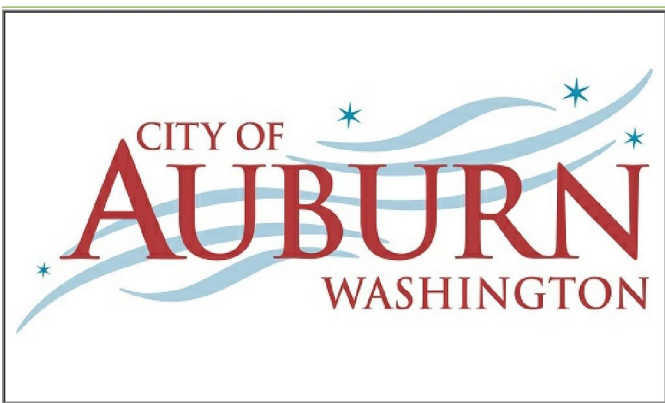


|                                                                                   |                                                                                                                                                                                                                                                                                                                              |
|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <p><b>City Council Study Session Muni Services SFA</b><br/> <b>February 13, 2023 - 5:30 PM</b><br/> <b>City Hall Council Chambers</b><br/> <b>AGENDA</b><br/> <b>Watch the meeting LIVE!</b></p> <p><b>Watch the meeting video</b><br/> Meeting videos are not available until 72 hours after the meeting has concluded.</p> |
|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

I. CALL TO ORDER

II. PUBLIC PARTICIPATION

A. Public Participation

The Auburn City Council Study Session Meeting scheduled for Monday, February 13, 2023 at 5:30 p.m. will be held in person and virtually.

Virtual Participation Link:

To view the meeting virtually please click the below link, or call into the meeting at the phone number listed below. The link to the Virtual Meeting is:

<https://www.youtube.com/user/watchauburn/live/?nomobile=1>

To listen to the meeting by phone or Zoom, please call the below number or click the link:

Telephone: 253 205 0468

Toll Free: 888 475 4499

Zoom: <https://us06web.zoom.us/j/85978891416>

B. Roll Call

III. AGENDA MODIFICATIONS

IV. ANNOUNCEMENTS, REPORTS, AND PRESENTATIONS

A. PAC Update (Caillier) (20 Minutes)

B. End of Year Capital Projects Status Report (Gaub) (15 Minutes)

C. Engineering Design Standards (Gaub) (10 Minutes)

V. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Ordinance No. 6899 (Thomas) (10 Minutes)

An Ordinance establishing the local sales and use tax rate for local revitalization financing for 2023

B. Ordinance No. 6901 (Tate) (10 Minutes)

An Ordinance for a site-specific rezone of one parcel from R-5, Residential Zone - Five Dwelling Units per acre to I, Institutional

C. Ordinance No. 6903 (Gaub) (5 Minutes)

An Ordinance amending Chapter 2.94 of the Auburn City Code (ACC) related to the City's Transportation Advisory Board

D. Ordinance No. 6904 (Gaub) (5 Minutes)

An Ordinance amending Chapter 12.12 of the Auburn City Code (ACC) relating to Public Sidewalk Areas to address Artificial Turf

E. Resolution No. 5698 (Thomas) (10 Minutes)

A Resolution authorizing the transfer of funds for the purpose of making loans from the general fund and/or the cumulative reserve fund to funds sustained by grants, fees, or tax credits between February 2023 and February 2026

VI. MUNICIPAL SERVICES DISCUSSION ITEMS

A. Ordinance No. 6889 (Martinson) (10 Minutes)

An Ordinance amending Section 2.03.020 of the Auburn City Code (ACC) related to the salary and employment benefits for the City Mayor position

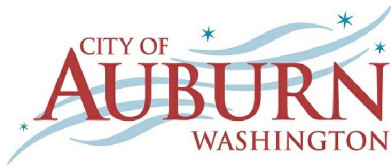
B. Ordinance No. 6890 (Martinson) (10 Minutes)

An Ordinance amending and repealing certain Sections within Articles II and III of Auburn City Code (ACC) Chapter 2.63 related to vacation, leave and insurance coverage for City employees, and adding new Sections to ACC Chapter 2.63 related to employee leave

VII. ADJOURNMENT

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





## AGENDA BILL APPROVAL FORM

---

**Agenda Subject:**

End of Year Capital Projects Status Report (Gaub) (15 Minutes)

**Date:**

February 6, 2023

**Department:**

Public Works

**Attachments:**

[Capital Projects Status Report](#)  
[Presentation](#)

**Budget Impact:**

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

**Administrative Recommendation:**

For discussion only.

**Background for Motion:****Background Summary:**

The purpose of this discussion is to inform the Council and Public of the overall status of the City's Capital Project program managed by the Engineering Services Division.

The Capital Project Group of Engineering Services is currently managing 31 projects, totaling approximately \$87 million in total project costs. Of these projects, 24 are in design and 7 are under construction. Within the next month, 2 projects that are currently in design are expected to enter the construction phase.

**Reviewed by Council Committees:**

**Councilmember:** Brown

**Staff:**

Gaub

**Meeting Date:** February 13, 2023

Item Number:

# Capital Project Status Report

Public Works Department - Engineering General Services Division

## Construction Projects

| Project Number | Project Name & Description                                                                                                                                                                                                                                                                                                                                               | Current Budget                                      | Construction Start        | Construction Finish       | Project Manager | Recent Progress                                                                                                                                                                                                                                   | Design Consultant | Contractor            |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|---------------------------|---------------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-----------------------|
| CP1916         | <b>Academy Pump Station 1 Replacement</b><br><br>This project demolishes and replaces Pump Station 1, repurposes Pump Station 2 into a storage facility, replaces backup power systems at the site, and replaces/installs underground water main to the facility.                                                                                                        | \$4,288,439                                         | QTR 2 (APR-JUN)<br><br>21 | QTR 1 (JAN-MAR)<br><br>23 | Jeffrey Bender  | Construction is nearly complete with minor corrections and work remaining.                                                                                                                                                                        | Carollo           | McClure & Sons, Inc.  |
| CP1927         | <b>Auburn Way N and 1st Street NE Signal Replacement</b><br><br>This project will replace the existing traffic signal at Auburn Way North and 1st Street NE with a new traffic signal per the City of Auburn standards and the Downtown standards. The project also includes adding left turn pocket on 1st Street NE and flashing yellow arrows in all four directions. | \$1,606,514                                         | QTR 3 (JUL-SEP)<br><br>21 | QTR 4 (OCT-DEC)<br><br>22 | Aleksey Koshman | Construction is complete. Project closeout is underway.                                                                                                                                                                                           | N/A               | RW Scott Construction |
| CP2121         | <b>Riverwalk Drive SE Non-Motorized Improvements</b><br><br>In partnership with the MIT the project will complete the sidewalk gap along the east side of Riverwalk Drive SE between Auburn Way S and Howard Road SE. The project also include lighting and storm improvements and an RRFB at Howard Road.                                                               | \$2,923,084<br>(Includes State Grant and MIT Funds) | QTR 1 (JAN-MAR)<br><br>23 | QTR 3 (JUL-SEP)<br><br>23 | Aleksey Koshman | Bids were opened on January 31, 2023. Apparent low bidder was Reed Trucking and Excavating Inc. City staff is performing reference checks and other verifications to determine if the apparent low bidder meets the responsible bidding criteria. | HDR               | TBD                   |

| Project Number | Project Name & Description                                                                                                                                                                                                                                                                                                                                             | Current Budget                              | Construction Start        | Construction Finish       | Project Manager | Recent Progress                                                                                                                                                             | Design Consultant | Contractor                   |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|---------------------------|---------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|------------------------------|
| CP2003         | <b>2nd Street SE Preservation Project</b><br><br>This project will reconstruct the pavement on 2nd Street SE between A Street SE and Auburn Way S. The project will also replace 450 feet of sewer main, construct new curb ramps, install new LED Street lighting, replace curb & gutter as needed, and upgrade drainage infrastructure as needed.                    | \$1,440,676<br>(Includes State Grant Funds) | QTR 2 (APR-JUN)<br><br>22 | QTR 1 (JAN-MAR)<br><br>23 | Seth Wickstrom  | Non-City utility underground work and new sidewalk work are ongoing.                                                                                                        | N/A               | Ceccanti, Inc.               |
| CP2010         | <b>2021 Sewer Repair and Replacement Project</b><br><br>This project plans to replace a total of approximately 2585 LF of 8"-10" diameter sewer line at 9 separate sites and construct 10 spot repairs.                                                                                                                                                                | \$2,400,000                                 | QTR 2 (APR-JUN)<br><br>21 | QTR 1 (JAN-MAR)<br><br>23 | Matt Larson     | Construction is nearly complete with minor corrections and work remaining.                                                                                                  | N/A               | Nordvind Company             |
| CP2102         | <b>4th Street SE Preservation</b><br><br>This Project will replace pavement and utilities on 4th Street SE from Auburn Way South to L Street SE. The project will also include replacement of City utilities, removal of sidewalk obstructions, replacement of sidewalk and curb ramps as needed to address ADA requirements, street lighting, and other improvements. | \$6,760,496<br>(Includes State Grant Funds) | QTR 1 (JAN-MAR)<br><br>22 | QTR 1 (JAN-MAR)<br><br>23 | Jeffrey Bender  | The construction contract has been suspended for weather. Construction work will resume in the spring when the weather is more advantageous for applying pavement markings. | HDR               | Reed Excavating and Trucking |

| Project Number | Project Name & Description                                                                                                                                                                                                                                      | Current Budget                            | Construction Start        | Construction Finish       | Project Manager | Recent Progress                                         | Design Consultant | Contractor       |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|---------------------------|---------------------------|-----------------|---------------------------------------------------------|-------------------|------------------|
| CP2119         | <b>Arterial Pedestrian and Bike Safety Project</b><br><br>This project will improve pedestrian safety and accessibility by replacing curbs ramps to meet ADA, installing Rectangular Rapid Flashing Beacon, infill gaps in the sidewalk and storm improvements. | \$510,000<br>(Includes State Grant Funds) | QTR 2 (APR-JUN)<br><br>22 | QTR 1 (JAN-MAR)<br><br>23 | Aleksey Koshman | Construction is complete. Project closeout is underway. | N/A               | CCT Construction |

**Design Projects**

| Project Number | Project Name & Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Current Budget                                 | Construction Start        | Construction Finish       | Project Manager | Recent Progress                                                                                                                                                                               | Design Consultant | Contractor |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|---------------------------|---------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|------------|
| CP1603         | <b>Coal Creek Springs Transmission Main Repair</b><br><br>The project will construct a second, parallel transmission pipeline over the White River suspended from a new pedestrian bridge, inspect the existing steel transmission main for possible leaks and repair the leaks, if any.                                                                                                                                                                                                                                                                                     | \$4,687,520                                    | QTR 2 (APR-JUN)<br><br>23 | QTR 4 (OCT-DEC)<br><br>23 | Seth Wickstrom  | Design is complete and the Consultant design team is finalizing the construction plans and other contract documents.<br><br>Environmental and land use permitting process is nearly complete. | Jacobs            | TBD        |
| CP1622         | <b>Auburn Way South Improvements - Hemlock St SE to Poplar St SE</b><br><br>Roadway widening to create a five-lane cross section with two general purpose travel lanes in each direction, and a two-way center left-turn lane. A new roundabout is proposed near the Noble Court intersection to support access to Chinook Elementary School. Additionally, curb and gutter, 10 foot sidewalks, illumination, transit stop improvements, storm water improvements, water main extension, and access management (where feasible) with accommodation for U-turns are proposed. | \$13,048,001<br>(Includes Federal Grant Funds) | QTR 2 (APR-JUN)<br><br>24 | QTR 3 (JUL-SEP)<br><br>25 | Jeffrey Bender  | Consultant design team is working on the project design. Design is 60% complete.<br><br>Environmental permitting is underway.<br><br>Property acquisition process is underway.                | Parametrix        | TBD        |
| CP2207         | <b>10th St NW/A Street NW Intersection Improvements</b><br><br>The project will construct a new traffic signal at the intersection in place of the existing stop control on the 10th Street NW approach.                                                                                                                                                                                                                                                                                                                                                                     | \$1,215,000                                    | QTR 2 (APR-JUN)<br><br>23 | QTR 4 (OCT-DEC)<br><br>23 | Nahom Kahsay    | City design team is working on the project design. The design is 30% complete.                                                                                                                | N/A               | TBD        |

| Project Number | Project Name & Description                                                                                                                                                                                                                                                                                                                                   | Current Budget | Construction Start        | Construction Finish       | Project Manager | Recent Progress                                                                  | Design Consultant | Contractor |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------------|---------------------------|-----------------|----------------------------------------------------------------------------------|-------------------|------------|
| CP2211         | <b>49th Street NE (Auburn Way N to D Street NE)</b><br><br>The project will complete the buildout of 49th Street NE between Auburn Way N and D Street NE to complete the roadway cross section. The project will widen the roadway, where required, to provide a complete three lane section matching the existing cross section to the east of D Street NE. | \$1,027,000    | QTR 1 (JAN-MAR)<br><br>24 | QTR 4 (OCT-DEC)<br><br>24 | Steven Sturza   | Consultant contract negotiations are underway.                                   | N/A               | TBD        |
| CP2018         | <b>S. 330th St and 46th Place S Storm Improvements</b><br><br>Relocate existing storm system located on private property, into approximately 350 linear feet of new 24-inch storm pipe within the public right-of-way. Improvements will include replacing existing outfall structure and connections of private drainage pipes.                             | \$689,051      | QTR 3 (JUL-SEP)<br><br>23 | QTR 4 (OCT-DEC)<br><br>23 | Lauren Kirk     | Environmental permitting process is underway.                                    | N/A               | TBD        |
| CP2009         | <b>Rainier Ridge Pump Station</b><br><br>This project will replace the Rainier Ridge Sewer Pump Station and its associated force main (approximately 725 ft).                                                                                                                                                                                                | \$4,850,109    | TBD                       | TBD                       | Nahom Kahsay    | Alternative analysis completed. Consultant design team is working on the design. | Kennedy Jenks     | TBD        |



| Project Number | Project Name & Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Current Budget | Construction Start        | Construction Finish       | Project Manager | Recent Progress                                                                                                                                                                      | Design Consultant | Contractor |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------------|---------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|------------|
| CP2022         | <b>Garden Avenue Realignment</b><br><br>The project will create a new east/west connection between Garden Ave (102nd Ave SE) and 104th Ave SE and remove the existing Garden Ave connection to 8th St NE and replace it with a permanent cul-de-sac. The project will also demolish an existing building and acquire the ROW needed for the roadway. Utility improvements include storm drainage needed to support the roadway surface; approx. 1500 ft of new/replaced watermain; and approx. 220 ft of sewer line.                                 | \$1,685,000    | QTR 2 (APR-JUN)<br><br>23 | QTR 2 (APR-JUN)<br><br>24 | Kim Truong      | City design team is working on the project design. The design is 30% complete.<br><br>Property acquisition process is underway.<br><br>Environmental permitting process is underway. | N/A               | TBD        |
| CP2021         | <b>Well 4 Facility Improvements</b><br><br>The project includes a comprehensive investigation and evaluation of the well operation. The consultant design team has already determined that the soft starter settings needed to be adjusted for the generator to function as designed and a new VFD or generator are not needed. The team has also determined which aging mechanical and electrical components need to be replaced. The remaining scope of this project includes the replacement of these aging mechanical and electrical components. | \$1,207,791    | QTR 4 (OCT-DEC)<br><br>23 | QTR 2 (APR-JUN)<br><br>24 | Nahom Kahsay    | The design consultant contract has been executed. Design is underway.                                                                                                                | Carollo           | TBD        |

| Project Number | Project Name & Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Current Budget                                | Construction Start        | Construction Finish       | Project Manager | Recent Progress                                                                                                                       | Design Consultant       | Contractor |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|---------------------------|---------------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------|-------------------------|------------|
| CP2110         | <b>Regional Growth Center Access Improvements</b><br><br>The project would improve the 3rd Street NE/4th Street NE intersections with Auburn Ave and Auburn Way N. The project will improve non-motorized access and traffic operations and circulation. The project adds the northbound left-turn movements and a northbound/southbound crosswalk at 3rd St/Auburn Ave, and removes the split phase operations at 4th St/Auburn Way N.                                                                    | \$3,924,026<br>(Includes Sound Transit Funds) | QTR 3 (JUL-SEP)<br><br>23 | QTR 2 (APR-JUN)<br><br>24 | Seth Wickstrom  | Consultant design team is working on the project design. The design is 60% complete.<br><br>Property acquisition process is underway. | TranspoGroup            | TBD        |
| CP2107         | <b>PW M&amp;O Facility Improvements Phase 1</b><br><br>This project will enclose the existing 8 bay fleet covered parking area by installing full height mechanically operated doors. This project will also expand the existing PW M&O main building for a new Central Stores. The existing building will be reconfigured to increase the fleet maintenance area. To accommodate the addition, an existing 8" watermain will need to be relocated and upsized (12") to improve fire flow to the building. | \$2,200,000                                   | QTR 3 (JUL-SEP)<br><br>23 | QTR 4 (OCT-DEC)<br><br>23 | Lauren Kirk     | The design consultant contract has been executed. Design is underway.                                                                 | Page & Beard Architects | TBD        |

| Project Number | Project Name & Description                                                                                                                                                                                                                                                                                                                                                                                | Current Budget                                | Construction Start        | Construction Finish       | Project Manager | Recent Progress                                                                                                                                                                                         | Design Consultant | Contractor |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|---------------------------|---------------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|------------|
| CP2116         | <b>R Street SE/29th Street SE Intersection Improvement</b><br><br>The project will make intersection improvements at 29th St SE and R St SE and add a second southbound lane, to address level of service deficiencies. The project will include underground utility work, as well as preservation of the project limits, and installation of street lighting.                                            | \$7,910,000                                   | QTR 1 (JAN-MAR)<br><br>24 | QTR 4 (OCT-DEC)<br><br>24 | Kim Truong      | Preliminary design concept is being developed.                                                                                                                                                          | HDR               | TBD        |
| CP2117         | <b>A Street SW Loop</b><br><br>The project will construct a new one-way (eastbound) roadway connection between A Street SW/S Division Street and A Street SE. The new intersection with A Street SE will allow an unsignalized right-turn movement onto southbound A Street SE, providing an alternative to the intersection of 3rd Street SE and A Street SE, which does not meet adopted LOS standards. | \$2,135,000<br>(Includes Federal Grant Funds) | QTR 3 (JUL-SEP)<br><br>23 | QTR 3 (JUL-SEP)<br><br>24 | Matt Larson     | Consultant design team is working on the project design. The design is 90% complete.<br><br>Property acquisition process is underway.<br><br>Environmental and land use permitting process is underway. | Otak              | TBD        |

| Project Number | Project Name & Description                                                                                                                                                                                                                                                                                                                                                                                                                          | Current Budget                                    | Construction Start        | Construction Finish       | Project Manager | Recent Progress                                                                                                                                                       | Design Consultant | Contractor |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|---------------------------|---------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|------------|
| CP2129         | <b>Auburn Way S (SR 164) Southside Sidewalk</b><br><br>Construct approximately 1,700 feet of new sidewalk along the south side of Auburn Way S between Howard Road and the existing sidewalk that begins to the west of the intersection with Muckleshoot Plaza. The project will also install a rectangular rapid flashing beacon (RRFB) where Auburn Way S intersects Howard Rd (near Frugal's Restaurant).                                       | \$845,000<br>(Includes State Grant and MIT Funds) | QTR 1 (JAN-MAR)<br><br>23 | QTR 4 (OCT-DEC)<br><br>23 | Seth Wickstrom  | Design is complete and the City design team is finalizing the construction plans and other contract documents.<br><br>Design approval process with WSDOT is underway. | N/A               | TBD        |
| CP2123         | <b>C Street SW Preservation</b><br><br>This Project will grind and overlay C Street SW between W Main Street and the GSA signal (approximately 2,000 feet to the south of 15th Street SW). As part of the project, non-ADA compliant curb ramps and pedestrian push buttons will be upgraded, and c-curbing and vehicle detection loops will be replaced as needed. There are also, water, storm and sewer improvements along a portion of C St SW. | \$3,751,884<br>(Includes Federal Grant Funds)     | QTR 1 (JAN-MAR)<br><br>24 | QTR 3 (JUL-SEP)<br><br>24 | Kim Truong      | City design team is working on the project design. The design is 60% complete.<br><br>Federal environmental permitting process is complete.                           | N/A               | TBD        |

| Project Number | Project Name & Description                                                                                                                                                                                                                                                                                                                                                                       | Current Budget                                | Construction Start        | Construction Finish       | Project Manager | Recent Progress                                                                      | Design Consultant | Contractor |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|---------------------------|---------------------------|-----------------|--------------------------------------------------------------------------------------|-------------------|------------|
| CP2201         | <b>Airport T-Hangar Upgrades</b><br><br>Remove and replace the electric role up canvas doors on the J Hangar row at the Auburn Municipal Airport. Enclose at least 1 row of the 4 existing "open" hangars (E through H Hangar rows) by installing partition walls and manual sliding doors. One additional row of the 4 existing "open" hangars rows will also be enclosed if the budget allows. | \$1,000,000                                   | QTR 3 (JUL-SEP)<br><br>23 | QTR 4 (OCT-DEC)<br><br>23 | Seth Wickstrom  | Consultant design team is working on the project design. The design is 30% complete. | KPFF              | TBD        |
| CP2125         | <b>D Street SE and 23rd Street SE Storm Improvements Project</b><br><br>The purpose of this project is to eliminate localized flooding and make better use of available capacity in the 21st St SE Regional Infiltration Storm Pond by extending and connecting existing storm drainage infrastructure in the area south of 21st St SE at D Street SE and at K Street SE.                        | \$5,672,000<br>(Includes Federal Grant Funds) | QTR 3 (JUL-SEP)<br><br>23 | QTR 2 (APR-JUN)<br><br>24 | Lauren Kirk     | Consultant design team is working the project design. The design is 30% complete.    | Conсор            | TBD        |

| Project Number | Project Name & Description                                                                                                                                                                                                                                                                                                                                                                                                                           | Current Budget                                        | Construction Start        | Construction Finish       | Project Manager | Recent Progress                                                                                                                                                                                                            | Design Consultant | Contractor |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|---------------------------|---------------------------|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|------------|
| CP2213         | <b>Runway and Taxiway Improvements and RSA Grading</b><br><br>Rehabilitate the runway and taxiway pavement, upgrade taxiway lighting to LED, update lights on the side of the runway that provide guidance to pilots during decent, extend the safety area at the south end of the runway by regrading a small portion of the King County Park & Ride, and survey of existing facilities for the Airport Geographic Information System (AGIS) phase. | \$4,881,196<br>(Includes Federal & State Grant Funds) | QTR 2 (APR-JUN)<br><br>23 | QTR 3 (JUL-SEP)<br><br>23 | Seth Wickstrom  | Design is complete and the Consultant design team is finalizing the construction plans and other contract documents.<br><br>Environmental permitting process is completed.<br><br>Land use permitting process is underway. | Century West      | TBD        |
| CP2101         | <b>2023 Local Streets Preservation</b><br><br>The project will design and construct the following: full-depth pavement replacement, grind/overlay, and utility improvements.                                                                                                                                                                                                                                                                         | \$2,864,866<br>(Includes Federal Grant Funds)         | QTR 1 (JAN-MAR)<br><br>24 | QTR 4 (OCT-DEC)<br><br>24 | Aleksey Koshman | Design survey is complete. Consultant selection process is underway.                                                                                                                                                       | TBD               | TBD        |
| CP2231         | <b>Lake Tapps Pkwy/SumnerTapps Hwy E Preservation</b><br><br>The project will grind and overlay the Lake Tapps Parkway/Sumner-Tapps Highway E corridor from the intersection of Lake Tapps Parkway with Lakeland Hills Way to the intersection of Sumner-Tapps Highway E with 16th Street E (the Auburn City limit).                                                                                                                                 | \$1,479,356<br>(Includes Federal Grant Funds)         | QTR 1 (JAN-MAR)<br><br>24 | QTR 4 (OCT-DEC)<br><br>24 | Nahom Kahsay    | Design survey is complete. City design team is working on the project design.<br><br>Federal environmental permitting process is complete.                                                                                 | N/A               | TBD        |

| Project Number | Project Name & Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Current Budget                              | Construction Start        | Construction Finish       | Project Manager | Recent Progress                                                         | Design Consultant | Contractor |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|---------------------------|---------------------------|-----------------|-------------------------------------------------------------------------|-------------------|------------|
| CP2219         | <b>Reservoirs 4 and 8 Seismic Retrofits</b><br><br>This project will install 4 seismic control valves at 4 of City of Auburn's reservoir sites. Furthermore, the air vents for 3 of the reservoirs will be retrofitted or replaced.                                                                                                                                                                                                                                                                                                                                | \$1,700,950<br>(Includes State Grant Funds) | QTR 1 (JAN-MAR)<br><br>24 | QTR 3 (JUL-SEP)<br><br>24 | Aleksey Koshman | Consultant selection process is underway.                               | TBD               | TBD        |
| CP2234         | <b>Marchini Meadows Pond Upgrades</b><br><br>Remove root intrusions on neighbors property and build 10' max. height wall to provide maintainable slopes in the pond.                                                                                                                                                                                                                                                                                                                                                                                               | \$800,000                                   | QTR 3 (JUL-SEP)<br><br>23 | QTR 4 (OCT-DEC)<br><br>23 | Steven Sturza   | Project design process was initiated in December 2022 and is underway.  | N/A               | TBD        |
| CP2233         | <b>2023 Arterial Preservation Project</b><br><br>The scope of work for this project involves replacing concrete pavement panels on 8th Street NE to correct settled and fractured pavement, installing additional concrete pavement panels to replace an existing asphalt patch, and limited curb and gutter replacement. Additionally, the project will implement maintenance of various arterial and collector streets by sealing newly formed cracks with bituminous crack sealing compound to prolong the life of the pavement and prevent water infiltration. | \$378,000                                   | QTR 2 (APR-JUN)<br><br>23 | QTR 3 (JUL-SEP)<br><br>23 | Samim Qayoomi   | Project design process was initiated in Decemeber 2022 and is underway. | NA                | NA         |



| Project Number | Project Name & Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Current Budget                                  | Construction Start        | Construction Finish       | Project Manager | Recent Progress                                                                | Design Consultant | Contractor |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|---------------------------|---------------------------|-----------------|--------------------------------------------------------------------------------|-------------------|------------|
| CP1821         | <b>S. 277th St Wetland Mitigation Rehabilitation</b><br><br>This project will address the loss of planting at the South 277th Street Corridor Stream and Buffer Mitigation Site, due to summer drought conditions and lack of irrigation. The work includes providing supplemental temporary irrigation, replanting native plants in sparsely vegetated areas, removing and disposing of invasive species, removing competing weeds, replenishing wood chip mulch, and replacing missing wooden split-rail fence rails due to vandalism. | \$148,000                                       | QTR 2 (APR-JUN)<br><br>23 | QTR 3 (JUL-SEP)<br><br>23 | Samim Qayoomi   | Project design process was initiated in January 2023 and is underway.          | N/A               | TBD        |
| MS2214         | <b>2023 CDBG Sidewalk Improvement</b><br><br>ADA sidewalk improvements along 5th Street NE between A Street NE and B Street NE.                                                                                                                                                                                                                                                                                                                                                                                                          | \$250,000<br>(Includes Federal/HUD Grant Funds) | QTR 3 (JUL-SEP)<br><br>23 | QTR 4 (OCT-DEC)<br><br>23 | Lauren Kirk     | City design team is working on the project design. The design is 30% complete. | N/A               | TBD        |

ENGINEERING SERVICES

# 2022 END OF YEAR CAPITAL PROJECT STATUS REPORT UPDATE

MATT LARSON AND JEFF BENDER  
CITY COUNCIL STUDY SESSION  
FEBRUARY 13, 2023

Public Works Department

Engineering Services • Airport Services • Maintenance & Operations Services

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AUBURN  
VALUES

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

---

## CAPITAL PROJECTS – 2022 STATS

- Preserved and/or reconstructed approximately 7.5 lanes miles of pavement
- Installed nearly 9,000 linear feet of sidewalk
- Upgraded 11 curb ramps to meet Americans with Disabilities Act (ADA) requirements
- Enhanced two Pedestrian Crossings by installing Rectangular Rapid Flashing Beacons (RRFBs)
- Installed one school zone flashing beacon system

## CAPITAL PROJECTS – 2022 STATS CONTINUED

- Replaced over 16,500 linear feet of water main and appurtenances
- Replaced 68 deduct water meters with irrigation meters
- Completed the replacement of a water pump station facility
- Replaced nearly 6,700 linear feet of stormwater conveyance pipe
- Replaced over 4,000 linear feet of sanitary sewer pipe

# ACADEMY PUMP STATION 1 REPLACEMENT (CP1916)



- Page 1 of 13 in CPS Report
- Full pump station replacement
- Operational testing is complete
- Pump station is online
- Construction is nearing completion



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## 2<sup>ND</sup> STREET SE PRESERVATION (CP2003)



- Page 2 of 13 in CPS Report
- Underground utilities, roadway reconstruction, and lighting improvements are complete
- 3<sup>rd</sup> party utilities are completing their work before final restoration work can be completed



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# 4<sup>TH</sup> STREET SE PRESERVATION (CP2102)



- Page 2 of 13 in CPS Report
- Roadway Preservation and Reconstruction
- 1,700 LF of Water Improvements
- 880 LF of Sewer Improvements
- Replace Sections of Sidewalk to meet ADA
- Street Lighting Improvements



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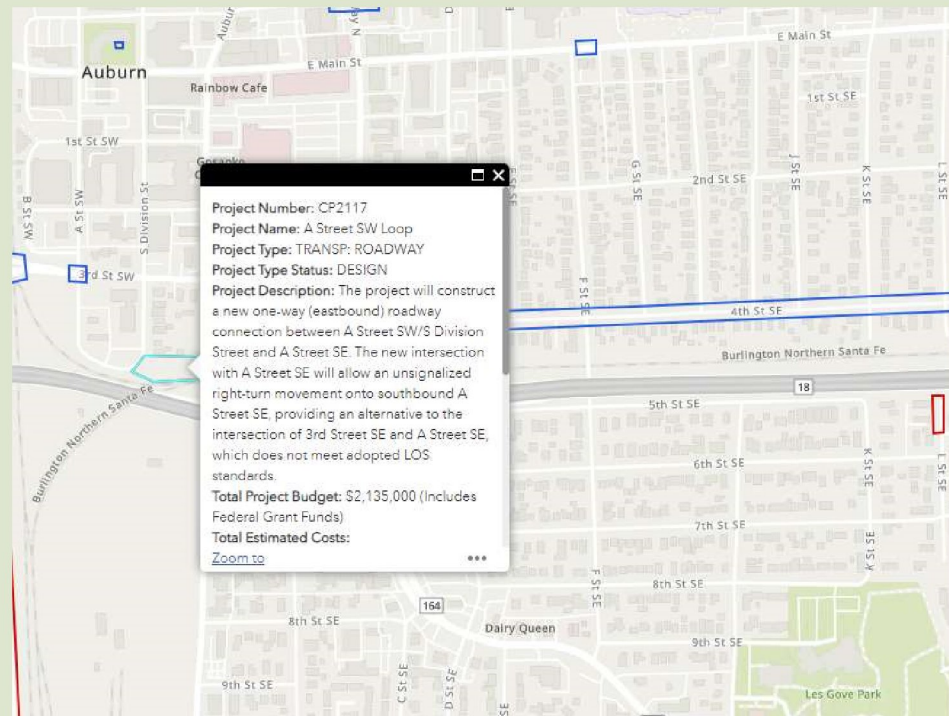
# STAYING INFORMED

- **Capital Project Status Report Monthly Email**

- **Quarterly Council Update**

- **City Website:**  
**Interactive Capital Projects Mapping Tool**

[https://www.auburnwa.gov/city\\_hall/public\\_works/capital\\_projects](https://www.auburnwa.gov/city_hall/public_works/capital_projects)

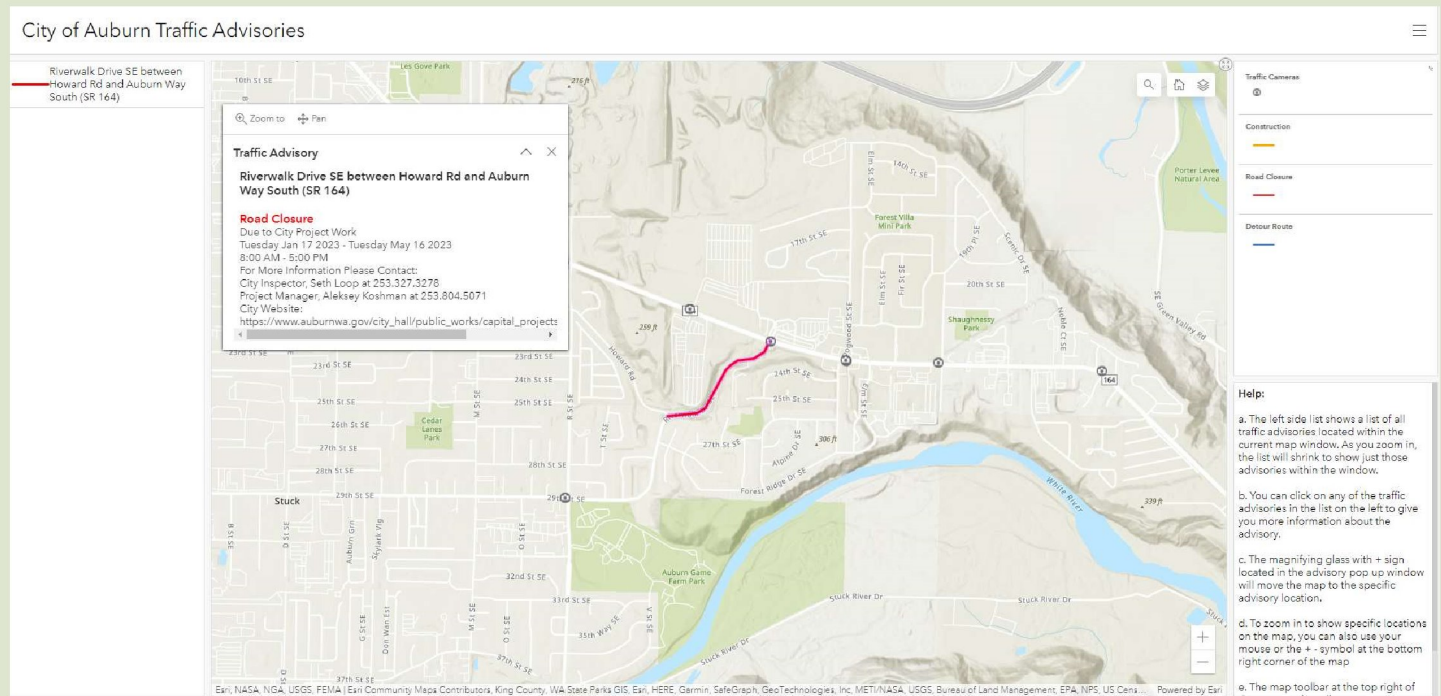




# STAYING INFORMED CONTINUED

## City Website: Interactive Traffic Advisory Mapping Tool

<https://www.auburnwa.gov/cms/one.aspx?pageId=12523071>



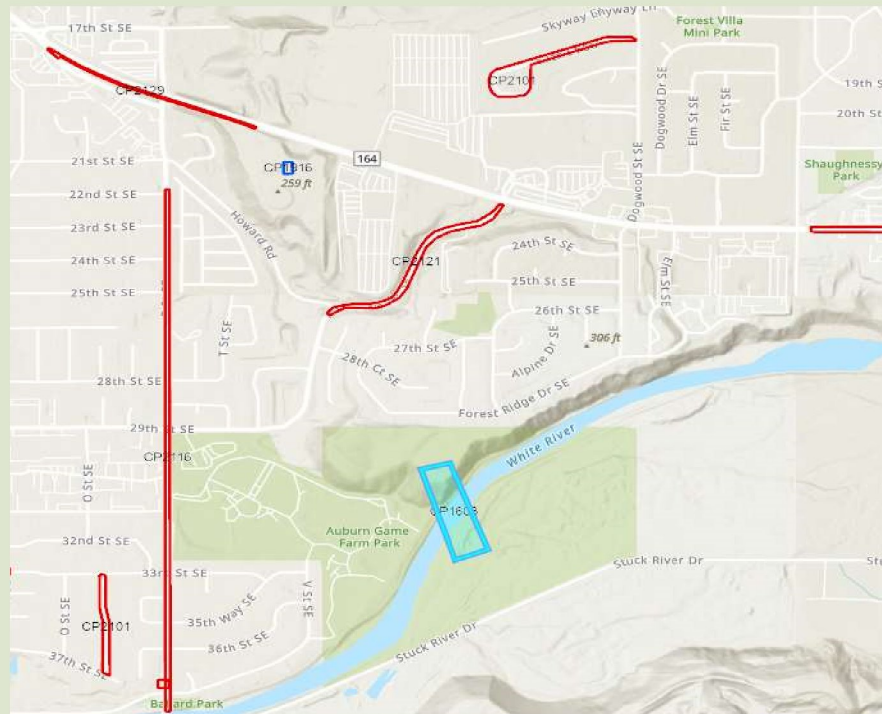
SERVICE • ENVIRONMENT • ECONOMY • CHARACTER • SUSTAINABILITY • WELLNESS • CELEBRATION

## CAPITAL PROJECTS – CURRENT STATUS

**31 Active Capital Projects (Approximate total project value \$87 million)**

- **24 in Design Phase (Approximate total project value \$68 million)**
- **7 in Construction Phase (Approximate total project value \$19 million)**

# COAL CREEK SPRINGS TRANSMISSION MAIN REPLACEMENT (CP1603)



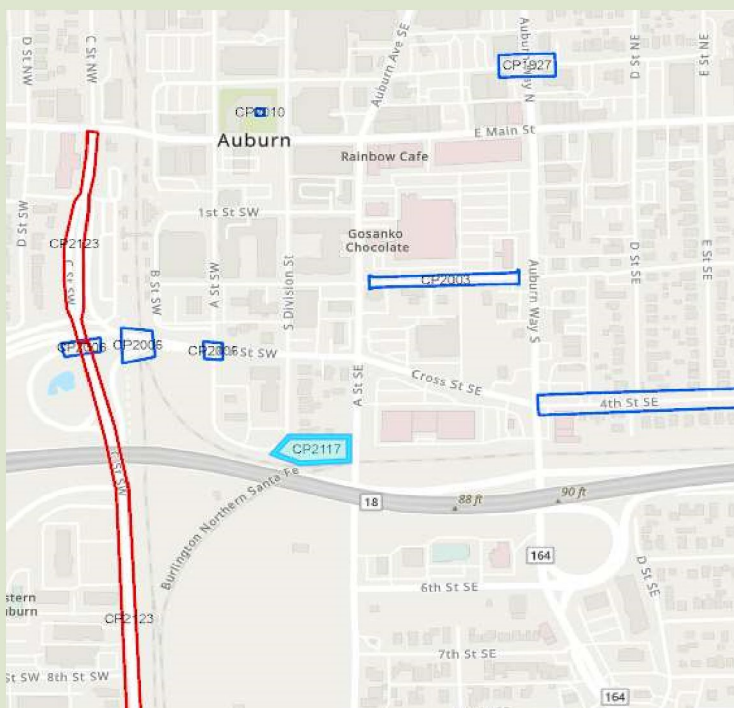
- Page 4 of 13 in CPS Report
- Replaces the existing 100-year-old water main
- New utility & pedestrian bridge over the White River
- Pedestrian connection between Game Farm Park and Game Farm Wilderness Park
- Construction in 2023



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# A STREET LOOP (CP2117)

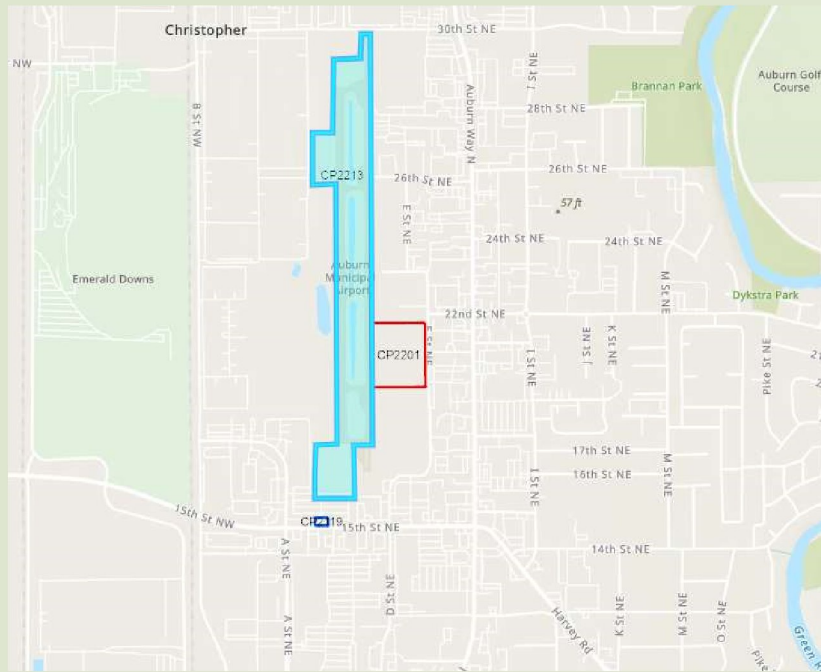


- Page 8 of 13 in CPS Report
- New one-way (eastbound) roadway connection between A Street SW/S Division Street and A Street SE.
- Construction in 2023



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# RUNWAY AND TAXIWAY IMPROVEMENTS AND RSA GRADING (CP2213)



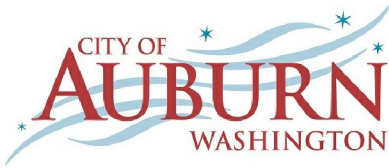
- Page 11 of 13 in CPS Report
- Upgrades the taxiway and runway lighting
- Extends the runway safety area at the south end
- Preservation of the existing runway and taxiway pavement
- Construction in 2023



# QUESTIONS?

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## AGENDA BILL APPROVAL FORM

**Agenda Subject:**

Engineering Design Standards (Gaub) (10 Minutes)

**Department:**

Public Works

**Attachments:**

[Presentation](#)

**Date:**

February 6, 2023

**Budget Impact:**

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

**Administrative Recommendation:**

For discussion only.

**Background for Motion:****Background Summary:**

Per Chapter 12.04 of the Auburn City Code (ACC), all public work construction contracts of the City and work within the public right of way must conform to the City's Engineering Design Standards (EDS). The EDS are developed, published, and periodically updated by the City Engineer as allowed by code.

Updates to the EDS are scheduled to be published in February 2023. Per ACC 12.04.010 the City Engineer will consult with City Council regarding changes to EDS that are "policy issues or [have] broad citywide implications". The proposed 2023 changes to requirements associated with the following standards will be discussed: downtown sidewalk design standards (specifically street tree grates) and landscape strips (specifically artificial turf).

Currently, the City EDS require street tree grates in the Downtown Urban Center zone. The standard includes grates with the intention of providing a decorative area around the trees that can also be part of the pedestrian pathway. The City has found that the grates tend to get pushed out of place by the street trees or by other activities. The grates also make it difficult to maintain the area around the base of the tree to keep it clear of weeds and tree "suckers". In some cases, grates are damaged by vandalism or vehicles and require replacement. At some locations where grates have become an issue and there is an adequate pedestrian pathway adjacent to the tree well area, the City has installed bark mulch instead of replacing the grate. The bark mulch provides good aesthetics and is relatively easy to maintain and replace. The City Engineer intends to update the EDS to require bark mulch around street trees instead of tree grates in the Downtown Urban Center zone except where a tree grate is needed to provide an adequate pedestrian pathway.

Currently, the City EDS prohibit artificial turf within landscape strips. This prohibition was established several years ago when common types of artificial turf were not desirable due to poor aesthetics, lack of permeability, environmental concerns, lack of durability, maintenance and repair issues. Today, artificial turf is commonly available that looks very similar to natural

lawn, is permeable, is environmentally friendly, and is durable. Additionally, artificial turf has become much more common and there are many landscape companies and others who are able to maintain, repair, and replace the turf as needed. The City Engineer intends to update the EDS to allow artificial turf in landscape strips with conditions and requirements. Updates to the Auburn City Code to address maintenance and repair responsibility of artificial turf will also be proposed with Ordinance 6904.

**Reviewed by Council Committees:**

**Councilmember:** Brown

**Staff:** Gaub

**Meeting Date:** February 13, 2023

Item Number:

ENGINEERING SERVICES

# 2023 ENGINEERING DESIGN STANDARDS UPDATE

JACOB SWEETING

FEBRUARY 13, 2023

---

AUBURN  
VALUES

S E R V I C E

E N V I R O N M E N T

E C O N O M Y

C H A R A C T E R

S U S T A I N A B I L I T Y

W E L L N E S S

C E L E B R A T I O N

---

# ENGINEERING STANDARDS OVERVIEW

- City Code 12.04.020 requires City street and utility facilities and other facilities constructed in the City right-of-way to comply with the City's Engineering Design and Construction Standards
  
- The Standards include multiple parts:
  - Construction Standards
    - WSDOT Standard Plans
    - WSDOT Standard Specifications
    - City Specifications and Details
  - Design Standards
    - Engineering Design Standards Manual
    - Surface Water Management Manual (SWMM)
  - WAC – Highway Access Management

# DESIGN STANDARDS MANUAL

- Developed and Published by the City Engineer
- Per ACC 12.04.010 City Engineer will consult with the City Council regarding changes to design standards that are “policy issues or [have] broad citywide implications”.
- Minor design standard changes and corrections are not typically discussed with City Council.



# DOWNTOWN STREET TREES





# DOWNTOWN STREET TREES





# DOWNTOWN STREET TREES



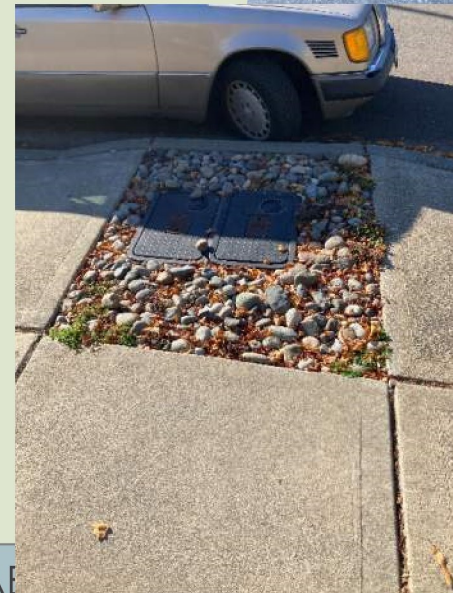


# SIDEWALK LANDSCAPE STRIPS





# SIDEWALK LANDSCAPE STRIPS

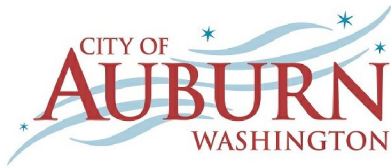




# COUNCIL FEEDBACK

## ■ NEXT STEPS:

- Ordinance 6904 – Modifies Sidewalk Code to Address Artificial Turf
- Design Standards Updated and Published



## AGENDA BILL APPROVAL FORM

**Agenda Subject:**

Ordinance No. 6899 (Thomas) (10 Minutes)

**Date:**

February 3, 2023

**Department:**

Finance

**Attachments:**

[Ordinance 6899 LRF Sales Tax Credit](#)

**Budget Impact:**

Budget Impact 2023:  
\$250,000

**Administrative Recommendation:**

For discussion only.

**Background for Motion:****Background Summary:**

Ordinance No. 6899 levies a 0.0157% sales tax credit against the state sales tax for local revitalization financing. SB 5045 authorizing the tax credit was passed by the state legislature during the 2009 regular session. The intent of the legislation was to provide financial assistance to cities to assist with financing public improvements in an identified revitalization area to promote community and economic development. The City first applied for the use of local revitalization financing on August 11, 2009 and the Department of Revenue approved the City's application on September 16, 2009, authorizing up to \$250,000 per year for the local revitalization program (Promenade capital improvements).

In 2010, the City issued \$7.24 million in bonds for the purpose of funding capital improvements for the Promenade. In October 2020, the City refunded the remaining portion of these bonds by issuing LTGO Bonds. The balance of the 2020 bonds at the end of 2022 was \$3.69 million, and have a December 1, 2034 maturity date. Funds from REET2 funds, combined with EDA grants and interest earnings, are used to pay the annual debt service costs of the local revitalization project. The tax credit is available to the City for up to 25 years. 2022 will be the fourteenth year that the City has asked the State for the tax credit. As provided by the state, in order for the City to continue receiving the tax credit, the City must request this each year by ordinance.

Based upon historical taxable retail sales, the above rate of 0.0157% is estimated to generate \$250,000 for local revitalization funding during the State's fiscal year, July 1, 2023 to June 30, 2024.

**Reviewed by Council Committees:**

**Councilmember:** Baldwin

**Staff:**

Thomas

Item Number:

**Meeting Date:** February 13, 2023



**ORDINANCE NO. 6899**

**AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF AUBURN, WASHINGTON, ESTABLISHING  
THE LOCAL SALES AND USE TAX RATE FOR  
LOCAL REVITALIZATION FINANCING FOR 2023**

WHEREAS, The City of Auburn ("City") enacted Ordinance No. 6301 on April 19, 2010, which established a local sales and use tax as provided for in Section 39.14.510 of the Revised Code of Washington ("RCW"); and,

WHEREAS, this tax is imposed in order to pay the debt service on Local Revitalization Financing bonds in accordance with Chapter 39.104 RCW; and,

WHEREAS, Chapter 39.104 RCW provides that the City shall, from time to time, adjust the tax rate so that it is set at the rate reasonably necessary to receive the state contribution over 10 months, in accordance with RCW 82.14.510(3); and

WHEREAS, the Local Sales and Use Tax Rate is set at a rate to generate approximately \$250,000 between July 1, 2023 through June 30, 2024, for Local Revitalization Financing.

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

**Section 1.** The sales and use tax rate initially established in Section 3.2 of Ordinance No. 6301, and most recently amended by Ordinance No. 6849, is hereby amended to 0.0157%, effective July 1, 2023.

**Section 2. Implementation.** The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

**Section 3. Severability.** The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

**Section 4. Effective date.** This Ordinance will take effect and be in force five days from and after its passage, approval, and publication as provided by law.

INTRODUCED: \_\_\_\_\_

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
NANCY BACKUS, MAYOR

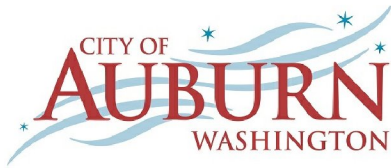
ATTEST:

\_\_\_\_\_  
Shawn Campbell, MMC, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Kendra Comeau, City Attorney

Published: \_\_\_\_\_



## AGENDA BILL APPROVAL FORM

**Agenda Subject:**

Ordinance No. 6901 (Tate) (10 Minutes)

**Date:**

February 7, 2023

**Department:**

Community Development

**Attachments:**

[Draft Ordinance No. 6901](#)  
[Exhibit A- Hearing Examiner Recommendation of](#)  
[Green River College Site-Specific Rezone](#)  
[Green River College Rezone PowerPoint](#)  
[Presentation](#)  
[Site Vicinity Map](#)

**Budget Impact:**

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

**Administrative Recommendation:**

For discussion only.

**Background for Motion:****Background Summary:**

Zoning map change (Rezone) of an approximately 1.71 acre / 74,488 square foot (sf) developed parcel from "R-5, Residential Zone – Five Dwelling Units per Acre" to the "I, Institutional zone". Green River College (GRC) has determined that the existing building will offer more benefit to the college by changing the use of the facility from a daycare to offices for College Human Resources staff and a continuing education facility for the professors and instructors of GRC. The rezone will allow a "college/university/public use" in the existing facility.

On January 18, 2023 the Hearing Examiner held a public hearing, and on January 23, 2023 issued a written recommendation to City Council that the Green River College site-specific rezone be adopted with one condition. No public comments were received during the public comment period.

Schedule Ordinance No. 6901 for City Council Action on February 21, 2023.

**Reviewed by Council Committees:**

**Councilmember:** Brown

**Staff:** Tate

**Meeting Date:** February 13, 2023

Item Number:



**ORDINANCE NO. 6901**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
AUBURN, WASHINGTON, FOR A SITE-SPECIFIC REZONE  
OF ONE PARCEL FROM R-5, RESIDENTIAL ZONE - FIVE  
DWELLING UNITS PER ACRE TO I, INSTITUTIONAL.

WHEREAS, the property was annexed to the City of Auburn in 2007 under the Lea Hill Annexation by Ordinance No. 6121 with a Comprehensive Plan designation established "Institutional" at the time of annexation; and

WHEREAS, Ordinance No. 6121 established the zoning of the property as R-5 Residential – Five Dwelling Units per Acre at the time of annexation; and

WHEREAS, Connor Davidge, of SSW Architecture, Applicant's Representative, on behalf of Green River College submitted a site-specific rezone application on November 18, 2022 for King County Parcel No. 0921059229; and

WHEREAS, the project is exempt from SEPA review in accordance with WAC 197-11-800(6)(c); and

WHEREAS, after proper notice published in the City's official newspaper at least ten (10) days prior to the date of public hearing, the City of Auburn Hearing Examiner conducted a public hearing, heard public testimony, and took evidence and exhibits into consideration; and

WHEREAS, on January 23, 2023 the City of Auburn Hearing Examiner recommended approval of the site-specific rezone application with one condition, and made and entered Findings of Fact and Conclusions of Law based thereon in support of that recommendation, as set forth in the Findings of Fact, Conclusions of Law and Recommendation of the Hearing Examiner attached hereto, marked as Exhibit "A" and

incorporated herein by this reference; and

WHEREAS, the City Council concurs with the Findings of Fact and Conclusions of Law of the Hearing Examiner; and

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

**Section 1. Adoption of the Hearing Examiner's Findings of Fact and Conclusions of Law.** The City Council adopts the Findings of Fact and Conclusions of Law based thereon, made and entered by the Hearing Examiner in support of the recommendation to the City Council, as set forth in the "Findings of Fact, Conclusions of Law and Recommendation for the Green River College Rezone, City File Number REZ22-0001, dated January 23, 2023", attached hereto, marked as Exhibit "A".

**Section 2. Approval.** The City Council adopts and approves the request to change the zoning of King County Parcel No. 0921059229 from R-5, Residential – Five Dwelling Units per Acre to I, Institutional.

**Section 3. Constitutionality or Invalidity.** If any section, subsection clause or phase of this Ordinance is for any reason held to be invalid or unconstitutional such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance, as it is being hereby expressly declared that this Ordinance and each section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, adopted and approved and ratified irrespective of the fact that any one or more section, subsection, sentence, clause or phrase be declared invalid or unconstitutional.

**Section 5. Recordation.** Upon the passage, approval and publication of this

Ordinance as provided by law, the City Clerk of the City of Auburn shall cause this Ordinance to be recorded in the office of the King County Auditor's Division.

**Section 6. Implementation.** The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

**Section 7. Effective Date.** This ordinance shall take effect and be in force five (5) days from and after its passage, approval, and publication, as provided by law.

INTRODUCED: \_\_\_\_\_

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

CITY OF AUBURN

\_\_\_\_\_  
NANCY BACKUS, MAYOR

ATTEST:

\_\_\_\_\_  
Shawn Campbell, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Kendra Comeau, City Attorney

Published: \_\_\_\_\_

1  
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5  
6 **BEFORE THE HEARING EXAMINER FOR THE CITY OF AUBURN**

7 Phil Olbrechts, Hearing Examiner

8 RE: Green River College

9 Rezone  
10 REZ22-0001

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND RECOMMENDATION.**

11  
12 **INTRODUCTION**

13 Green River College has requested a rezone to reclassify approximately 1.71 acres  
14 from R-5 (Residential 5 dwelling units per acre) to I (Institutional) at 31715 124th  
15 Avenue. As discussed in the Conclusions of Law below, the City Council is arguably  
16 legally mandated to approve the rezone because the proposed I zoning district is the  
17 only appropriate implementing zone of the underlying Institutional comprehensive  
18 plan map designation. Beyond that, the rezone serves public health, safety and  
19 welfare by enhancing the ability of Green River College to provide educational  
20 services at nominal or no adverse impact to the surrounding community. The rezone  
21 site is currently occupied by a vacated 5,950 square foot daycare center. The College  
22 intends to convert the use of that building to administrative support services and  
23 continuing education for its instructors.

19  
20 **ORAL TESTIMONY**

21 Diana Reed, Auburn City Planner, summarized the staff report. The hearing  
22 examiner inquired about worst case uses such as sports fields authorized by the  
23 rezone should the rezone be approved. Ms. Reed acknowledged that uses such as  
24 sports fields could be authorized without a conditional use permit if the rezone were  
25 approved, but emphasized that the Applicant has permit applications on file to just  
use the property for administrative support and instructor continuing education.

25 Jeff Dixon, planning services manager, noted that the project site is only 1.7 acres in  
size, so that limits the type of uses that could be conceivably added to the site. The  
site is also surrounded to the north and west by a city park that has sports fields,  
recreational equipment and picnic areas.



1 Steve Starling, on behalf of GRC, in response to examiner questions noted that the  
2 existing daycare building has been vacant for more than two years.

### 3 4 **EXHIBITS**

5 Exhibits 1-5 listed at page 7 of the January 4, 2023 staff report were admitted into the  
6 record during the January 18, 2023 public hearing. The staff's PowerPoint  
7 presentation was admitted as Exhibit 6 after close of the hearing upon agreement of  
8 all hearing participants (City and Applicant).

### 9 **FINDINGS OF FACT**

#### 10 **Procedural:**

11 1. Applicant. The applicant on behalf of Green River College is Connor  
12 Davidge, Architectural Designer, SSW Architects, 901 Fifth Avenue, Ste. 3100,  
13 Seattle, WA 98164.

14 2. Hearing. The Hearing Examiner conducted a hearing on the application at  
15 5:30 p.m. at Auburn City Hall in the Council Chambers on January 18, 2023.

#### 16 **Substantive:**

17 3. Site/Proposal Description. Green River College (GRC) has requested a  
18 rezone to reclassify approximately 1.71 acres from R-5 (Residential 5 dwelling units  
19 per acre) to I (Institutional) at 31715 124th Avenue. The project site has an existing  
20 5,950 square foot wood frame building constructed in 1998. The subject property  
21 is rectangular in shape, approximately 264 ft. in width (east to west) and 280 ft. in  
22 length (north to south). It is relatively flat and has no critical areas.

23 GRC seeks to change the use of the rezone site from a daycare to office space for  
24 Human Resources staff and to continuing education space for the professors and  
25 instructors of GRC. The facility is not intended to be used as classrooms for students  
attending GRC. The rezone will allow a "college/university/public use" in the  
existing facility. Other uses allowed within the I (Institutional) zoning district that  
could potentially be proposed are included in ACC 18.35.030 Table of Uses.  
However, GRC has already submitted an Administrative Use permit application  
(ADM22-0003) to change the use of the existing building into the intended offices  
and faculty continuing education facility.

Access is from two points to the east of the building, both off 124th Avenue SE. The  
frontage is improved with a sidewalk leading to a large parking area served by GRC  
on the parcel directly south that contains the Trades & Technology buildings for the  
campus. The subject site shows 19 parking spaces with two ADA compliant spaces.

1 4. Characteristics of the Area. The subject property is located directly north  
2 of the Green River College Trades & Technology building and the central campus,  
3 east and south of a city park, and west of a single-family residential neighborhood

4 5. Adverse Impacts. No adverse impacts are anticipated from the proposal.  
5 The intended change in use is limited to college administrative staff and instructors.  
6 This type of use in such a small building will likely not make any material difference  
7 in terms of impacts to neighbors than the previous daycare use, although that use has  
8 been vacated for more than two years.

9 It must be recognized that approval of the rezone without conditions does not bind  
10 GRC to its anticipated administrative/continuing education use. GRC would have the  
11 legal right at any point in the future to add any use authorized in the Institutional  
12 zoning district, such as scholastic sports fields, none of which apparently requires a  
13 conditional use permit. However, as pointed out by Mr. Dixon, the project site is  
14 only 1.7 acres in size and is bounded to the north and west by a city park and to the  
15 south by the Green River College Trades & Technology Building. Any "worst-case"  
16 uses authorized in the I district for such a small parcel would likely be very limited in  
17 intensity. The only residences that could be affected by use of the project site are  
18 residences located across 124 Ave SE, which appears to be a four-lane road. The  
19 project site also has no critical (environmentally sensitive) areas. For all these  
20 reasons, the proposed rezone is not found to create any significant adverse impacts to  
21 the surrounding community or to the environment.

## 22 CONCLUSIONS OF LAW

### 23 Procedural:

24 1. Authority of Hearing Examiner. ACC 18.68.030(A)(1) grants the Hearing  
25 Examiner with the authority to review and make a recommendation on rezone  
requests to the City Council.

### Substantive:

2 2. Zoning Designation. The property is currently zoned R-5 Residential.

3 3. Case Law Review Criteria and Application. As with many local  
4 jurisdictions, the Auburn City Code does not include any criteria for rezone  
5 applications. Washington appellate courts have imposed some rezone criteria. Those  
6 courts require that the proponents of a rezone establish that conditions have  
7 substantially changed since the original zoning and that the rezone must bear a  
8 substantial relationship to the public health, safety, morals or welfare. *See Ahmann-*  
9 *Yamane, LLC v. Tabler*, 105 Wn. App. 103, 111 (2001). If a rezone implements the

1 Comprehensive Plan, a showing that a change of circumstances has occurred is not  
2 required. Id. at 112.

3 No change of circumstances is required for approval of the rezone because the rezone  
4 implements the comprehensive plan. The current comprehensive plan map  
5 designation for the subject parcel is Institutional. The only appropriate implementing  
6 zone for the Institutional comprehensive plan designation is the I zone<sup>1</sup>. Given that  
7 RCW 36.70A.120 requires the City to "...perform its activities...in conformity with  
8 its comprehensive plan...", the City Council is arguably legally mandated to approve  
9 the rezone.

10 The public health, safety and welfare criterion is easily met. As determined in  
11 Finding of Fact No. 5, the proposal will not create any significant adverse impacts.  
12 The proposal also furthers public health, safety and welfare by implementing the  
13 following comprehensive plan policies as outlined in the staff report:

- 14 • *LU-89: The primary purpose of this designation is to address public needs while  
15 taking advantages of synergies with the adjacent areas where they are sited.*

16 *Staff Analysis: The proposed rezone which allows the future change of use of the  
17 subject property supports this policy by enhancing the level of expertise of  
18 professors and instructors at Green River College by providing a Teaching and  
19 Learning center for them. The use will make an existing building a better  
20 resource for Green River College.*

- 21 • *LU-90: Innovative strategies to integrate the uses and sites into the areas where  
22 they are sited is encouraged. These strategies should maximize use of the site  
23 while minimizing fiscal impacts to adjacent areas.*

24 *Staff Analysis: The proposed rezone which allows the proposed change of use  
25 supports this policy. The existing building is proposed to have interior renovations  
and exterior landscaping upgrades. In addition, a walking path from the existing  
building is proposed to create a more walkable environment to the campus on  
the parcels to the south. The impacts to adjacent areas are expected to be less  
than the former use of a daycare center with numerous drop-offs.*

## 26 RECOMMENDATION

27 The Hearing Examiner recommends approval of REZ22-0001 subject to the  
28 following staff recommended condition:

---

29 <sup>1</sup> The City's comprehensive plan, p. LU-14, identifies the implementing zone for the I  
30 comprehensive plan map designation as I and "Landing Field." The 1.7-acre parcel  
cannot be reasonably used for any authorized "Landing Field" use as that zoning  
31 designation is limited to the City's municipal airport and surrounding areas.

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The application submitted under ADM22-0003 for an administrative use permit to authorize the change of use to the existing building on the subject parcel may only be issued after the end of the appeal period for rezone, REZ22-0001.

Dated this 23rd<sup>2</sup> day of January, 2023.

*Phil Olbrechts*

Phil Olbrechts,  
City of Auburn Hearing Examiner

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<sup>2</sup> This recommendation was originally issued on January 18, 2023. However, after issuance the parties agreed upon admission of Exhibit 6 and this recommendation was then revised to reflect that addition in addition to some other minor grammatical revisions.



**REZ22-0001  
GREEN RIVER COLLEGE  
SITE-SPECIFIC REZONE**

**CITY COUNCIL  
STUDY SESSION**

**DINAH REED – SENIOR PLANNER  
FEBRUARY 13, 2023**

Department of Community Development

Planning • Building • Development Engineering • Permit Center  
Sustainability • Community Services • Code Enforcement

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AUBURN  
VALUES

S E R V I C E

E N V I R O N M E N T

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C E L E B R A T I O N

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# REZ22-0001 GREEN RIVER COLLEGE

## LOCATION OF SITE



- Application submitted on November 18, 2022
- Rezone a 1.7-acre parcel from R-5, Residential - Five Dwelling Units per Acre to I, Institutional
- Location -- 31715 124th Avenue SE, Auburn –
- Located directly north of the Green River College Trades & Technology building and main campus to the south



# REZ22-0001 GREEN RIVER COLLEGE EXISTING BUILDING ON SITE

- Green River College (GRC) proposes to repurpose an existing building that was used as childcare facility for the college, to offices for Human Resources staff & to create a continuing education facility for the professors and instructors of GRC
- The current zoning of R-5 Residential does not allow the use of “college/university/public use”



# REZ22-0001 GREEN RIVER COLLEGE

## REZONE APPROVAL CRITERIA

In accordance with ACC 18.68.040

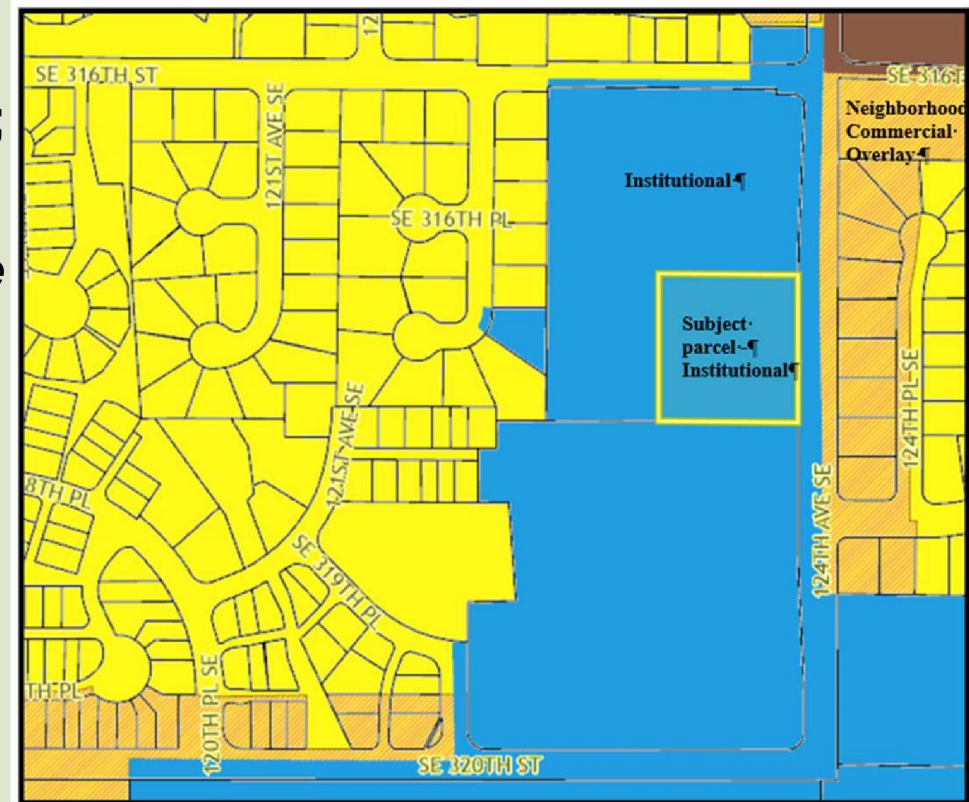
(A) The rezone implements the policies of the comprehensive plan; or

➤ *Staff Analysis – the Comprehensive Plan designation of the site is “Institutional”, and rezoning the parcel to the I, Institutional zoning district will implement the Comprehensive Plan designation.*

(C) The rezone bears a substantial relationship to the public health, safety, or welfare.

➤ *Staff Analysis – The rezone will not have an adverse impact on the surrounding area.*

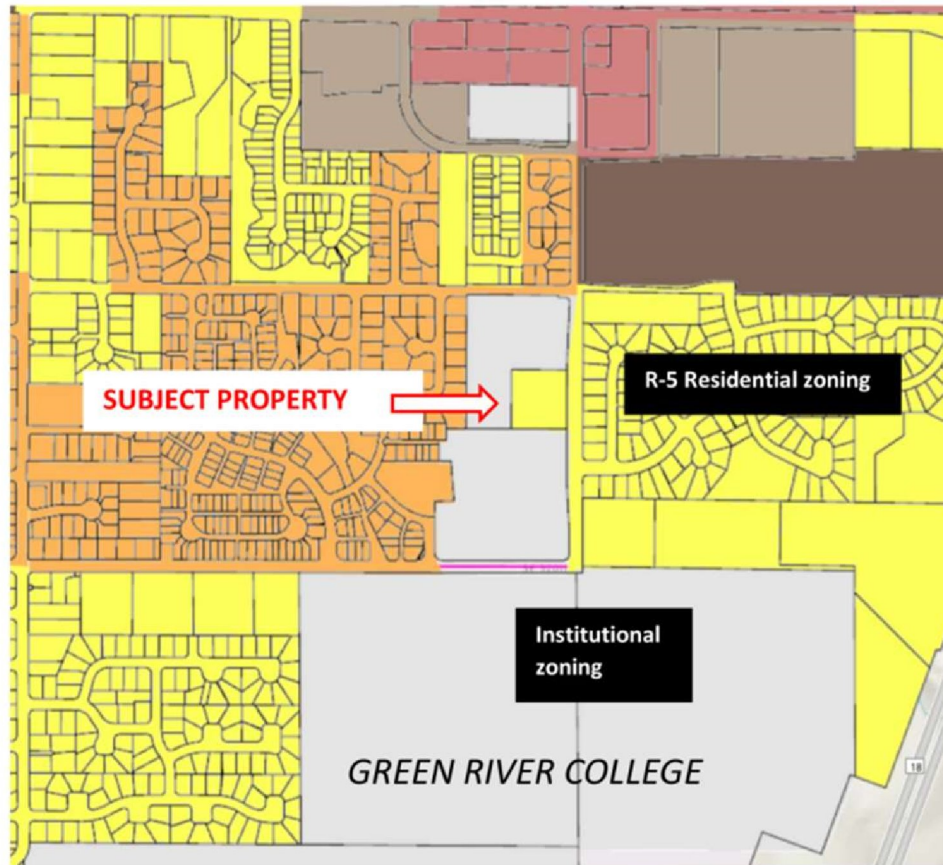
Excerpted Comprehensive Plan Land Map



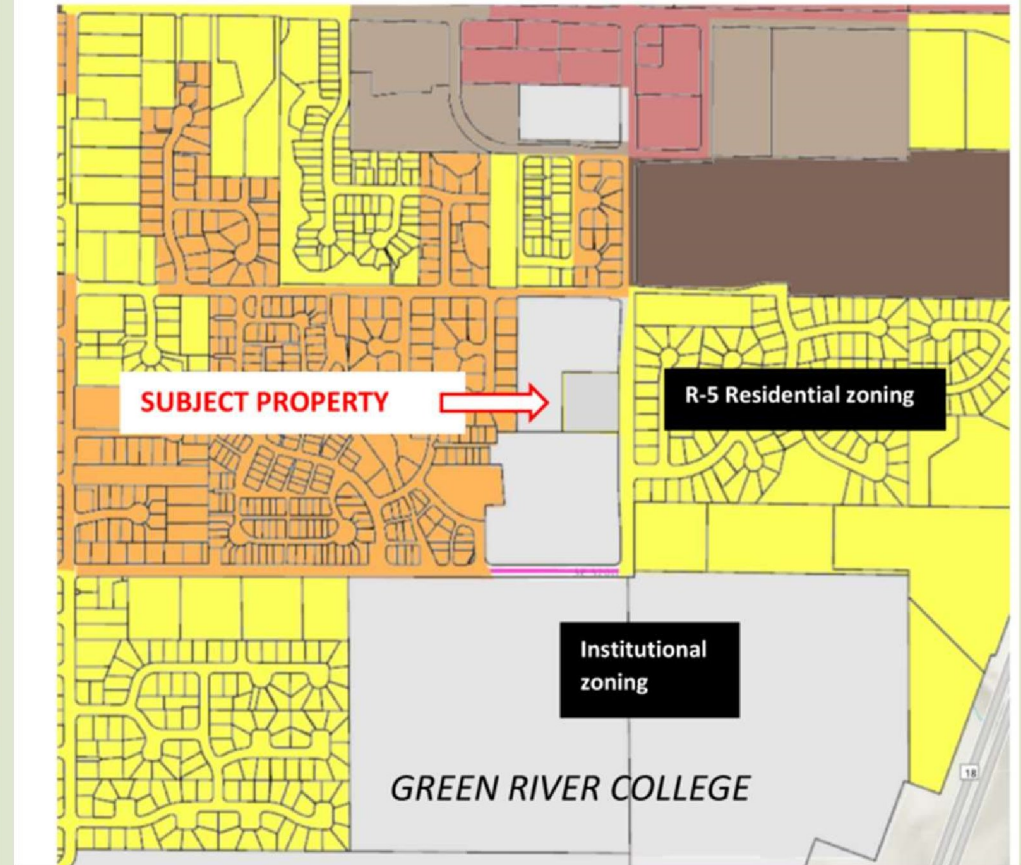


# REZ22-0001 GREEN RIVER COLLEGE REZONE MAP AMENDMENT

EXISTING ZONING OF SUBJECT PARCEL – R-5 RESIDENTIAL



PROPOSED ZONING OF SUBJECT PARCEL – INSTITUTIONAL

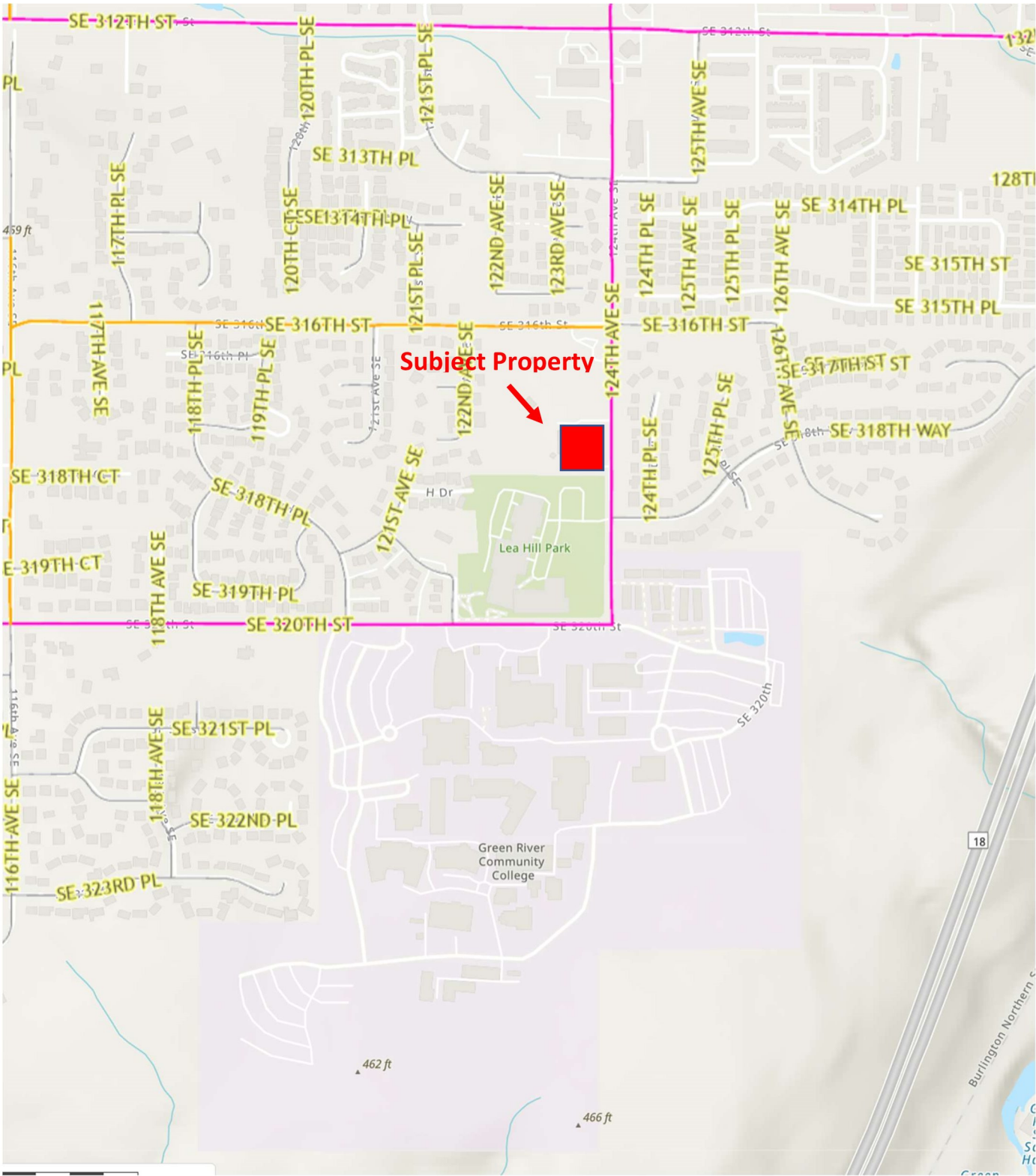


# REZ22-0001 GREEN RIVER COLLEGE HEARING EXAMINER RECOMMENDATION

- An open record public hearing was held on January 18, 2023 & on January 23, 2023, the **Hearing Examiner issued a written recommendation of approval** with one condition.
- The condition of approval is related to the sequencing of city approvals.
- Based upon the Hearing Examiner's recommendation of approval, staff seeks to schedule Ordinance No. 6901 for City Council action at the regular meeting on February 21, 2023.

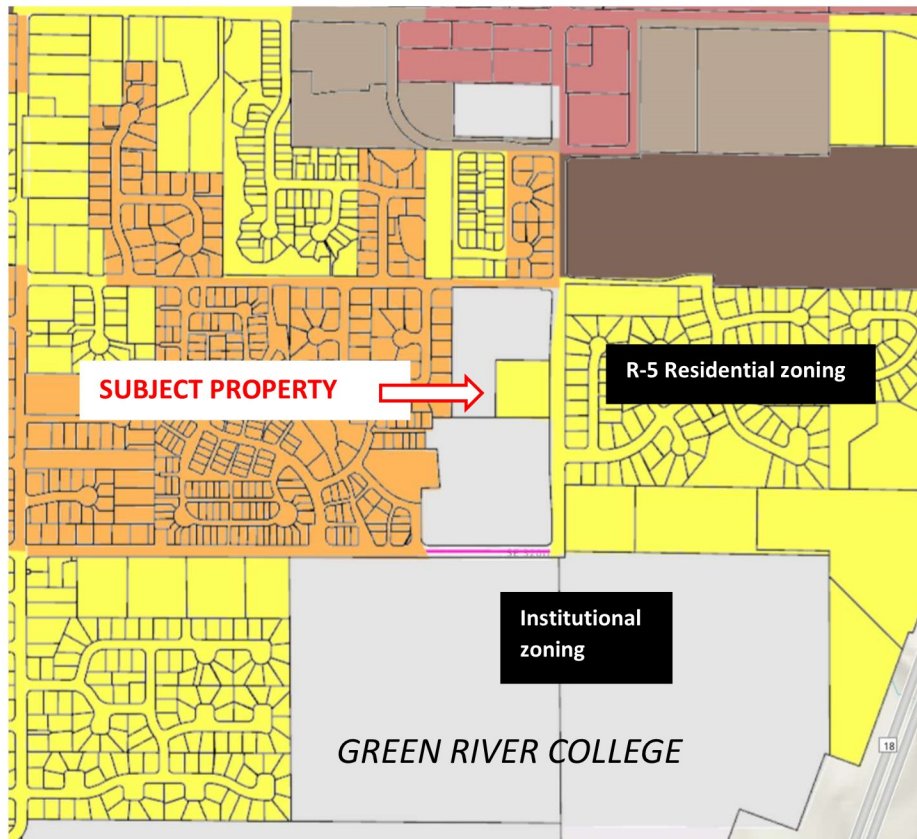


Vicinity Map



## Proposed Rezone Map

### EXISTING ZONING OF SUBJECT PARCEL – R-5 RESIDENTIAL



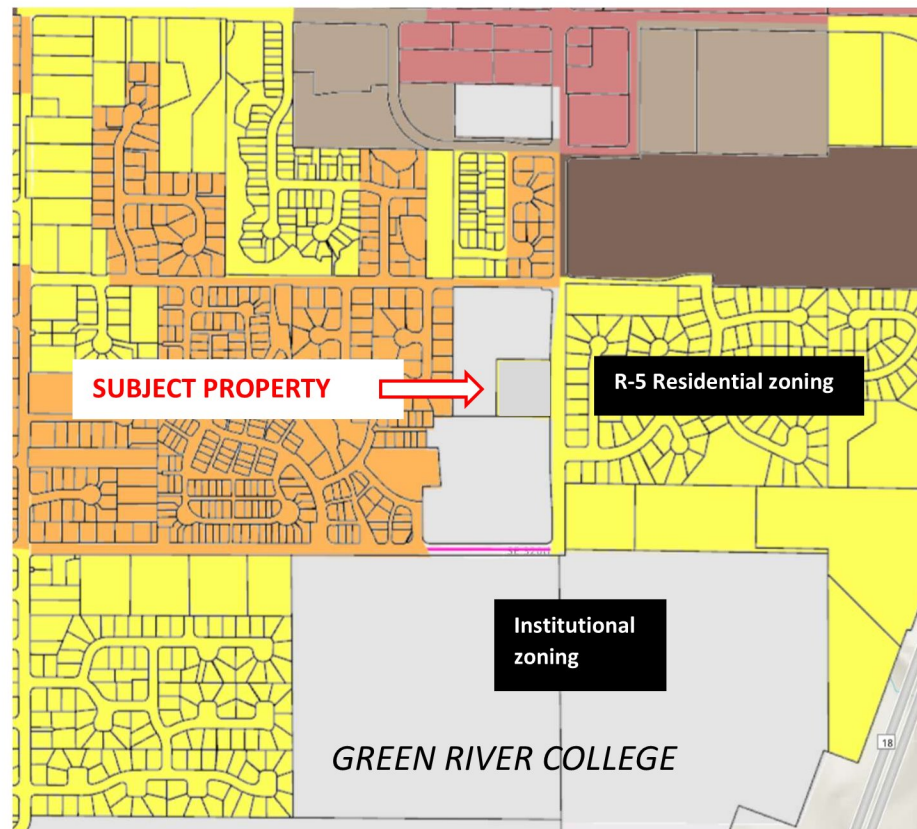
#### Legend

R-5 Residential

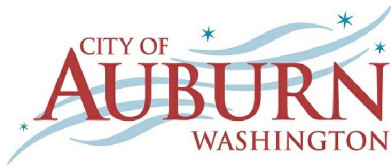


Institutional

### PROPOSED ZONING OF SUBJECT PARCEL – INSTITUTIONAL







## AGENDA BILL APPROVAL FORM

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**Agenda Subject:**

Ordinance No. 6903 (Gaub) (5 Minutes)

**Date:**

February 7, 2023

**Department:**

Public Works

**Attachments:**

[Presentation](#)

[Ordinance No. 6903](#)

[Exhibit A](#)

**Budget Impact:**

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

**Administrative Recommendation:**

For discussion only.

**Background for Motion:****Background Summary:**

The Transportation Advisory Board (TAB) is composed of 15 volunteers from the Auburn community to represent transportation users, who act as the liaison between the City and the community and provide feedback and recommendations to City staff and the City Council on transportation related topics.

Board members are appointed by the Mayor and Confirmed by Council. Board meetings take place 4 times a year, typically once every 3 months, unless an additional special meeting is warranted.

The City code related to the TAB was last updated in 2015. Some code sections have become outdated and require updating to match current procedures and practices. Additionally language is being proposed to support the City's diversity, equity, and inclusion (DEI) goals.

The proposed code update was discussed and refined with the help of TAB members.

**Reviewed by Council Committees:**

**Councilmember:** Brown

**Staff:**

Gaub

**Meeting Date:** February 13, 2023

Item Number:

**ORDINANCE 6903**  
**CHAPTER 2.94 ACC - AMENDMENT**  
**AUBURN TRANSPORTATION ADVISORY BOARD**

**CECILE MALIK**  
**CITY COUNCIL STUDY SESSION**  
**FEBRUARY 13, 2023**

---

AUBURN  
VALUES

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

---

# AUBURN TRANSPORTATION ADVISORY BOARD

- Community advisory body
- 15 members
- 3-year term – quarterly meetings



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

# PROPOSED AMENDMENT

The purpose of the amendment is to:

- ensure a full representation of the Auburn community on the TAB
- incorporate the City's diversity, equity and inclusion (DEI) goals in TAB role and membership
- clarify the TAB's role in transportation issues affecting the City
- update the Chapter's language for clarity and precision





## SECTION 2.94.030 APPOINTMENT

- Amends terms used for groups:
  - “Transportation users” to replace “Citizen at Large”
  - “Persons living with disabilities” to replace “Americans with Disabilities Act (ADA) accessibility advocacy group”
  - “Senior (55+) residents” to replace Senior Citizens
- Provides more flexibility for board member group representation

## COORDINATION / NEXT STEPS

- **Transportation Advisory Board recommendation**  
September 13, 2022 – discussion  
December 13, 2022 – recommendation to Council in support of adoption
- **Minor change proposed by staff following TAB recommendation:**  
“disabled persons” changed to “persons living with disabilities”
- **Next Step:**  
Ordinance 6903 - Council Action at the February 21, 2023 Council Meeting

## **ORDINANCE NO. 6903**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING CHAPTER 2.94 OF THE AUBURN CITY CODE RELATED TO THE CITY'S TRANSPORTATION ADVISORY BOARD**

WHEREAS, among its other functions, the City's Public Works Department evaluates and addresses transportation-related issues within the City;

WHEREAS, to assist the Department and City staff with this function, the City has enacted Chapter 2.94 of the Auburn City Code (ACC);

WHEREAS, this Code chapter creates a City Transportation Advisory Board (TAB) to advise the mayor, city council, and city staff regarding public transportation issues within the City, and establishes the appointment and composition of TAB membership, the general operations of the TAB, and the role of the TAB within the City;

WHEREAS, a review of ACC 2.94 reveals that language within the Chapter should be amended: (1) to ensure a full representation of the Auburn community on the TAB; (2) to promote the City's diversity, equity and inclusion (DEI) goals in TAB role and membership; (3) to clarify the TAB's role in transportation issues affecting the City; and (4) to generally update the Chapter's language for clarity and precision.

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

**Section 1. Amendment of City Code.** Chapter 2.94 of the Auburn City Code is hereby amended to read as set forth in Exhibit A to this Ordinance.

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

**Section 3. Severability.** The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application of it to any person or circumstance, will not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

**Section 4. Effective date.** This Ordinance will take effect and be in force five days from and after its passage, approval, and publication as provided by law.

INTRODUCED: \_\_\_\_\_

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Shawn Campbell, MMC, City Clerk

\_\_\_\_\_  
Kendra Comeau, City Attorney

Published: \_\_\_\_\_



# EXHIBIT A—ORD. 6903

## 2.94.030 Appointment.

Membership on the board is intended to represent diverse community interests and backgrounds ~~a broad cross section of the community~~. The board shall consist of 15 ~~m~~Members and shall be comprised of:

- A. One representative from the Auburn school district.
- B. One representative from Green River College.
- C. One representative from the Auburn Area Chamber of Commerce.
- D. One representative from the ~~Auburn Downtown Association~~Downtown Auburn Cooperative.
- E. One representative from the Muckleshoot Indian Tribe.
- F. One high School student representative.
- G. Minimum of one, but no more than two, representatives of each of the following:
  - Local business(s)
  - Cyclists
  - Senior (55+) residents
  - Persons living with disabilities
  - Transit users
- H. Minimum of one, but no more than three, other transportation users who reside within the City of Auburn.
- ~~F. Two local business representatives.~~
- ~~G. One bicycling community representative.~~
- ~~H. One high school student representative.~~
- ~~I. One senior citizen representative.~~
- ~~J. Three citizens at large selected to maximize geographical representation.~~
- ~~K. One Americans with Disabilities Act (ADA) accessibility advocacy group representative.~~
- ~~L. One transit users group representative.~~

Organization and school representatives shall be initially recommended to the mayor by the organizations and school district; provided, that a high school student representative does not need to be recommended by the school district and may apply on their own.

In its application process, the City will seek to achieve diverse Board representation to reflect the diversity of the Auburn community.

#### **2.94.050 Officers – Meetings.**

A. ~~A~~Biannually, the board members shall elect a chairperson and vice-chairperson from among the members of the board who shall serve for ~~two~~a one-year terms. The board shall meet at least one time per quarter and as needed to perform the duties of the board and to fulfill the role of being an advisory body to the city council.

B. It shall be the duty of the chairperson to preside over all meetings of the board. The vice-chairperson shall preside at all meetings where the chairperson is absent. Minutes shall be kept and meeting agendas prepared in coordination between members of the board and staff members. A majority of the members of the committee shall constitute a quorum for the transaction of business, and a majority vote of those present shall be necessary to make recommendation motions to the city council.

C. All board meetings shall be staffed by the ~~community development and~~ public works department.

D. All board meetings shall be conducted in accordance with Robert's Rules of Order or any other meeting procedures or guidelines authorized by the city of Auburn.

#### **2.94.060 Role of the board.**

The board is a community advisory-only body that serves as the community's voice and reviews, discusses and advises on transportation-related projects and programs as requested by the mayor, city council and/or city staff. The board ~~shall~~may provide input in the following key areas:

A. Review and advise the mayor and city council on the city's six-year ~~T~~ransportation ~~I~~mprovement ~~P~~rogram (TIP).

B. Review and advise the mayor and city council on ~~short-term and long-term strategies and approaches for prioritization and funding for street maintenance and preservation.~~the ADA Transition Plan for Facilities in the Public ROW.

C. Review and advise the mayor and city council on updates to the city's ~~C~~omprehensive ~~T~~ransportation ~~P~~lan.

~~D.— Review and advise the mayor, community development and public works director and city engineer on program approaches and funding options and alternatives for the city's local Save Our Streets (SOS) program.~~

~~E.— Review and advise the mayor, community development and public works director, city engineer and the assistant director for maintenance and operations on program approaches and funding options and alternatives for the city's arterial streets preservation program.~~

~~F.— Review and advise the community development and public works director and city engineer on the city's functional street classification system.~~

~~G.— Review and advise the mayor and city council on planning, funding and implementation efforts and programs for increased walkability throughout the city.~~

~~H~~D. Review and advise the mayor, ~~and~~ city council, and city staff on public transit issues affecting the city.

~~I~~E. Review and advise the mayor, city council and city staff on transportation issues affecting all people, including persons with disabilities, the aging community and elementary, middle and high school students underserved and under-represented communities.

~~J~~F. Review and advise and city staff on transportation issues affecting non-motorized road users. ~~in the development, implementation and ongoing monitoring and updating of a citywide pedestrian and bicycle master plan.~~

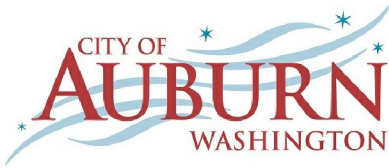
~~K~~G. Assist city staff, mayor and city council in promoting public awareness and education on a broad range of transportation issues.

~~L~~H. Represent the Transportation user group that they were appointed to represent by providing input that reflects the concerns, visions, and ideas of each group and gather input from other users within the group to share with the board. Act as ambassadors to residents and businesses on transportation-related issues and opportunities.

## **2.94.080 Annual reports of progress.**

~~The board chairperson and/or vice-chairperson shall annually~~An annual report shall be provided to the city council ~~a report~~ on progress made in carrying out the board's responsibilities. Additional reports may be submitted when deemed appropriate by the board or when requested by the city council.





## AGENDA BILL APPROVAL FORM

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**Agenda Subject:**

Ordinance No. 6904 (Gaub) (5 Minutes)

**Department:**

Public Works

**Attachments:**

[Ordinance No. 6904](#)

[Exhibit A](#)

**Date:**

February 6, 2023

**Budget Impact:**

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

**Administrative Recommendation:**

For discussion only.

**Background for Motion:****Background Summary:**

Chapter 12.12 of the Auburn City Code provides for improvement and maintenance responsibilities related to sidewalk areas along either side of any street. Sidewalk areas include the landscaped areas that, in many cases, lie between the curb and the sidewalk, and are referred to as landscape strips. The current provisions of Chapter 12.12 ACC do not address artificial turf within landscape strips. Ordinance 6904 includes revisions to Chapter 12.12 ACC to address maintenance, repair, and replacement responsibilities associated with artificial turf. Following presentation and recommendations to the City Council, the City Engineer also intends to revise the Engineering Design Standards to allow artificial turf within landscape strips.

**Reviewed by Council Committees:**

**Councilmember:** Brown

**Staff:**

Gaub

**Meeting Date:** February 13, 2023

Item Number:



## **ORDINANCE NO. 6904**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING CHAPTER 12.12 OF THE CITY CODE RELATING TO PUBLIC SIDEWALK AREAS TO ADDRESS ARTIFICIAL TURF

WHEREAS, Chapter 12.12 of the Auburn City Code provides for improvement and maintenance responsibilities related to the area of the sidewalk along either side of any street within the City, including landscape strips; and

WHEREAS, the current provisions of Chapter 12.12 ACC do not address artificial turf within landscape strips; and

WHEREAS, revisions of Chapter 12.12 ACC to address maintenance, repair, and replacement responsibilities are necessary to address artificial turf.

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

**Section 1. Amendment to City Code.** Chapter 12.12 of the Auburn City Code is amended to read as shown on Exhibit A.

**Section 2. Implementation.** The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

**Section 3. Severability.** The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

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

INTRODUCED: \_\_\_\_\_

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

CITY OF AUBURN

\_\_\_\_\_  
NANCY BACKUS, MAYOR

ATTEST:

\_\_\_\_\_  
Shawn Campbell, MMC, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Kendra Comeau, City Attorney

Published: \_\_\_\_\_

## Chapter 12.12

### PUBLIC SIDEWALKS

#### 12.12.232 Maintenance responsibility.

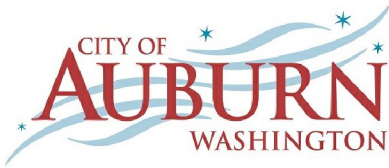
The maintenance of the area of the sidewalk along either side of any street shall be the duty, burden and expense of the abutting property owner. Maintenance shall include removal of debris, moss, snow and ice, cleaning of sidewalks, maintenance of vegetation, including but not limited to maintenance of vegetation consistent with sight distance and vegetation clearances in accordance with any other city code, and maintaining barriers or fences along the sidewalk where the sidewalk is elevated more than two feet above the abutting property. Artificial turf in the sidewalk, as defined by ACC 12.02.020(B), shall be the responsibility of the abutting property owner to maintain. Artificial turf shall be maintained in a condition free of holes, tears, bulging, rippling and rough edges. (Ord. 6672 § 1, 2018.)

#### 12.12.234 Repair and replacement responsibility.

The repair and/or replacement of sidewalk including the repair and/or replacement of artificial turf, as defined by ~~this section~~ Chapter 12.12 ACC, shall be the responsibility of the abutting property owner unless determined otherwise by the city engineer. If a property owner believes the damaged sidewalk and/or sidewalk needing replacement is/are the city's or someone else's responsibility, the property owner must notify the city engineer in writing with sufficient documentation of the cause of the damage and justification of why the repair and/or replacement should not be considered the responsibility of the abutting property owner.

Damage caused to the sidewalk by vegetation located on private property, lack of regular maintenance by the abutting property owner, or damage that is in any way caused by the abutting property owner shall be the responsibility of the private property owner to repair subject to Chapter 12.66 ACC. (Ord. 6672 § 1, 2018.)

Unless an emergency situation exists as determined by the City, the City or other permitted entity will seek to provide notice to the abutting property owner prior to conducting work that may impact the artificial turf a minimum of 3 business days in advance of the work and request that the property owner remove, at their own expense, the artificial turf prior to the commencement of the work. If the property owner does not remove the artificial turf within the timeframe requested, the City or other permitted entity may remove the artificial turf and place it on the abutting property. The City or other permitted entity conducting the work is not responsible for damage to the artificial turf and is not responsible for resetting the turf. The abutting property owner shall reset the removed artificial turf or restore the impacted sidewalk area per City Engineering Design Standards within 3 business days of receiving notice of the completion of any work performed in the landscape strip.



## AGENDA BILL APPROVAL FORM

**Agenda Subject:**

Resolution No. 5698 (Thomas) (10 Minutes)

**Date:**

February 6, 2023

**Department:**

Finance

**Attachments:**

[Resolution 5698 Interfund Loan Authorization](#)

**Budget Impact:****Administrative Recommendation:**

For discussion only.

**Background for Motion:****Background Summary:**

City financial management policies, which are approved as part of the Biennial Budget, provide for issuance of interfund loans with approval from Council. Interfund loans provide operational flexibility to cover authorized expenditures, such as when the City is awaiting reimbursement of expenses from a grant.

Council approval of Resolution No. 5698 will authorize the City's Finance Department to prepare an interfund loan, if and when it may be needed. Many of the City's funds are solely supported by grants, fees, or tax credits and sometimes there is a delay in getting costs reimbursed timely. In the event a fund needs additional cash flow, due to the timing of reimbursements, this resolution will allow the Finance Department to initiate an unbudgeted transfer from the General Fund and/or the Cumulative Reserve Fund to the fund requiring temporary cash flow support. These transfers will only be allowed in the event:

1. The fund requiring funding is supported by grants, fees, or tax credits and is awaiting reimbursement from these funding sources; and
2. The authority is limited to \$2.5 million per fund;
3. The transferred money will be immediately returned to the General Fund and/or Cumulative Reserve fund once the reimbursement has been received.

Council authorization is requested to enable the aforementioned flexibility in managing the City's short-term funding needs. This resolution is an extension of Resolution 5498 which expires February 2023. Like the previous legislation, this resolution is effective for 3 years through February 2026, at which time its authority will lapse.

**Reviewed by Council Committees:**

**Councilmember:** Baldwin

**Staff:**

Thomas



**Meeting Date:** February 13, 2023

**Item Number:**

**RESOLUTION NO. 5698**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE TRANSFER OF FUNDS FOR THE PURPOSE OF MAKING LOANS FROM THE GENERAL FUND AND/OR THE CUMULATIVE RESERVE FUND TO FUNDS SUSTAINED BY GRANTS, FEES, OR TAX CREDITS BETWEEN FEBRUARY 2023 AND FEBRUARY 2026

WHEREAS, there may be insufficient funds available from time to time during the period February 2023 to February 2026 in a fund or funds supported by grants, fees, and/or tax credits to cover authorized expenditures prior to reimbursement from federal, state and local grant monies, which have been approved for allocation to the City and for which contracts have been executed, or the collection of user fees, or the receipt of tax credits from the State of Washington; and

WHEREAS, the General Fund and/or the Cumulative Reserve Fund contain sufficient funds for the transfer funds in an amount not to exceed TWO MILLION FIVE HUNDRED THOUSAND AND NO/100 DOLLARS (\$2,500,000.00) for the purpose of making loans to cover authorized expenditures in funds sustained by grants, fees, or tax credits; and

WHEREAS, in the event a loan is made from the General Fund (Fund No. 001) and/or the Cumulative Reserve Fund (Fund No. 122) to a fund sustained by a grant, fee or tax credits, the loan shall be interest free.

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

**Section 1.** **Purpose.** During the time period February 2023 to February 2026, the Finance Director is authorized to transfer funds from the General Fund and/or the Cumulative Reserve fund to a fund sustained by grants, fees, or tax credits, for the purpose of making an interest free loan to the fund when there are insufficient funds available in the fund to cover authorized expenditures while the City waits for federal, state and local grant monies which have been approved for allocation to the City and for which contracts have been executed, or for the collection of user fees, or for the receipt of tax credits. Any transfer of funds for this purpose shall be in an amount not to exceed TWO MILLION FIVE HUNDRED THOUSAND AND NO/100 DOLLARS (\$2,500,000.00) per fund per year.

**Section 2.** **Implementation.** The Mayor is authorized to implement those administrative procedures as may be necessary to carry out the directions of this legislation.

**Section 3.** **Effective date.** This Resolution will take effect and be in full force on passage and signatures.

Dated and Signed: \_\_\_\_\_

\_\_\_\_\_  
NANCY BACKUS, MAYOR

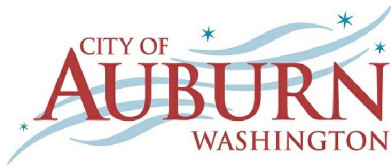
ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Shawn Campbell, MMC, City Clerk

\_\_\_\_\_  
Kendra Comeau, City Attorney





## AGENDA BILL APPROVAL FORM

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**Agenda Subject:**

Ordinance No. 6889 (Martinson) (10 Minutes)

**Department:**

Human Resources

**Attachments:**

[Ordinance 6889](#)

[RCW 35.21.015](#)

[Selections](#)

**Date:**

February 7, 2023

**Budget Impact:**

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

**Administrative Recommendation:**

For discussion only.

**Background for Motion:****Background Summary:**

Sets forth the current practices of setting the City Mayor's salary and moves the Mayor's leave provisions from other sections of City Code to the section that applies specifically to the Mayor.

Human Resources and Risk Management is updating sections of the City Code to reflect current practices and procedures.

**Reviewed by Council Committees:**

**Councilmember:** Jeyaraj

**Staff:** Martinson

**Meeting Date:** February 13, 2023

Item Number:

**ORDINANCE NO. 6889**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING SECTION 2.03.020 OF THE AUBURN CITY CODE (ACC) RELATED TO THE SALARY AND EMPLOYMENT BENEFITS FOR THE CITY MAYOR POSITION

WHEREAS, ACC 2.03.020 sets forth the manner in which the City Mayor's salary is established;

WHEREAS, the language in that ACC section no longer matches current City policy or practices related to establishing the Mayor's salary;

WHEREAS, vacation and sick leave provisions specific to the Mayor are located elsewhere in the City Code and should be moved into this section to consolidate the salary and benefits code provisions that apply specifically to the Mayor; and

WHEREAS, other language within ACC 2.03.020 should be updated for clarity and precision.

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

**Section 1. Amendment of City Code section.** Auburn City Code sections 2.03.020 is hereby amended to read as set forth as follows:

**ACC 2.03.020**                      **Mayor's Ssalary and leave benefits.**

**A. Salary.** The City Mayor's salary ~~for the office of the mayor~~ shall be established by the City's Independent Salary Commission in accordance with ACC Chapter 2.08. ~~on an annual basis through the adoption of the yearly budget ordinance.~~

**B. Leave benefits.** The Mayor shall be entitled to accrue the leave benefits available to other City employees set forth in City policy, except that due to the demands and responsibilities of the position, the Mayor's vacation leave accrual shall be unlimited, and the Mayor shall be

authorized to receive payment for any unused accrued sick leave upon leaving office.

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

**Section 3. Severability.** The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application of it to any person or circumstance, will not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

**Section 4. Effective date.** This Ordinance will take effect and be in force five days from and after its passage, approval, and publication as provided by law.

INTRODUCED: \_\_\_\_\_

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Shawn Campbell, MMC, City Clerk

\_\_\_\_\_  
Kendra Comeau, City Attorney

Published: \_\_\_\_\_

**RCW 35.21.015 Salary commissions.** (1) Salaries for elected officials of towns and cities may be set by salary commissions established in accordance with city charter or by ordinance and in conformity with this section.

(2) The members of such commissions shall be appointed in accordance with the provisions of a city charter, or as specified in this subsection:

(a) Shall be appointed by the mayor with approval of the city council;

(b) May not be appointed to more than two terms;

(c) May only be removed during their terms of office for cause of incapacity, incompetence, neglect of duty, or malfeasance in office or for a disqualifying change of residence; and

(d) May not include any officer, official, or employee of the city or town or any of their immediate family members. "Immediate family member" as used in this subsection means the parents, spouse, siblings, children, or dependent relatives of the officer, official, or employee, whether or not living in the household of the officer, official, or employee.

(3) Any change in salary shall be filed by the commission with the city clerk and shall become effective and incorporated into the city or town budget without further action of the city council or salary commission.

(4) Salary increases established by the commission shall be effective as to all city or town elected officials, regardless of their terms of office.

(5) Salary decreases established by the commission shall become effective as to incumbent city or town elected officials at the commencement of their next subsequent terms of office.

(6) Salary increases and decreases shall be subject to referendum petition by the people of the town or city in the same manner as a city ordinance upon filing of such petition with the city clerk within thirty days after filing of the salary schedule. In the event of the filing of a valid referendum petition, the salary increase or decrease shall not go into effect until approved by vote of the people.

(7) Referendum measures under this section shall be submitted to the voters of the city or town at the next following general or municipal election occurring thirty days or more after the petition is filed, and shall be otherwise governed by the provisions of the state Constitution, or city charter, or laws generally applicable to referendum measures.

(8) The action fixing the salary by a commission established in conformity with this section shall supersede any other provision of state statute or city or town ordinance related to municipal budgets or to the fixing of salaries.

(9) Salaries for mayors and councilmembers established under an ordinance or charter provision in existence on July 22, 2001, that substantially complies with this section shall remain in effect unless and until changed in accordance with such charter provision or ordinance. [2001 c 73 § 4.]

**Findings—Intent—2001 c 73:** "The legislature hereby finds and declares that:

(1) Article XXX, section 1 of the state Constitution permits midterm salary increases for municipal officers who do not fix their own compensation;



(2) The Washington citizens' commission on salaries for elected officials established pursuant to Article XXVIII, section 1 of the state Constitution with voter approval has assured that the compensation for state and county elected officials will be fair and certain, while minimizing the dangers of midterm salary increases being used to influence those officers in the performance of their duties;

(3) The same public benefits of independent salary commissions should be extended to the setting of compensation of municipal elected officers; and

(4) This act is intended to clarify the intent of the legislature that existing state law authorizes:

(a) The establishment of independent salary commissions to set the salaries of city or town elected officials, county commissioners, and county councilmembers; and

(b) The authority of the voters of such cities, towns, and counties to review commission decisions to increase or decrease such salaries by means of referendum." [2001 c 73 § 1.]

**Severability—2001 c 73:** "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [2001 c 73 § 6.]

## 2.08.010 Commission established.

A salary commission is hereby established pursuant to RCW [35.21.015](#), hereinafter referred to as the city of Auburn independent salary commission. (Ord. 6681 § 1, 2018; Ord. 6504 § 1, 2014.)

## 2.08.020 Purpose.

The purpose of the independent salary commission shall be to review and establish the salaries of the members of the city council and the mayor. For the purposes hereof, the salary authority of the independent salary commission shall include all compensation that may be paid to or received by council members and the mayor, whether or not it is identified as salary. Also, for the purposes hereof, the salaries identified by the independent salary commission shall be uniform among the same category or class of elected officials. This provision, however, does not prevent or preclude the independent salary commission from providing for a different salary for the council member selected as the deputy mayor of the city. Rather, the independent salary commission would be entitled to consider the additional duties of the deputy mayor in setting salaries for that position. (Ord. 6681 § 1, 2018; Ord. 6504 § 1, 2014.)

## 2.08.030 Membership.

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

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

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

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

- E. If, for any reason, a vacancy occurs during the term of an independent salary commission member, the mayor shall appoint, with the approval/confirmation of the city council, a new member to fill the unexpired term of that member.
- F. The mayor and city council may remove an independent salary commission member at any time for cause of incapacity, incompetence, neglect of duty, or malfeasance in office, or for a disqualifying change of residence, or for three consecutive unexcused absences of regularly scheduled meetings of the independent salary commission.
- G. All members of the independent salary commission shall serve until their successors are duly appointed by the mayor and confirmed by the city council. (Ord. 6681 § 1, 2018; Ord. 6649 § 1, 2017; Ord. 6504 § 1, 2014.)

#### 2.08.040 Qualifications.

- A. No person shall be appointed to serve as a member or alternate member of the independent salary commission unless that person is a citizen of the United States, a resident of the city for at least one year immediately preceding such appointment, and an elector of the county in which the member resides.
- B. No city officer, official or employee of the city or an immediate family member of a city officer, official or employee may serve on the commission. "Immediate family member," as used in this section, means the parents, spouse, siblings, children, or dependent relatives of the officer, official, or employee, whether or not living in the household of the officer, official or employee. (Ord. 6681 § 1, 2018; Ord. 6504 § 1, 2014.)

#### 2.08.050 Operation.

- A. The independent salary commission shall elect a chair and vice chair from among its voting members. Other than for those members initially appointed for a one-year term, such officers shall hold office for two years. The independent salary commission may from time to time establish and publish rules of procedure for the efficient and fair conduct of its business, consistent with state law and city ordinance.
- B. The mayor shall appoint appropriate staff to assist the independent salary commission in preparation of its reports and records, and conducting its meetings, as may be necessary for the proper operation of the commission.
- C. The meetings of the independent salary commission shall be subject to the Open Public Meetings Act pursuant to Chapter [42.30](#) RCW.
- D. The independent salary commission, with the assistance of appointed staff, shall keep a written record of its proceedings, which shall be a public record all in accordance with state law.

E. The independent salary commission shall have the authority to raise and lower salaries of the city council and the mayor. A city council or mayoral salary increase or decrease shall occur only if three members of the commission vote in favor of the increase or decrease. Three members of the commission shall constitute a quorum, and the votes of such quorum shall be sufficient for the decision of all matters and the transaction of all business to be decided or transacted by the independent salary commission.

F. The independent salary commission shall meet at least once each year to consider whether or not to review and/or adjust existing salaries for the city council and the mayor. The initial meeting of the independent salary commission shall take place within 30 days after the initial members of the independent salary commission have been appointed and confirmed. Thereafter, the initial annual meeting of the independent salary commission shall occur no later than April 30th, in any given year.

G. Prior to a vote of the independent salary commission to raise or lower salaries, residents of the city shall have an opportunity to comment or submit comments in writing. An opportunity for comments shall be conducted in a manner that is consistent with the procedure used at regularly scheduled meetings of the city council for public comment.

H. Prior to a vote of the independent salary commission to raise or lower salaries, the commission may request, from the mayor or designee, additional financial information and other relevant data, other than that information provided in subsection [I](#) of this section, including but not limited to information related to the various duties, assignments, responsibilities, obligations and meetings of city council members.

I. The mayor or designee shall provide the independent salary commission with, and the commission shall consider, information regarding salaries paid to members of city councils and mayors from comparable cities. Such comparable cities shall be comprised of cities having a population of at least 25,000 and located in King, Pierce or Snohomish County, and, for the purposes of the mayor, comparable cities shall be cities organized and operating under the mayor-council plan of government, pursuant to Chapter [35A.12](#) RCW or RCW Title [35](#).

J. In its meeting(s), the independent salary commission shall review and, if it so determines, amend and file its schedule of salaries for the city council and the mayor no later than May 31st of each year. If necessary, the independent salary commission will also meet upon any other call by the chair or the mayor or by the majority vote of the city council. (Ord. 6681 § 1, 2018; Ord. 6504 § 1, 2014.)

## 2.08.060 Responsibilities.

The independent salary commission shall have the following responsibilities:

A. To study the relationship of salaries to the duties of the city council members and the mayor and those of comparable cities, as defined hereinabove, and to establish a salary for the mayor and a uniform salary for all



council members, as described hereinabove, by either increasing or decreasing the existing salaries for the city council and the mayor by an affirmative vote of not less than three members;

B. To review salary schedules and file its amending salary schedules, if any, not later than May 31st of every year; provided, that this does not preclude the independent salary commission from reviewing and amending salary schedules more often than once per year if circumstances warrant;

C. To submit each amended salary schedule to the city clerk, who will publish the complete schedule two times, at least one week apart, in the official newspaper of the city. The second publication date will be the official filing date. The schedule will become effective 30 days after this date. (Ord. 6681 § 1, 2018; Ord. 6504 § 1, 2014.)

## 2.08.070 Effective date – Salaries.

The independent salary commission's established or amended salary schedule will become effective in the amounts, at the times, and under the conditions established in the schedule. Once filed, the schedule shall be incorporated into the city budget without further action of the city council or the independent salary commission. Salary increases established by the independent salary commission shall be effective as to all city council members and the mayor regardless of their terms of office. Salary decreases established by the commission shall become effective as to incumbents at the commencement of their next subsequent terms of office. Existing salaries for council members and the mayor established by prior action of the independent salary commission, by prior city ordinance and/or through prior city budget, shall remain in effect unless and until changed in accordance with the provisions of this chapter. The terms and conditions of the commission's adopted salary schedule will remain in effect until amended under the terms and conditions of a new salary schedule filed in accordance with this chapter. (Ord. 6681 § 1, 2018; Ord. 6504 § 1, 2014.)

## 2.08.080 Salary schedule subject to referendum petition.

A. The independent salary commission's adopted salary schedule shall be subject to referendum petition by the people of the city upon filing of a valid referendum petition with the city clerk within 30 days after the official filing date of the salary schedule. The number of registered voters needed to sign such a petition for referendum shall be 15 percent of the total number of names of persons listed as registered voters within the city on the day of the last preceding city general election. In the event of the filing of a valid referendum petition, the salary increase or decrease shall not go into effect until approved by vote of the people.

B. Referendum measures under this section shall be submitted to the voters of the city at the next following general or municipal election occurring 30 days or more after the petition is filed and shall be otherwise

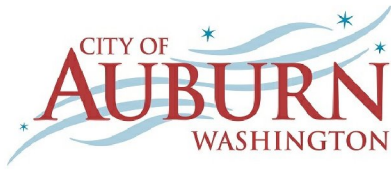
governed by the provisions of the State Constitution, RCW [35A.11.100](#) and other laws generally applicable to referendum measures. (Ord. 6681 § 1, 2018; Ord. 6504 § 1, 2014.)

**The Auburn City Code is current through Ordinance 6878, passed July 18, 2022.**

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.auburnwa.gov](http://www.auburnwa.gov)

[Code Publishing Company](#)



## AGENDA BILL APPROVAL FORM

**Agenda Subject:**

Ordinance No. 6890 (Martinson) (10 Minutes)

**Department:**

Human Resources

**Attachments:**

[Ordinance No. 6890](#)

[Exhibit A](#)

[Amendment - 2013](#)

[Amendment - 1986](#)

**Date:**

February 7, 2023

**Budget Impact:**

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

**Administrative Recommendation:**

For discussion only.

**Background for Motion:****Background Summary:**

Provide for vacations within the City's policies. Sections of ACC 2.63 have been repealed. Additional updates to ACC 2.63 are to bring the code into compliance with State Law and City practice. Additional updates have been made for clarity to ensure that they are consistent with State Law and City practice.

Human Resources and Risk Management has been reviewing revisions to the City Code to make sure that they are in compliance with State Law and City practices. The revisions of ACC 2.63 allows us to be in compliance.

**Reviewed by Council Committees:**

**Councilmember:** Jeyaraj

**Staff:**

Martinson

**Meeting Date:** February 13, 2023

Item Number:

**ORDINANCE NO. 6890**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING AND REPEALING CERTAIN SECTIONS WITHIN ARTICLES II AND III OF AUBURN CITY CODE (ACC) CHAPTER 2.63 RELATED TO VACATION, LEAVE AND INSURANCE COVERAGE FOR CITY EMPLOYEES, AND ADDING NEW SECTIONS TO ACC CHAPTER 2.63 RELATED TO EMPLOYEE LEAVE

WHEREAS, Articles II and III of ACC Chapter 2.63 provide for vacation, leave benefits and insurance coverage for City employees;

WHEREAS, employee vacation benefits are not legally required, and it is more appropriate to provide vacation benefits to City employees through the City's adopted employee vacation benefits policies. Accordingly, sections within Article II of ACC 2.63 pertaining to employee vacation should be repealed;

WHEREAS, several other sections within Articles II and III of ACC 2.63 require revision and/or repeal to bring the ACC chapter into compliance with changes to State law and City practice that have occurred since their enactment;

WHEREAS, other revisions to these ACC 2.63 Articles should be made for clarity and precision, and to ensure that they are otherwise consistent with City policies and practices related to employee leave.

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

**Section 1. Amendment of City Code sections.** Auburn City Code sections 2.63.160, .165, .170, .180, and .190 within Article II of ACC 2.63 are hereby amended to read as set forth in Exhibit A attached to this Ordinance.



**Section 2. Repeal of City Code sections.** Auburn City Code sections 2.63.060, .110, .113, .120, .130, .140, .150, .155 and .162 are hereby repealed.

**Section 3. New sections to City Code.** New sections 2.63.161 (pertaining to employee sick leave) and 2.63.195 (pertaining to other forms of City employee leave) are hereby adopted and added to the City Code, to read as set forth in Exhibit A attached to this Ordinance.

**Section 4. Implementation.** The Mayor is authorized to implement those administrative procedures necessary to carry out the directives of this legislation.

**Section 5. Severability.** The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application of it to any person or circumstance, will not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

**Section 6.** **Effective date.** This Ordinance will take effect and be in force five days from and after its passage, approval, and publication as provided by law.

INTRODUCED: \_\_\_\_\_

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Shawn Campbell, MMC, City Clerk

\_\_\_\_\_  
Kendra Comeau, City Attorney

Published: \_\_\_\_\_

## **EXHIBIT A—ORD. 6890**

### **~~ACC 2.63.060~~—Definitions.**

In construing the provisions of this article, the following definitions shall apply:

A. ~~“Duty shift” means a 24-hour workday and refers to those persons of the fire department whose working days consist of a 24-hour shift.~~

C. ~~“Full-time employee” means any person occupying a position budgeted by the city on a wage or salary basis who devotes full time to their job during working hours, on a year round basis.~~

D. ~~“Part-time employee” means any person employed by the city who devotes only a part of their time during working hours to the service of the city, or who spends full time during working hours for the city, but is hired on the basis of less than year-round employment.~~

E. ~~“Years’ continuous service” shall not mean a calendar year but shall be computed on the basis of units of 12 consecutive calendar months of service which have fully accrued prior to the commencement of the leave period.~~

### **~~ACC 2.63.110~~—Vacation—Longevity leave time—General employees.**

~~Full-time employees of the city, excluding employees designated in ACC 2.63.113 and excluding employees covered by a collective bargaining agreement, shall be entitled to vacation—longevity leave time according to the following schedule:~~

~~From zero years through four full years of continuous service, 12 days per year;~~

~~Starting in the fifth year through nine full years of continuous service, 15 days per year;~~

~~Starting in the tenth year through 14 full years of continuous service, 18 days per year;~~

~~Starting in the fifteenth year through 20 full years of continuous service, 20 days per year;~~

~~More than 20 full years of continuous service, 22 days per year.~~

**~~ACC 2.63.113~~ — ~~Vacation — Longevity leave time — Department directors.~~**

~~A. The following designated employees, hereinafter referred to as department directors, shall accrue vacation — longevity leave time at the rate of 20 days per year. The department directors listed in ACC 2.03.040(A).~~

~~B. Longevity leave to the employees designated herein shall accrue as follows:~~

~~1. During the first calendar year of employment with the city, each of the above-designated department directors would be entitled to a block of up to 20 days of vacation — longevity leave. The actual number of days shall be computed based upon the date on which the above-listed department directors commenced employment with the city;~~

~~2. During the second year of employment with the city and each year thereafter, each department director will accrue vacation — longevity leave on a monthly basis, to a maximum of 20 days per year.~~

**~~ACC 2.63.120~~ — ~~Vacations — Accumulation~~**

~~Vacations of employees shall not ordinarily be accumulative, except where the department head finds that there are special circumstances justifying an extended vacation, they may authorize the employee to accumulate up to five days or two duty shifts for fire department employees of unused vacation leave each year for the purpose of extending the employee's annual vacation period in the year following, but in no event shall an employee not subject to a collective bargaining agreement accumulate more than that which would be earned in two years at the employee's accrual rate. Any vacation leave accumulated in excess of this amount shall be automatically removed from the employee's vacation balance by the finance department. Due to the demands of the office and the responsibilities pertaining thereto, the mayor of the city shall not be subject to the aforementioned provision and shall be authorized to accumulate unlimited annual leave at their discretion. In the event that a collective bargaining agreement is silent on the issue of vacation accumulation, then accumulation shall be limited to a maximum of one year annual vacation leave plus five days additional unused and accrued vacation leave carried over from a previous year or two duty shifts for fire department employees working shift work.~~



**~~ACC 2.63.130~~ — ~~Vacation — Payment in lieu of.~~**

~~Payment for up to five days of accrued and unused vacation leave may be made to an employee upon approval of their department head and the mayor, where the employee was not able to take all of their accrued annual vacation leave during the year authorized.~~

**~~ACC 2.63.140~~ — ~~Vacation — Scheduling.~~**

~~Vacations shall be taken at a time mutually agreed upon between the department head and the employee. Department heads shall take their vacations at a time mutually agreed upon between themselves and the mayor. The minimum vacation allowance to be taken by an employee shall be one hour even increments or one duty shift for fire department employees.~~

**~~ACC 2.63.150~~ — ~~Vacation — Other than full-time employees.~~**

~~Part-time personnel who are regularly employed shall be entitled to vacation leave allowances in proportion to hours worked, except that no part-time employee who does not work at least 20 hours per week and for 10 consecutive months from the beginning of employment shall be eligible for vacation allowances. Workmen on a daily wage basis, engaged or working upon detached or independent pieces of construction work, temporary in character, of the class which may be done by contractor to the lowest bidder, but which the city council has determined shall be done by day labor, shall not be entitled to the vacation allowances provided by this article.~~

**~~ACC 2.63.155~~ — ~~Vacation — Bonus days for unused sick leave.~~**

~~All full-time nonaffiliated city employees who use no sick leave during any calendar year, will be entitled to two bonus vacation days during the following calendar year. All full-time nonaffiliated employees who use only one or two sick leave days during any calendar year will be entitled to one additional bonus vacation day during the following calendar year.~~

**ACC 2.63.160**

**Sick leave - Employees hired before January 1, 1985.**

This section applies only to City employees hired before January 1, 1985.

- A. All full-time employees of the city, except those covered by a union agreement, shall be entitled to sick leave when they are incapacitated for the performance of their duties by reason of sickness or injury or when, through exposure to contagious disease, the presence of the employee would jeopardize the health of others. Such sick leave shall be at the rate of eight hours for each calendar month of employment and if not used shall accumulate to a maximum of 960 hours, exclusive of the ordinary vacation time of the employee.
- B. Sickness shall be reported at the beginning of any period of illness to the department as soon as practically possible.
- C. A doctor's certificate will be furnished at the discretion of the department head or personnel director whenever an employee claims sick leave for the protection of the employee and fellow employees.
- D. Part-time employees shall not be entitled to sick leave unless approved by the mayor.
- E. An employee shall be allowed up to three days' sick leave for illness in the immediate family that requires their presence, upon the approval of the department head. Immediate family includes under this caption only father, mother, spouse or children of the employee.
- F. Any employee found to have abused the sick leave privilege by falsification or misrepresentation may be subject to dismissal at the discretion of the mayor.
- G. In the case of injury or illness which is covered by industrial insurance, an amount of sick leave may be used to pay the difference between industrial insurance, workman's compensation and the employee's regular rate of pay and no combination of payments received added to sick leave will exceed the regular rate of pay.
- H. No portion of this article regarding sick leave shall conflict with or cancel rules and regulations set by the civil service commission as it pertains to the fire and police department.
- I. Upon termination shall be reimbursed at the current rate of pay for unused accrued sick leave up to a maximum of 960 hours in accordance with the following schedule based on continuous years of service:

| <b>Upon Completion of Years of Service</b> | <b>Percent of Accrued Unused Sick Leave</b> |
|--------------------------------------------|---------------------------------------------|
|--------------------------------------------|---------------------------------------------|

|                   |    |
|-------------------|----|
| 0 through 4 years | 0% |
|-------------------|----|

**Upon Completion of Years of Service      Percent of Accrued Unused Sick Leave**

|                     |      |
|---------------------|------|
| 5 through 14 years  | 25%  |
| 15 through 24 years | 50%  |
| 25 years and over   | 100% |

~~This section shall not apply to employees hired on or after January 1, 1985; provided, however, due to the demands of the office and the responsibilities pertaining thereto, the mayor of the city shall be authorized to receive payment for 100 percent of accrued unused sick leave upon leaving office.~~

**[NEW SECTION]    ACC 2.63.161      Sick leave for City employees**

A. Sick leave for City employees subject to RCW 49.46.

1. Employees shall be entitled to accrue a minimum of 1 hour of paid sick leave for every 40 hours worked as an employee.

2. Employees shall be entitled to use sick leave for the purposes specified in RCW 49.46.210 and other applicable law. Employee sick leave accrual, use and verification shall be managed in accordance with City administrative policies and procedures.

3. Up to 40 hours of employee accrued sick leave that is unused in a calendar year will carry forward to the next calendar year.

B. Sick leave for City employees exempt from RCW 49.46. The accrual, use, carryover and other provisions related to sick leave for City employees exempt from RCW 49.46 shall be as set forth in City administrative policies and procedures.

C. Any employee that falsifies or misrepresents sick leave usage may be subject to discipline up to and including dismissal at the discretion of the mayor.



**~~ACC 2.63.162~~ ~~Payment for accumulated sick leave.~~**

~~Retroactive to January 1, 1983, Auburn city employees accumulating in excess of 960 hours sick leave during a calendar year will be paid 25 percent of said accumulated and unused sick leave during January of the following calendar year.~~

**ACC 2.63.165 Bereavement leave.**

Employees shall be allowed up to 3 three days of paid leave with pay following a for death in the employee's immediate family upon approval of the department head.

For purposes of this section, "Immediate family" includes only the employee's parents (or parents-in-law), father or father-in-law, mother or mother-in-law, spouse, siblings (or siblings in law), grandparents (or grandparents in law), brother, sister or children (including stepchildren), and grandchildren of the employee. Sick leave will be charged if the employee is off the job exceeding three days. Leave under this section shall be in addition to family leave defined and available pursuant to RCW 50A.05.

Employee eligibility and use of leave under this section shall be managed in accordance with City administrative policies and procedures.

**ACC 2.63.170 Leave to perform civil duties.**

Department Directors may allow employees leave as needed. Any necessary leave may be allowed by the head of the department to permit any employee to serve on as a member of a jury or to exercise their other civil duties. Employee leave under this section shall be managed in accordance with City administrative policies and procedures. Each employee who is granted sick leave and who, for the performance of the civil duties involved, receives any compensation shall be paid by the city for the time they is absent only in the amount of their salary less the compensation received.

**ACC 2.63.180 Military leave.**

Employees may be allowed mMilitary leave, subject to the requirements of as provided in RCW 38.40.060, and City administrative policies and procedures. over and above annual vacation or sick leave, may be allowed any employee who is a member of the National Guard or reserve corps. The employee shall be paid their regular salary from the city for the period of their military leave.



**ACC 2.63.190****Leave without pay and unauthorized absences.**

~~Except as otherwise provided in RCW 41.12.130, No employee shall be granted leave without pay will be granted an employee until the employee has first used all available and appropriate forms of paid leave. taken advantage of all their usable earned vacation credits, and such~~ Employees may not use leave without pay will not be granted for the purpose of the employee gaining personal advantage or profit.

**[NEW SECTION] ACC 2.63.195 Other forms of leave at City Discretion – Article not applicable to collective bargaining agreements.**

A. The City may provide employees with other forms of paid leave. Unless otherwise provided by law, employee entitlement to and use of any such other leave types shall be administered in accordance with City administrative policies and procedures.

B. Unless otherwise required by law, the provisions of this Article shall not apply to or affect the terms of any collective bargaining agreement in effect between the City and the members of a collective bargaining unit.

**ACC 2.63.200****Insurance coverage for City employees. Generally.**

The city shall provide insurance coverage for its employees as required by law and in accordance with City administrative policies and procedures. ~~pay the costs of premiums for:~~

~~A. Employee accident insurance covering each employee, officer and official of the city for an amount not to exceed \$100,000 each, payable to the beneficiary named by the insured, while traveling on city business authorized by a competent authority;~~

~~B. Policies of insurance insuring the chief of police and all duly commissioned police officers of the city against false arrest;~~

~~C. Policies of insurance insuring city officials and employees while driving city vehicles operating in any municipal capacity against liability for bodily injury and property damage resulting from said operation.~~

**ORDINANCE NO. 6 4 8 6**

**AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF AUBURN, WASHINGTON, AMENDING  
SECTION 2.63 160 OF THE AUBURN CITY CODE  
RELATING TO SICK LEAVE**

WHEREAS, there are some employees, depending upon the date of the commencement with their employment with the City, who receive up to 100 percent of their accrued unused sick leave upon their termination, and

WHEREAS, because of the structure of the way that percentages have been calculated, depending upon years of service and accrual balances, the Mayor of the City would not ever be able to receive the highest percentages of payment for accrued unused sick leave upon leaving office, and

WHEREAS, because of the unusual job and time demands on the office of Mayor, it is appropriate that separate accommodations be made for the Mayor in terms of payment for accrued unused sick leave

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

**Section 1. Amendment to City Code.** That Section 2.63 160 of

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

**2.63 160 Sick leave**

A. All full-time employees of the city, except those covered by a union agreement, shall be entitled to sick leave when they are incapacitated for the performance of their duties by reason of sickness or injury or when, through exposure to contagious disease, the presence of the employee would jeopardize the health of others. Such sick leave shall be at the rate of eight hours for each calendar month of employment and if not used shall accumulate to a maximum of 960 hours, exclusive of the ordinary vacation time of the employee

B. Sickness shall be reported at the beginning of any period of illness to the department as soon as practically possible

C A doctor's certificate will be furnished at the discretion of the department head or personnel director whenever an employee claims sick leave for the protection of the employee and fellow employees

D Part-time employees shall not be entitled to sick leave unless approved by the mayor

E. An employee shall be allowed up to three days' sick leave for illness in the immediate family that requires his presence, upon the approval of the department head. Immediate family includes under this caption only father, mother, spouse or children of the employee

F Any employee found to have abused the sick leave privilege by falsification or misrepresentation may be subject to dismissal at the discretion of the mayor

G In the case of injury or illness which is covered by industrial insurance, an amount of sick leave may be used to pay the difference between industrial insurance, workman's compensation and the employee's regular rate of pay and no combination of payments received added to sick leave will exceed the regular rate of pay

H No portion of this article regarding sick leave shall conflict with or cancel rules and regulations set by the civil service commission as it pertains to the fire and police department.

I Upon termination shall be reimbursed at the current rate of pay for unused accrued sick leave up to a maximum of 960 hours in accordance with the following schedule based on continuous years of service

| Upon Completion of<br>Years of Service | Percent of Accrued<br>Unused Sick Leave |
|----------------------------------------|-----------------------------------------|
| 0 through 4 years                      | 0%                                      |
| 5 through 14 years                     | 25%                                     |
| 15 through 24 years                    | 50%                                     |
| 25 years and over                      | 100%                                    |

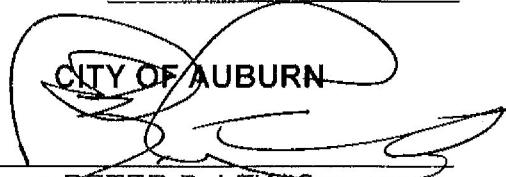
This section shall not apply to employees hired on or after January 1, 1985. Provided, however, due to the demands of the office and the responsibilities pertaining thereto, the mayor of the city shall be authorized to receive payment for 100% of his/her accrued unused sick leave upon his/her leaving office. (Ord 4026 § 1, 1984, Ord 3607 § 2, 1981)

**Section 2. Implementation.** The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

**Section 3. Severability.** The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

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

INTRODUCED · NOV 18 2013  
PASSED · NOV 18 2013  
APPROVED · NOV 18 2013

  
CITY OF AUBURN  
\_\_\_\_\_  
PETER B LEWIS  
MAYOR

ATTEST:

  
\_\_\_\_\_  
Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Daniel B. Heid, City Attorney

Published November 21, 2013 Seattle Times



ORDINANCE NO. 4 1 0 9

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING  
AUBURN CODIFIED CITY ORDINANCE 2.63.120 (VACATIONS-ACCUMULATION)  
ADDING AN EXCEPTION WHICH ALLOWS THE MAYOR TO ACCUMULATE VACATION  
LEAVE.

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

Section 1. Auburn Codified City Ordinance 2.63.120 is hereby amended to  
read as follows, to-wit:

"2.63.120 Vacations-Accumulation.

Vacations of employees shall not ordinarily be accumulative,  
except where the department head finds that there are special  
circumstances justifying an extended vacation, he may authorize  
the employee to accumulate up to five days or two duty shifts  
for fire department employees of unused vacation leave each year  
for the purpose of extending the employee's annual vacation  
period in the year following, but in no event shall an employee  
accumulate more than one year annual vacation leave plus five  
days additional unused and accrued vacation leave carried over  
from a previous year or two duty shifts for fire department  
employees working shift work, provided however, due to the  
demands of the office and the responsibilities pertaining  
thereto, the mayor of the city of Auburn shall not be subject  
to the aforementioned provision and shall be authorized to  
accumulate unlimited annual leave at his discretion."

Section 3. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication, as provided by law.

APPROVED: FEBRUARY 3, 1986

  
MAYOR

Darlene L. Cruz City Clerk

  
City Attorney

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STATE OF WASHINGTON)

) SS.

COUNTY OF KING

I, Robin Wohlhueter, the duly appointed, qualified City Clerk of the City of Auburn, a Municipal Corporation and Code City, situate in the County of King, State of Washington, do hereby certify that the foregoing is a full, true and correct copy of Ordinance No. 4109 of the ordinances of the City of Auburn, entitled "AN ORDINANCE."

I certify that said Ordinance No. 4109 was duly passed by the Council and approved by the Mayor of the said City of Auburn, on the the 3rd day of February A.D., 1986.

I further certify that said Ordinance No. 4109 was published as provided by law in the Valley Daily News, a daily newspaper published in the City of Auburn, and of general circulation therein, on the 9th day of February, A.D., 1986.

Witness my hand and the official seal of the City of  
Auburn this May 18, 1990, A.D.

Robin Wohlhueter  
Robin Wohlhueter  
City Clerk  
City of Auburn