monitoring through the Regional Stormwater Monitoring Program (RSMP). The City committed in 2013 to pay \$45,096.00 annually into the collective RSMP monitoring fund for both Status and Trends Monitoring and Effectiveness Studies.

All permittees are required to pay into the RSMP to implement the RSMP Source Identification Information Repository (SIDIR). Auburn's annual payment will be \$2,614.00.

Payments will be due to the Department of Ecology by August 15th each year beginning in 2014.

The City is required to provide the following monitoring and/or assessment data in each annual report:

- A description of any stormwater monitoring or studies conducted by the City during the reporting period. If stormwater monitoring was conducted on behalf of the City, or if studies or investigations conducted by other entities were reported to the City, a brief description of the type of information gathered or received shall be included in the annual report.
- An assessment of the appropriateness of the best management practices identified by the City for each component of the SWMP; and any changes made, or anticipated to be made, to the BMPs that were previously selected to implement the SWMP and why

9.2 Planned 2014 Compliance Activities

Table 9-1 presents the work plan for 2014 SWMP monitoring activities.

Table 9-1. 2014 Water Quality Monitoring Work Plan			
Task ID	Task Description	Lead	Compliance Timeframe
MNTR-1	Pay \$47,710.00 annually into the RSMP collective fund for implementation of Status and Trends Monitoring, Effectiveness Studies, and the Source Identification Information Repository	Utilities Engineering	Annual payment due by August 15 th , starting in 2014.
MNTR-2	Continue wet weather fecal coliform monitoring in conjunction with the Puyallup River Watershed Fecal Coliform TMDL	Utilities Engineering	Through April 2014

APPENDIX A

Acronyms and Definitions

The following definitions and acronyms are taken directly from the Phase II Permit and are reproduced here for the reader's convenience.

40 CFR means Title 40 of the Code of Federal Regulations, which is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.

AKART means all known, available, and reasonable methods of prevention, control and treatment. See also State Water Pollution Control Act, chapter 90.48.010 RCW and chapter 90.48.520 RCW

All known, available and reasonable methods of prevention, control and treatment refers to the State Water Pollution Control Act, chapter 90.48.010 RCW and chapter 90.48.520 RCW

Applicable TMDL means a TMDL which has been approved by EPA on or before the issuance date of this Permit, or prior to the date that Ecology issues coverage under this Permit, whichever is later.

Beneficial Uses means uses of waters of the state which include but are not limited to use for domestic, stock watering, industrial, commercial, agricultural, irrigation, mining, fish and wildlife maintenance and enhancement, recreation, generation of electric power and preservation of environmental and aesthetic values, and all other uses compatible with the enjoyment of the public waters of the state

Best Management Practices are the schedules of activities, prohibitions of practices, maintenance procedures, and structural and/or managerial practices approved by Ecology that, when used singly or in combination, prevent or reduce the release of pollutants and other adverse impacts to waters of Washington State

BMP means Best Management Practice.

Bypass means the diversion of stormwater from any portion of a stormwater treatment facility.

Census defined urban area means Urbanized Area.

Circuit means a portion of a MS4 discharging to a single point or serving a discrete area determined by traffic volumes, land use, topography or the configuration of the MS4.

Component or Program Component means an element of the Stormwater Management Program listed in S5 Stormwater Management Program for Cities, Towns, and Counties or S6 Stormwater Management Program for Secondary Permittees, S7 Compliance with Total Maximum Daily Load Requirements, or S8 Monitoring of this permit.

Co-Permittee means an owner or operator of an MS4 which is in a cooperative agreement with at least one other applicant for coverage under this permit. A Co-Permittee is an owner or operator of a regulated MS4 located within or in proximity to another regulated MS4. A Co-Permittee is only responsible permit conditions relating to discharges from the MS4 the Co-Permittee owns or operates. See also 40 CFR 122.26(b)(1).

CWA means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. (6-483 and Pub. L. 97-117, 33 U.S.C. 1251 et seq).

Director means the Director of the Washington State Department of Ecology, or an authorized representative.

Entity means a governmental body, or a public or private organization.

EPA means the U.S. Environmental Protection Agency

General Permit means a permit which covers multiple dischargers of a point source category within a designated geographical area, in lieu of individual permits being issued to each discharger

Ground water means water in a saturated zone or stratum beneath the surface of the land or below a surface water body. Refer to chapter 173-200 WAC.

Hazardous substance means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical, or biological properties described in WAC 173-303-090 or WAC 173-303-100.

Heavy equipment maintenance or storage yard means an uncovered area where any heavy equipment, such as mowing equipment, excavators, dump trucks, backhoes, or bulldozers are washed or maintained, or where at least five pieces of heavy equipment are stored on a long-term basis

Highway means a main public road connecting towns and cities.

Hydraulically near means runoff from the site discharges to the sensitive feature without significant natural attenuation of flows that allows for suspended solids removal. See Appendix 7 Determining Construction Site Sediment Damage Potential for a more detailed definition.

Hyperchlorinated means water that contains more than 10 mg/Liter chlorine.

Illicit connection means any infrastructure connection to the MS4 that is not intended, permitted or used for collecting and conveying stormwater or non-stormwater discharges allowed as specified in this permit (S5.C.3 and S6.D.3). Examples include sanitary sewer connections, floor drains, channels, pipelines, conduits, inlets, or outlets that are connected directly to the MS4.

Illicit discharge means any discharge to a MS4 that is not composed entirely of stormwater or of non-stormwater discharges allowed as specified in this permit (S5.C.3 and S6.D.3).

Impervious surface means a non-vegetated surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A non- vegetated surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or stormwater areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater.

Land disturbing activity means any activity that results in a change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to clearing, grading, filling and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered land disturbing activity. Vegetation maintenance practices, including landscape maintenance and gardening, are not considered land disturbing activity. Stormwater facility maintenance is not considered land disturbing activity if conducted according to established standards and procedures.

LID means Low Impact Development.

LID BMP means low impact development best management practices.

LID Principles means land use management strategies that emphasize conservation, use of on- site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff.

Low Impact Development means a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation

and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

Low impact development best management practices means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention/rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, vegetated roofs, minimum excavation foundations, and water re-use.

Material Storage Facilities means an uncovered area where bulk materials (liquid, solid, granular, etc.) are stored in piles, barrels, tanks, bins, crates, or other means.

Maximum Extent Practicable refers to paragraph 402(p)(3)(B)(iii) of the federal Clean Water Act which reads as follows: Permits for discharges from municipal storm sewers shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques, and system, design, and engineering methods, and other such provisions as the Administrator or the State determines appropriate for the control of such pollutants.

MEP means Maximum Extent Practicable.

MS4 means municipal separate storm sewer system.

Municipal Separate Storm Sewer System means a conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

- (i) Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of wastes,

stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of Washington State.

- (ii) Designed or used for collecting or conveying stormwater.
- (iii) Which is not a combined sewer;
- (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2, and
- (v) Which is defined as “large” or “medium” or “small” or otherwise designated by Ecology pursuant to 40 CFR 122.26.

National Pollutant Discharge Elimination System means the national program for issuing, modifying, revoking, and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the state from point sources. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington Department of Ecology

Native vegetation means vegetation comprised of plant species, other than noxious weeds, that are indigenous to the coastal region of the Pacific Northwest and which reasonably could have been expected to naturally occur on the site. Examples include trees such as Douglas Fir, western hemlock, western red cedar, alder, big-leaf maple; shrubs such as willow, elderberry, salmonberry, and salal, and herbaceous plants such as sword fern, foam flower, and fireweed

New development means land disturbing activities, including Class IV General Forest Practices that are conversions from timber land to other uses; structural development, including construction or installation of a building or other structure, creation of hard surfaces; and subdivision, short subdivision and binding site plans, as defined and applied in chapter 58.17

RCW Projects meeting the definition of redevelopment shall not be considered new development. Refer to Appendix 1 for a definition of hard surfaces.

New Permittee means a city, town, or county that is subject to the *Western Washington Municipal Stormwater General Permit* and was not subject to the permit prior to August 1, 2013.

New Secondary Permittee means a Secondary Permittee that is covered under a municipal stormwater general permit and was not covered by the permit prior to August 1, 2013.

NOI means Notice of Intent.

Notice of Intent means the application for, or a request for coverage under a General Permit pursuant to WAC 173-226-200.

Notice of Intent for Construction Activity means the application form for coverage under the

Construction Stormwater General Permit.

Notice of Intent for Industrial Activity means the application form for coverage under the
General Permit for Stormwater Discharges Associated with Industrial Activities.

NPDES means National Pollutant Discharge Elimination System.

Outfall means point source as defined by 40 CFR 122.2 at the point where a discharge leaves the MS4 and discharges to waters of the State. Outfall does not include pipes, tunnels, or other conveyances which connect segments of the same stream or other surface waters and are used to convey primarily surface waters (i.e. culverts).

Permittee unless otherwise noted, the term “Permittee” includes city, town, or county Permittee, Co-Permittee, New Permittee, Secondary Permittee, and New Secondary Permittee.

Physically Interconnected means that one MS4 is connected to another storm sewer system in such a way that it allows for direct discharges to the second system. For example, the roads with drainage systems and municipal streets of one entity are physically connected directly to a storm sewer system belonging to another entity.

Project site means that portion of a property, properties, or right-of-ways subject to land disturbing activities, new hard surfaces, or replaced hard surfaces. Refer to Appendix 1 for a definition of hard surfaces.

QAPP means Quality Assurance Project Plan.

Qualified Personnel means someone who has had professional training in the aspects of stormwater management for which they are responsible and are under the functional control of the Permittee. Qualified Personnel may be staff members, contractors, or volunteers.

Quality Assurance Project Plan means a document that describes the objectives of an environmental study and the procedures to be followed to achieve those objectives.

RCW means the Revised Code of Washington State.

Receiving waters means bodies of water or surface water systems to which surface runoff is discharged via a point source of stormwater or via sheet flow. Receiving waters may also be ground water to which surface runoff is directed by infiltration.

Redevelopment means, on a site that is already substantially developed (i.e., has 35% or more of existing hard surface coverage), the creation or addition of hard surfaces; the expansion of a building footprint or addition or replacement of a structure; structural development including construction, installation or expansion of a building or other structure; replacement of hard surface that is not part of a routine maintenance activity; and land disturbing activities. Refer to Appendix 1 for a definition of hard surfaces.

Regional Stormwater Monitoring Program means, for all of western Washington, a stormwater-focused monitoring and assessment program consisting of these components: status and trends monitoring in small streams and marine nearshore areas, stormwater management program effectiveness studies, and a source identification information repository (SIDIR). The priorities and scope for the RSMP are set by a formal stakeholder group. For this permit term, RSMP status and trends monitoring will be conducted in the Puget Sound basin only.

Regulated Small Municipal Separate Storm Sewer System means a **Municipal Separate Storm Sewer System** which is automatically designated for inclusion in the Phase II stormwater permitting program by its location within an Urbanized Area, or by designation by Ecology and is not eligible for a waiver or exemption under S1.C.

RSMP means Regional Stormwater Monitoring Program.

Runoff is water that travels across the land surface and discharges to water bodies either directly or through a collection and conveyance system. See also “Stormwater.”

Secondary Permittee is an operator of a regulated small MS4 which is not a city, town or county. Secondary Permittees include special purpose districts and other public entities that meet the criteria in S1.B.

Sediment/Erosion-Sensitive Feature means an area subject to significant degradation due to the effect of construction runoff, or areas requiring special protection to prevent erosion. See Appendix 7 Determining Construction Site Sediment Transport Potential for a more detailed definition.

Shared water bodies means water bodies, including downstream segments, lakes and estuaries that receive discharges from more than one Permittee.

SIDIR means Source Identification Information Repository

Significant contributor means a discharge that contributes a loading of pollutants considered to be sufficient to cause or exacerbate the deterioration of receiving water quality or instream habitat conditions.

Small Municipal Separate Storm Sewer System means an MS4 that is not defined as “large” or “medium” pursuant to 40 CFR 122.26(b)(4) & (7) or designated under 40 CFR 122.26 (a)(1)(v).

Source control BMP means a structure or operation that is intended to prevent pollutants from coming into contact with stormwater through physical separation of areas or careful management of activities that are sources of pollutants. The *SWMMWV* (2012) separates source control BMPs into two types. Structural Source Control BMPs are physical, structural, or mechanical devices, or facilities that are intended to prevent pollutants from entering stormwater. Operational BMPs are non-structural practices that prevent or reduce pollutants from entering stormwater. See Volume IV of the *SWMMWV* (2012) for details.

Stormwater means runoff during and following precipitation and snowmelt events, including surface runoff, drainage or interflow

Stormwater Associated with Industrial and Construction Activity means the discharge from any conveyance which is used for collecting and conveying stormwater, which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant, or associated with clearing, grading and/or excavation, and is required to have an NPDES permit in accordance with 40 CFR 122.26.

Stormwater Management Program means a set of actions and activities designed to reduce the discharge of pollutants from the MS4 to the MEP and to protect water quality, and comprising the components listed in S5 (for cities, towns and counties) or S6 (for Secondary Permittees) of this Permit and any additional actions necessary to meet the requirements of applicable TMDLs pursuant to S7 *Compliance with TMDL Requirements*, and S8 *Monitoring and Assessment*.

Stormwater Treatment and Flow Control BMPs/Facilities means detention facilities, treatment BMPs/facilities, bioretention, vegetated roofs, and permeable pavements that help meet Appendix 1 Minimum Requirements #6 (treatment), #7 (flow control), or both.

SWMMWW means *Stormwater Management Manual for Western Washington (2005)*.

SWMP means Stormwater Management Program.

TMDL means Total Maximum Daily Load.

Total Maximum Daily Load means a water cleanup plan. A TMDL is a calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources.

The calculation must include a margin of safety to ensure that the water body can be used for the purposes the state has designated. The calculation must also account for seasonable variation in water quality. Water quality standards are set by states, territories, and tribes. They identify the uses for each water body, for example, drinking water supply, contact recreation (swimming), and aquatic life support (fishing), and the scientific criteria to support that use. The Clean Water Act, section 303, establishes the water quality standards and TMDL programs.

Tributary conveyance means pipes, ditches, catch basins, and inlets owned or operated by the Permittee and designed or used for collecting and conveying stormwater.

UGA means Urban Growth Area.

Urban Growth Area means those areas designated by a county pursuant to RCW 36.70A.110.

Urbanized Area is a federally-designated land area comprising one or more places and the adjacent densely settled surrounding area that together have a residential population of at least 50,000 and an overall population density of at least 1,000 people per square mile. Urbanized Areas are designated by the U.S. Census Bureau based on the most recent decennial census.

Vehicle Maintenance or Storage Facility means an uncovered area where any vehicles are regularly washed or maintained, or where at least 10 vehicles are stored.

Water Quality Standards means Surface Water Quality Standards, chapter 173-201A WAC, Ground Water Quality Standards, chapter 173-200 WAC, and Sediment Management Standards, chapter 173-204 WAC.

Waters of the State includes those waters as defined as "waters of the United States" in 40 CFR Subpart 122.2 within the geographic boundaries of Washington State and "waters of the state" as defined in chapter 90-48 RCW which includes lakes, rivers, ponds, streams, inland waters, underground waters, salt waters and all other surface waters and water courses within the jurisdiction of the State of Washington.

Waters of the United States refers to the definition in 40 CFR 122.2.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5047

Date:

February 25, 2014

Department:

Planning and Development

Attachments:

[Resolution No. 5047](#)

Budget Impact:

\$0

Administrative Recommendation:

City Council adopt Resolution No. 5047.

Background Summary:

The City of Auburn conducts progressive code enforcement action in accordance with Chapter 1.25 (Civil Penalties for Violations) and other applicable Titles and Chapters of the Auburn City Code. The City of Auburn opened a code compliance case for 911 17th Street NE on October 23, 2013 in response to complaints received for garbage, debris, litter and junk sitting on the property. Consistent with standard operating procedure, code enforcement officers attempted to obtain compliance by working with the occupant of the residence. Due to a lack of response by the occupant, code enforcement issued a formal Notice to Correct on December 6, 2013 that provided 7 calendar days to bring the property into compliance. Because the occupant made a modest amount of progress code enforcement staff granted additional time to complete the clean up. Over the course of the next three weeks the occupant did not make any additional progress. As a result, on December 31, 2013 code enforcement staff issued a Notice of Penalty which imposes a \$500 fine plus an additional \$100 per day until the violation is remedied. As of February 19, 2014 the property remains in the same non-compliant condition and the fines have accumulated to \$5,000.00.

Following consultation with the Mayor's Office and the City Attorney's Office, Community Development staff have determined that the current condition of this property pertaining to the public nuisance warrant abatement action by the City of Auburn. The passage of this Resolution would authorize the Mayor or designee to engage in substantive abatement action. The condition of the property, in staff's professional determination, present a threat to the public health, safety and welfare of the residents of the surrounding properties and negatively impacts the community's quality of life.

Following passage of the Resolution by the City Council, staff will contract with a qualified service provider to conduct cleanup of the exterior portions of the property.

Staff anticipates that there may be a need to conduct on-going clean up and securement activity until the City can obtain compliance action from the ownership entity. All costs associated with first time and on-going abatement actions will be applied as a lien against the property that will have to be paid in order for any future sale of the property to occur.

The City will also track and apply all administrative costs (staff time, court costs, filing fees, etc.) associated with the conduct of abatement against this property and apply them as a lien against the property as well.

Community Development has adequate budget capacity to cover anticipated costs associated with abatement actions potentially through the remainder of the calendar year. These anticipated costs range between \$1,500 and \$2,000.

The Planning and Community Development Committee recommended approval of Resolution No. 5047 to the full City Council at its March 3, 2014 regular meeting.

Reviewed by Council Committees:

Planning And Community Development, Public Works Other: Mayor's Office, Legal

Councilmember: Holman

Staff: Snyder

Meeting Date: March 3, 2014

Item Number: RES.B

RESOLUTION NO. 5047

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE CITY TO EXPEND FUNDS TO ABATE THE LITTER, JUNK, AND YARD WASTE NUISANCE AT 911 17th STREET NE, AUBURN

WHEREAS, Title 8 of the Auburn City Code (ACC) provides for an enforcement mechanism for the City to address abatement of nuisances and enforcement of laws against unlawful activity involving junk, litter, debris and weeds, and

WHEREAS, the code provisions empower the City to take corrective action when efforts to have the property owner cure the nuisance problem have been unsuccessful; and

WHEREAS, the condition of the property located at 911 17th Street NE, Auburn, violates the City's nuisance code as the property is littered with household trash, recyclables, garbage, and yard waste debris in a quantity sufficient to pose health risks to the Auburn citizens; and

WHEREAS, City Code Enforcement staff have requested compliance, have issued correction notices, and imposed civil penalties upon the owner of the property; but all efforts have been apparently inadequate to prompt them to correct the nuisance conditions at that property; and

WHEREAS, because the litter, debris, weeds, and junk present a danger to public health, safety and welfare it is appropriate that the City take appropriate

steps to abate the nuisance conditions on said property and to take all steps provided in code to recover the City's costs of such corrective action

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

Section 1. Findings of Nuisance. That the City Council makes the following findings.

(a) That the property located at 911 17th Street NE, Auburn, contains trash, litter, debris, yard waste and overgrown vegetation in violation of ACC 8 12 and 8.20;

(b) That the condition of the Property constitutes a nuisance, as described in exhibit A, that warrants abatement under ACC 8 12 and 8.20, specifically due to the filthy, littered and trash-covered premises; the presence of household waste, containers, debris, and other material that provides harborage for insects, rodents, or other pests; garbage disposed of in a manner other than provided in the solid waste code, the presence of grass clippings, cut brush, and cut weeds that may create an insect or rodent harborage; and grass and ground cover exceeding a height of 12 inches.

(c) That the condition of the Property, as described in exhibit A, is detrimental to health, safety and welfare of the public and is an attractive nuisance that necessitates corrective action to preserve the public health, safety and welfare.

(d) That the City has provided the property owners with notice of the violations, the nuisance conditions, and the necessary remedial actions, and they have failed to take corrective action.

Section 2. Authorization for Abatement and Cost Recovery. That if the nuisance conditions herein described are not fully corrected within three days of receipt of written notice to abate the nuisance conditions by the person(s) or entity owning, occupying or controlling such premises, the Mayor is authorized to utilize City resources to correct and abate the nuisance conditions at said Property, to record all costs of abatement, and to take all legal steps to recover these costs from the person(s) or entity owning or controlling the premises.

Section 3. Continuing Abatement Authorization. That after the Mayor has exercised the authority granted in Section 2, the Mayor finds that any of the above findings again describe the condition of the Property, the Mayor is authorized to again give notice of abatement to the person(s) or entity owning, occupying or controlling such premises and, if no corrective action is taken within three days of receipt of the notice, to again utilize City resources to correct and abate the nuisance conditions at said Property and take all legal steps to recover the costs of abatement from the person(s) or entity owning or controlling the premises.

Section 4. Administrative Procedures. That the Mayor is authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

Section 5. Effective Date. This Resolution shall take effect and be in full force upon passage and signatures.

Dated and Signed this _____ day of _____, 2014

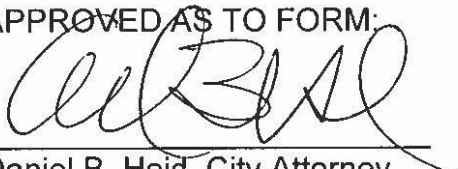
CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST.

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

Exhibit A

FINDINGS OF FACT REGARDING PROPERTY LOCATED AT 911 17th STREET NE

Code Enforcement Officers received complaints about the premises at 911 17th St NE, Auburn, Washington 98002 regarding certain health and safety concerns. Officers made repeated visits to the property to inspect the conditions reported. Photos of the premises taken by the officers during these inspections are attached below.

Litter, junk, trash, and debris on the property have been allowed to accumulate which creates a public nuisance and serve as a harborage or a potential harborage for pests and vermin, including insects and rodents.

A Notice to Correct was issued on December 6, 2013, and a Notice of Penalty was issued on December 31, 2013, without compliance thereto

It is appropriate that the City take action to abate, ameliorate and address the unsafe, unhealthy and dangerous conditions thereon.

Signed this _____ day of February, 2014

Jeff Tate
Assistant Director, Community Development,
Department of Public Works & Community
Development



