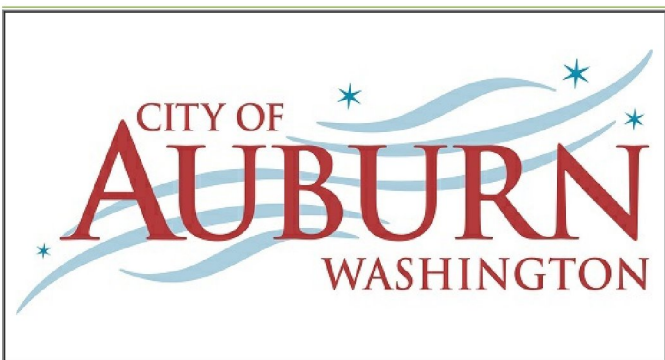


	City Council Meeting January 22, 2019 - 7:00 PM City Hall Council Chambers AGENDA Watch the meeting LIVE! Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. CALL TO ORDER

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

II. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

III. APPOINTMENTS

A. Auburn Tourism Board

City Council to confirm the appointments to the Auburn Tourism Board for new three-year terms to expire December 31, 2021:

- Kacie Bray
- Edgar Vidal

(RECOMMENDED ACTION: Move to approve the Auburn Tourism Board Appointments.)

B. Junior City Council

City Council to confirm the following appointments to the Junior City Council for new two-year terms to expire August 31, 2020:

- Addyson Jones
- Waylon Menzia

(RECOMMENDED ACTION: Move to approve the Junior City Council Appointments.)

C. Board and Commission Reappointments

City Council to confirm the reappointments of the following boards and commission members for new three-year terms expiring December 31, 2021:

Auburn Lodging Tax Advisory Committee
Andy Cho

Business Improvement Area Committee of Ratepayers
Kelly Gordon

Darren Jones
Ronnie Roberts

Cemetery Board

Arnie Galli

Human Services Committee

Dana Riel
JoAnne Walters

Junior City Council

Brandon Berend
Diego Izquierdo

Parks and Recreation Board

Wayne Osborne

Planning Commission

Roger Lee
Dimitri Moutzouris
Phillip Stephens

Transportation Advisory Board

Jeanette Miller
Ronald Riley

White River Valley Historical Society

Gordy Nishimoto

(RECOMMENDED ACTION: Move to approve the Reappointments to City Boards and Commissions.)

IV. AGENDA MODIFICATIONS

V. CITIZEN INPUT, PUBLIC HEARINGS AND CORRESPONDENCE

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

B. **Audience Participation**

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

C. **Correspondence - (There is no correspondence for Council review.)**

VI. COUNCIL AD HOC COMMITTEE REPORTS

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

VII. CONSENT AGENDA

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

- A. Minutes of the August 28, 2017, September 11, 2017, September 25, 2017, October 9, 2017, October 23, 2017, January 22, 2018, January 29, 2018, December 10, 2018 and January 14, 2019 Study Session
- B. Minutes of the December 17, 2018 Regular Council Meeting
- C. Claims Vouchers (Coleman)
2018 Vouchers:
Claim voucher numbers 451949 and 451952 through 52146 in the amount of \$1,198,049.25 and two wire transfers in the amount of \$152,475.69 and dated January 7, 2019.

Claim voucher numbers 452171 and Voucher 452173 through 452337 in the amount of \$3,346,621.94 and one wire transfer in the amount of \$572,798.73 and dated January 22, 2019.

2019 Vouchers:

Claim voucher numbers 451950 through Voucher 451951 and Voucher #452147 through voucher number 452170, in the amount of \$1,650,367.41 and one wire transfer in the amount of \$574,380.46 dated January 7, 2019.

Claim voucher numbers 452172 and 452338 through 452444, in the amount of \$670,045.72 and one wire transfer in the amount of \$15,823.08 and dated January 22, 2019.

- D. Payroll Vouchers (Coleman)
2018 Vouchers:
Claim voucher numbers 451949 and 451952 through 52146 in the amount of \$1,198,049.25 and two wire transfers in the amount of \$152,475.69 and dated January 7, 2019.

Claim voucher numbers 452171 and Voucher 452173 through 452337 in the amount of \$3,346,621.94 and one wire transfer in the amount of \$572,798.73 and dated January 22, 2019.

2019 Vouchers:

Claim voucher numbers 451950 through Voucher 451951 and Voucher #452147 through voucher number 452170, in the amount of \$1,650,367.41 and one wire transfer in the amount of \$574,380.46 dated January 7, 2019.

Claim voucher numbers 452172 and 452338 through 452444, in the amount of \$670,045.72 and one wire transfer in the amount of \$15,823.08 and dated January 22, 2019.

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

VIII. UNFINISHED BUSINESS

- A. Seating Assignments for City Council Meetings
Approval of 2019 Seating Chart for Council Regular Meetings

(RECOMMENDED ACTION: Move to adopt 2019 Council Seating Chart.)

IX. NEW BUSINESS

X. ORDINANCES

- A. Ordinance No. 6710 (Gross)
An Ordinance of the City Council of the City of Auburn, Washington, relating to criminal offenses, adopting the crime of identity theft, and amending Chapter 9.62 of the Auburn City Code

(RECOMMENDED ACTION: Move to adopt Ordinance No. 6710.)

XI. RESOLUTIONS

- A. Resolution No. 5395 (Tate)
A Resolution of the City Council of the City of Auburn, Washington, endorsing use of the 2019 Valley Regional Fire Authority Fee Schedule as adopted by the VRFA Board of Governance

(RECOMMENDED ACTION: Move to adopt Resolution No. 5395)

- B. Resolution No. 5401 (Gaub)
A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to accept federal grant funds to be administered through the Washington State Department of Transportation

(RECOMMENDED ACTION: Move to adopt Resolution No. 5401)

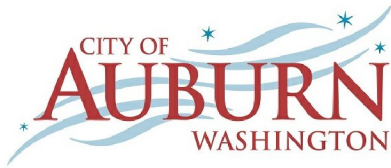
XII. MAYOR AND COUNCILMEMBER REPORTS

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

- A. **From the Council**
- B. **From the Mayor**

XIII. ADJOURNMENT

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



AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes of the August 28, 2017, September 11, 2017, September 25, 2017, October 9, 2017, October 23, 2017, January 22, 2018, January 29, 2018, December 10, 2018 and January 14, 2019 Study Session

Date:

January 10, 2019

Department:

Finance

Attachments:

[08-28-2017 Minutes](#)

[09-11-2017 Minutes](#)

[09-25-2017 Minutes](#)

[10-9-2017 Minutes](#)

[10-23-2017 Minutes](#)

[01-22-2018 Minutes](#)

[01-29-2018 Minutes](#)

[12-10-2018 Minutes](#)

[01-14-2019 Minutes](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

Background Summary:

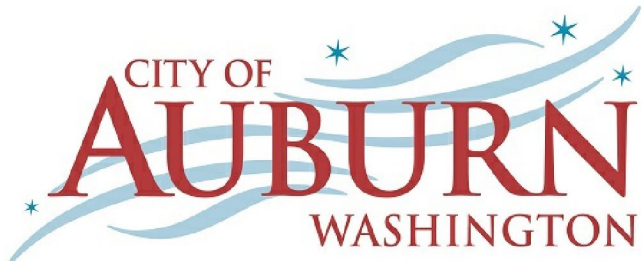
Reviewed by Council Committees:

Councilmember:

Staff:

Meeting Date: January 22, 2019

Item Number: CA.A

	City Council Study Session Muni Services SFA August 28, 2017 - 5:30 PM Council Chambers - City Hall AGENDA Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. CALL TO ORDER

Deputy Mayor Largo Wales called the meeting to order at 5:32 p.m. in the Council Chambers of Auburn City Hall located at 25 West Main Street, Auburn.

A. Roll Call

Councilmembers present: Deputy Mayor Wales, Bob Baggett, Claude DaCorsi, John Holman, and Yolanda Trout-Manuel. Councilmember Rich Wagner arrived at 7:23 p.m. during discussion of Community Meetings and Quorums. Councilmember Pelosa was excused.

Mayor Nancy Backus and the following department directors and staff members were present: City Attorney Daniel B. Heid, Police Chief Bob Lee, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Innovation and Technology Assistant Director Ashley Riggs, Parks, Arts and Recreation Director Daryl Faber, Finance Director Shelley Coleman, Assistant Director of Community Development Services Jeff Tate, Director of Administration Dana Hinman, Economic Development Manager Doug Lein, Development Services Manager Jason Krum, Planning Services Manager Jeff Dixon, and Deputy City Clerk Shawn Campbell.

II. ANNOUNCEMENTS, REPORTS, AND PRESENTATIONS

There was no announcement, report or presentation.

III. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Residential/Commercial Development Overview (30 Minutes) (Snyder)

Assistant Director of Community Development Services Tate, Planning Services Manager Dixon, and Development Services Manager/Building Official Krum provided a presentation on the various types of development processes and activities.

Staff members reviewed the following development review processes for:

- Subdividing land

- Building a home within a subdivision
- Building a home outside a subdivision
- New commercial construction
- Commercial tenant improvements

Within each of the five subject areas listed above, staff reviewed:

- Permit/plan review timeframes
- Overall development timeframes (design review, city review and construction)
- Disciplines involved in the various projects (planning, fire, traffic engineering, etc)
- Reference books associated with development review (city codes, engineering standards)
- Examples of plan sets and the information that is included
- Fees that customers pay
- Customer service dilemmas that the City faces when balancing the short term needs of the applicant with the long term needs of the property tax payer and the utility rate payer
- Other agency involvement

Planning Services Manager Dixon reviewed short plats and long plat subdivisions. Short plats are developments of nine or less lots; long plats are ten or more lots. The long plats comprise the majority of single family residential development. Manager Dixon reviewed the preliminary plat and final plat processes.

Development Services Manager Krum reviewed the review process, reference documents, and timelines for building a home within a subdivision and building a home outside a subdivision, and commercial tenant improvement.

Manager Dixon reviewed the development process for a new commercial construction.

Assistant Director Tate reviewed typical customer service dilemmas and considerations throughout the development/construction process.

B. Veterans and Human Services Levy Funds

Finance Director Shelley Coleman stated the Veterans and Human Services Levy by King County will levy \$0.10 per \$1,000 assessed valuation over the next six years. Approximately \$60 million will be generated annually.

Some of the organizations in Auburn that will receive funding from the levy include: YWCA, Children's Home Society, Spiritfest, King County Library in Auburn, White River Garden, HealthPointe, Green River College, Valley Cities, and Terry Home II.

C. Community Meetings and Quorums

Deputy Mayor Wales asked for clarification on Council quorums. She asked whether a Council meeting needs to be noticed when there is a quorum of the Council at a community meeting such as Sound Cities or a community picnic or the Santa parade.

City Attorney Heid stated that when it's someone else's meeting and the Council is not there to discuss or transact the business of the City, the City does not need to notice the meeting.

City Attorney Heid stated if a quorum (four or more) of the Council is present and discussion moves to discussion of city business or issues, a potential meeting has taken place.

City Attorney Heid stated that when Councilmembers are at a social gathering where City business is not intended to be discussed, there is no meeting of the Council.

Mayor Backus stated the intent of the community picnic is for a group discussion. Discussion is supposed to be among the whole group, and that is why Councilmembers have been asked to sign up in advance so that a quorum can be avoided or the meeting noticed.

D. Use of City Facilities

Deputy Mayor Wales stated that until recently the Riverwalk Homeowners Association had held their meetings in the Council Chambers or conference rooms, but was recently been prevented from using City Hall rooms.

Councilmember Baggett stated his Homeowners Association had been able to use City Hall meeting rooms in the evening for their meetings, but was told that the meeting rooms would not be available for use by the Homeowners Association due to risk of damage to city facilities.

City Attorney Heid stated that unlike Parks and Recreation rental facilities, City Hall spaces have no City staff for after-hours use to ensure security of the facilities. Also, if the facility is open to one group, it must be open to all to ensure there is no violation of the First Amendment.

Director Hinman stated the City Hall building is designed for city related business and other legislative groups that meet during the normal work day.

E. Transportation and Parks Mitigation Funds (20 Minutes) (Coleman)

Finance Director Shelley Coleman reviewed impact and mitigation fees.

Finance Director Coleman explained impact fees must be used to construct capital facilities for impacts directly related to development. The

facilities must be included in the Capital Facilities Plan and the impact fee funds must be expended or appropriated within ten years of receiving them. They cannot be used for existing deficiencies.

Mitigation fees are based on a voluntary agreement with a developer and are often an outcome of the SEPA process and must be spent within five years.

There was brief discussion related to impacts directly related to growth and use of park impact fees.

There was also discussion regarding safety improvements to City parks.

IV. MUNICIPAL SERVICES DISCUSSION ITEMS

Councilmember Bob Baggett, vice chair of the Municipal Service Special Focus Area, presided over the meeting during discussion of the Special Focus Area items.

A. Pioneer Cemetery Master Plan (20 Minutes) (Faber)

Discussion of the Pioneer Cemetery Master Plan was conducted immediately following Item III.A, Residential/Commercial Development Overview.

Parks, Arts and Recreation Director Faber, Museum Director Patricia Cosgrove, and Bob Hoshide of Hoshide Wanzer Architects presented the Pioneer Cemetery Master Plan.

The City of Auburn entered into a contract with Hoshide Wanzer Architects to develop the Auburn Pioneer Cemetery Master Plan. Funding for the plan was through an appropriation from King County to 4Culture and the City of Auburn.

Components of the plan include: inventory of existing conditions, care of grave and markers, assessment of available plots, concept plan, and preliminary cost estimate of possible improvements.

Museum Director Cosgrove reported the cemetery became City-owned in 1962. The cemetery is located at Auburn Way North and 8th Street NE. The cemetery was nominated as a city landmark through a King County interlocal agreement. As a designated landmark, the cemetery is eligible for preservation grants.

Mr. Hoshide of Hoshide Wanzer Architects reviewed the components of the study/plan and the recommendations for achieving the goals for the preservation of the cemetery.

Members of the steering committee, Charles Natsuhara, representing the White River Buddhist Temple, and Calvin Terrada, representing the Seattle Buddhist Temple, were present and spoke about the condition of

the cemetery and the need to preserve the existing historical markers.

Director Faber stated the projected budget for improvements to the cemetery is \$156,000 and includes hardscape and parking, interpretive signs and gathering area, preservation of historic markers, and landscape improvements. Sources of outside support include: individual gifts from families and Buddhist community members, 4Culture Preservation Program, Washington State Cemetery Preservation Program, and Washington Trust for Historic Preservation.

At 6:56 p.m. Deputy Mayor Wales recessed the meeting for approximately nine minutes. The meeting was reconvened at 7:06 p.m.

B. District Court Briefing Follow-up (15 Minutes) (Roscoe)

Human Resources and Risk Management Director Roscoe updated the Council on the District Court Briefing. He reported King County is primarily focused on establishing community courts. King County offers veterans court every Thursday in Seattle. The County is not interested in expanding veterans court to the regional locations.

C. Police Calls for Mental Health Issues (10 Minutes) (Lee)

Update on police calls for mental health issues.

This item was postponed until the October 23, 2017 Municipal Services Special Focus Area meeting.

D. Shopping Cart Process and Ordinance Review (15 Minutes) (Snyder)

This item was postponed until the October 23, 2017 Municipal Services Special Focus Area meeting.

V. OTHER DISCUSSION ITEMS

There was no other discussion.

VI. NEW BUSINESS

There was no new business.

VII. MATRIX

A. Matrix

The items postponed from this meeting (Police Calls for Mental Health Issues and Shopping Cart Process and Ordinance Review) will be scheduled for the October 23, 2017 Municipal Services Special Focus Area Study Session meeting.

VIII. ADJOURNMENT

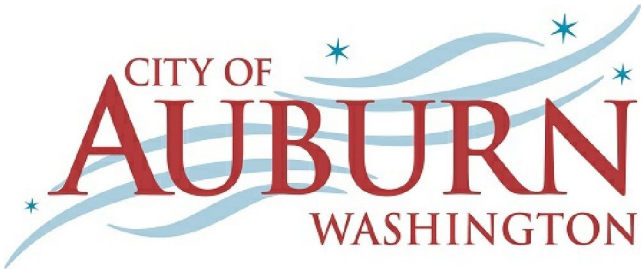
There being no further discussion, the meeting adjourned at 8:05 p.m.

APPROVED this _____ day of _____, 2017

BILL PELOZA, DEPUTY MAYOR

Shawn Campbell, City Clerk

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	City Council Study Session HHS SFA September 11, 2017 - 5:30 PM Council Chambers - City Hall MINUTES Watch the meeting LIVE! Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. CALL TO ORDER

Deputy Mayor Largo Wales called the meeting to order at 5:30 p.m. in the Council Chambers of Auburn City Hall located at 25 West Main Street, Auburn.

A. Roll Call

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

Mayor Nancy Backus and the following department directors and staff members were present: City Attorney Daniel B. Heid, Police Chief Bob Lee, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Innovation and Technology Director Paul Haugan, Environmental Services Manager Jenna Leonard, Director of Administration Dana Hinman, and City Clerk Danielle Daskam.

II. ANNOUNCEMENTS REPORTS AND PRESENTATIONS

A. Auburn Boeing Fabrication Site Remedial Investigation Report - Annual Briefing by Department of Ecology (30 Minutes)

Neal Hines, P.E., Ph.D., Site Manager, for the Washington State Department of Ecology, provided the City Council with a brief update on the Boeing Auburn Fabrication Site Investigation. Mr. Hines reviewed the timeline for cleanup investigation. The Remedial Investigation Report is complete and has been out for public comment.

Mr. Hines provided a brief review of the project background and what is known about drinking water, surface water, groundwater as well as indoor air quality. In parts of Auburn and Algona, groundwater is contaminated with a degreaser called trichloroethene (TCE) and its breakdown products. It is believed that the contaminants originated from the Boeing Auburn plant. The contaminated groundwater (plume) flows north and northwest away from the Boeing property into portions of southwest Auburn and northeast Algona. The chemicals found are at low levels that are not expected to pose a risk to human health and the environment.

The Remedial Investigation Report contains the boundaries of the contaminated groundwater; the locations, concentrations, and depths of chemicals and breakdown products in soil, groundwater, surface water and air; an evaluation of the potential pathways for human exposure to the chemicals; and a detailed description of the areas of potential impacts.

Thea Levkovitz, Corrective Action Outreach Specialist for the Washington State Department of Ecology, spoke about the public comment period and public meetings held during the public comment period. She reported very few technical comments were received.

Mr. Hines reported the surface water has not been a health concern. The City's drinking water wells are not at risk, and the chemicals are not detected in the wells.

Mr. Hines stated that the primary concern is in the City of Algona. Mr. Hines stated residential home air testing was conducted in Algona. There were some detections, but there was no health risk. The highest level of TCE vapors in homes was 1.1 micrograms per cubic meter of air. The level for concern is 2 micrograms per cubic meter of air. Also, testing was not conclusive on whether the detections came from groundwater contamination.

Mr. Hines reported the cleanup for surface water will be more stringent than the drinking water standard.

Mr. Hines also described the process for decontaminating groundwater.

Mr. Hines reported the next step is the Feasibility Study which will identify solutions for cleanup of the affected areas, the cost, the likelihood of success and permanent remedy, timeline for implementation, and cleanup levels for any areas where concentrations are elevated.

B. Ray of Hope Resource Center Update (10 Minutes)

Director of Administration Hinman introduced Debby Christian, Director of the Auburn Food Bank, and LorieAnn Larson, Director of Housing for Valley Cities Behavioral Health, who were in attendance to update the Council on the Ray of Hope Resource Center.

Ms. Christian reported Ray of Hope opened a couple weeks ago. The operating hours are Monday through Friday, 10:00 a.m. to 3:30 p.m. The center has been fully occupied. Ms. Christian also spoke briefly about the types of services the center can provide. Ray of Hope provides services for: laundry, showering, phone charging, assistance with obtaining proper identification, lunch, work assistance, a safe location, and assistance with any barriers that keep the client from moving into the next phase of their life.

Ms. Larson spoke about assisting clients with getting proper identification

which is needed for the client to obtain permanent housing.

Ray of Hope will be partnering with Catholic Community Services for the night time shelter.

III. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Resolution No. 5297 (10 Minutes) (Snyder)

A Resolution that authorizes the Mayor to execute a flood protection easement for properties owned by the City of Auburn that will provide access to King County for maintenance and construction of flood protection facilities along the White River

Environmental Services Manager Jenna Leonard presented Resolution No. 5297, which provides for a flood protection easement on property purchased by the City along the White River.

The City purchased 41.5 acres of property from Puget Sound Energy along the White River (Resolution No. 5160) for flood protection. The property acquisition was funded through a King County Flood Control District Sub-Regional Opportunity Fund. County funding paid for the property and all real estate transaction costs. As a condition of the County's funding, the Flood Control District requires a flood protection easement on the 41.5 acres.

The easement would allow for the following: (1) accessing and constructing, inspecting, monitoring, reconstructing, maintaining and repairing river bank protection, levees and/or other flood related works; (2) constructing, reconstructing, repairing, maintaining, locating and relocating utilities and stormwater facilities or improvements; and (3) constructing, reconstructing, repairing, maintaining, locating and relocation of trail improvements.

B. Airport Jet A Fuel Proposal (10 Minutes) (Snyder)

Using a PowerPoint presentation, Assistant Director of Engineering Services/City Engineer Ingrid Gaub and Jamelle Garcia of Aviation Management Group presented the Council with a proposal for supplying Jet A Fuel to airport customers.

The Airport Advisory Board has been discussing options for providing Jet A Fuel, as it is anticipated that the demand for Jet A Fuel will increase after the completion of the runway enhancements that are currently under design and anticipated to be constructed in 2018 and 2019. The Capital Facilities Plan includes the improvement of a permanent Jet A Fuel tank after the completion of the runway. There is currently one tenant at the airport that has a need to provide Jet A Fuel to their customers.

The Airport Advisory Board recommended a private partnership for the temporary provision of Jet A Fuel. The private partnership will have no impact on the Airport Budget, provides for current customer needs with minimal investment, and allows the Airport to be responsive to potential

increasing demands for Jet A fuel with little financial risk.

Director Gaub spoke about containment and spill response requirements.

A more permanent solution for providing Jet A Fuel will be discussed after 2019 and after completion of the runway enhancements and after completion of the airport facilities assessment.

Director Gaub stated an operating agreement for the private partnership will be developed for Council's consideration at a future meeting.

IV. HEALTH AND HUMAN SERVICES DISCUSSION ITEMS

Deputy Mayor Wales recessed the meeting at 6:43 p.m. for a brief intermission. The meeting reconvened at 6:50 p.m.

Councilmember Trout-Manuel, chair of the Health and Human Services Special Focus Area, presided over the meeting during discussion of the Special Focus Area items.

A. Proposed King County Modular Housing Project (Hinman)(15 Minutes)

Bailey Stober, Director of Community and External Relations for the King County Assessor's Office, Ed Walker, Policy Director for the King County Assessor's Office, and LorieAnn Larson, Director of Housing for Valley Cities Behavioral Health Care, spoke regarding the potential for siting a micro housing project in Auburn.

Mr. Stober spoke about how the assessor's office, using their parcel database, identified over 500 properties county-wide that are publicly owned and over 40,000 square feet in area, that are vacant or under-utilized, and within 200 feet of public transportation that could be used for public housing.

A feasibility study is underway for potential placement of between six and 15 modular housing units, approximately 200 square feet each, on available land controlled by Valley Cities, adjacent to the Phoenix Rising facility.

The King County Assessor's Office has identified a vendor for the micro housing called Blokable Modular Housing constructed in Vancouver, Washington. Approximately \$3 million has been earmarked in the State capital budget. The project is looking for operating funds at this time.

Mr. Stober stated a tour of the Blokable manufacturing facility is available for county and city officials. The number of units for the site will depend upon the zoning. The developers' team is working with the Valley Cities' architect to develop the site layout, with costing for current zoning at eight units. A zoning modification could increase the number of units to 13. Valley Cities will gather quotes for site work and installation. The City could assist in streamlining permits, zoning changes, and other approvals

as needed.

Ms. Larson spoke about the need and the desirability of the Blokable units. Ms. Larson stated the housing could be used for transitional housing, permanent housing, or voucher housing. The housing is also movable and can be stacked.

Deputy Mayor Wales spoke in favor of increasing the number of units. She expressed concern regarding the location of the project.

There was a brief discussion regarding operating costs. Mr. Walker stated the developers are still working on developing the numbers as it is dependent on the configuration and types of services provided.

B. Human Services Funding Parameters(Hinman)

Director of Administration Hinman pointed out the materials in the Council agenda packet, which include the focus areas for human services funding.

The current areas of focus are: poverty reduction, child abuse and neglect prevention, domestic violence prevention, and sexual assault and health care services.

Proposed new areas of focus include: diversion, including rental assistance, arrears and eviction prevention support; food, including emergency food, food delivery and meals; healthcare, including special needs, dental, vision and mental health. A new tiered system has been discussed to better support providers in Auburn and include: capital projects, direct services and Community Development Block Grants.

Deputy Mayor Wales spoke regarding each of the human services focus areas.

Councilmember Trout-Manuel suggested setting aside some of the human services funding for emergencies or a specific project.

Deputy Mayor Wales recommended Councilmembers consider the proposed funding parameters while she and Councilmember Trout-Manuel continue to meet with Director Hinman in preparation for year after next funding.

V. OTHER DISCUSSION ITEMS

There was no other discussion.

VI. NEW BUSINESS

Councilmember Holman noted that Mr. Mel Sinex's granddaughter is an immigration attorney and would be willing to discuss immigration issues with Council at a Health and Human Services Special Focus Area study session.

VII. MATRIX

The matrix was not discussed.

VIII. ADJOURNMENT

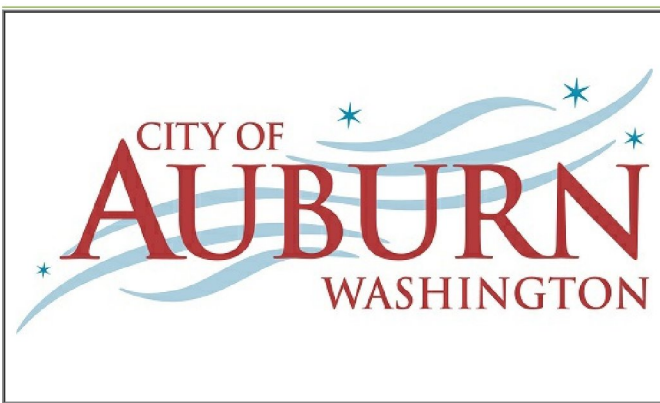
There being no further discussion, the meeting adjourned at 8:07 p.m.

APPROVED this _____ day of _____, 2019.

BILL PELOZA, DEPUTY MAYOR

Shawn Campbell, City Clerk

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	City Council Study Session Finance - Econ Dev SFA September 25, 2017 - 5:30 PM Council Chambers - City Hall MINUTES Watch the meeting LIVE! Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. CALL TO ORDER

Deputy Mayor Largo Wales called the meeting to order at 5:30 p.m. in the Council Chambers of Auburn City Hall located at 25 West Main Street, Auburn.

A. Roll Call

Councilmembers present: Deputy Mayor Largo Wales, Bob Baggett, John Holman, Bill Pelosa, Yolanda Trout-Manuel, and Rich Wagner. Councilmember Claude DaCorsi was excused.

Mayor Nancy Backus and the following department directors and staff members were present: City Attorney Daniel B. Heid, Police Chief Bob Lee, Finance Director Shelley Coleman, Community Development and Public Works Director Kevin Snyder, Assistant Director of Community Development Services Jeff Tate, Innovation and Technology Director Paul Haugan, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, and Deputy City Clerk Shawn Campbell.

II. ANNOUNCEMENTS, REPORTS, AND PRESENTATIONS

There was no announcement, report or presentation.

III. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Ordinance No. 6660 (10 Minutes)(Snyder)

Area wide rezone that changes the Environmental Park, EP Zoning Designation to the M-1 Zoning Designation

Assistant Director of Community Development Services Tate presented Ordinance No. 6660 that would approve an areawide rezone for properties zoned Environmental Park (EP) to Light Industrial. There are approximately 270 acres of land currently zoned EP, and of that, approximately 112 acres include the Auburn Environmental Park (AEP).

Assistant Director Tate reported that in March 2014, several interested parties (landowners, realtors, and an attorney) provided a presentation to the City Council's Planning and Community Development Committee urging the City to revisit the viability of the EP zone.

In December 2015, the City Council adopted its new Comprehensive Plan, which eliminated the EP zone as one of the implementing zoning designations with the Light Industrial land use classification. Because the EP zone is no longer listed as an implementing zone within the Comprehensive Plan, the zone is inconsistent with the Plan and most existing land uses, developments, and businesses located within the EP zone do not conform to the criteria and list of allowed uses within the EP zone.

The portion of the EP zone that is comprised of the AEP is not proposed to be rezoned to M-1, since the 2015 Comprehensive Plan changed the area to the Open Space land use designation. A separate ordinance will be presented to Council to change the zoning of the AEP from EP to an Open Space zoning designation.

The Planning Commission held a public hearing on proposed Ordinance No. 6660 and subsequently forwarded its recommendation to the City Council to adopt the ordinance. The purpose of the ordinance is to make the City's zoning code and zoning map consistent with the City's current Comprehensive Plan.

There was considerable discussion regarding the history of the EP zone, the confusion it created for staff and developers and property owners, and the original intent of the EP zone.

Councilmember Wagner stated the City failed to provide sufficient incentives for environmentally friendly development in the EP zone. Councilmember Wagner urged a delay in the rezone and develop incentives for development in the EP zone.

Director Snyder offered two possible options to the Council to move the ordinance forward: adopt the ordinance implementing the M1 zone with inclusion of a work plan for incentives for development of the entire area or moving forward with the rezone of the M-1 on the south side of Main Street and retain the EP zone on the north side.

Councilmembers requested the subject come back at the next study session.

IV. FINANCE AND ECONOMIC DEVELOPMENT DISCUSSION ITEMS

Councilmember Bob Baggett, chair of the Finance and Economic Development Special Focus Area, presided over the meeting during discussion of the Special Focus Area items.

A. Mid Term Correction (15 Minutes)(Coleman) Budget Amendment #4 (Mid-Biennium Correction)

Finance Director Coleman presented the fourth budget amendment for the 2017-2018 biennium and the first budget amendment for 2018.

The purpose of the amendment is to: 1) amend the 2018 Budget for changes that occurred in 2017 for which there is an ongoing fiscal impact; 2) to carry forward capital project budgets that are not anticipated to be completed in 2017; and 3) to establish budget spending authority for new programs and other expected changes in 2018.

Director Coleman reviewed the carry forwards to adjust the 2018 ending fund balance to reflect approved 2017 budget amendments.

Director Coleman reviewed amendments to the General Fund, including the carry forwards, increases to revenues, impacts from 2017 budget amendments, and new funding requests.

General Fund new funding requests include homeless shelter costs, business incubator program, a new position of Economic Development Coordinator, the automatic vehicle location for Police vehicles, an increase in King County District Court costs, and restoration of funding for the Vegetation Field Supervisor.

Councilmember Pelozo requested the addition of District Court Costs for the next Municipal Services Special Focus Area Study Session.

Director Coleman reviewed the carry forwards and new funding requests for the Arterial Street Fund, Local Street Fund, Arterial Street Preservation Fund, Mitigation Fees Fund, Parks Construction Fund, Capital Improvements Fund, Local Revitalization Fund, Water Fund, Sewer Fund, Storm Drainage Fund, Solid Waste Fund, Airport Fund, Cemetery Fund, capital funds, Innovation and Technology Fund, Equipment Rental, Cemetery Endowment Fund, and Fire Pension Fund.

Director Coleman reviewed funding for Street Preservation Reserve Fund Initial Reserves, which are projects funded by REET funds for 2017 and 2018. The \$20 Car Tab Fee ad hoc committee recommendation is to postpone these projects and reallocate the funding to a fund for streets. There is an additional fund balance of \$1.3 million that would be added to the funding. The projects to be funded include: West Valley Highway paving (SR518 and Peasley Canyon Road); arterial street preservation program projects, and funding for South 277th Street Pavement Preservation. The funding would be allocated to Fund 106, Street Preservation Reserve Fund, which would be created by ordinance.

Councilmember Baggett said the parameters for the fund are that the funds could only be used for preservation, unless there is an emergency, and then the Council would want to have control on how those funds are spent. Also, \$500,000 would be added to the fund annually.

Councilmember Wagner expressed concern with the cuts proposed to Maintenance and Operations projects. Director Snyder added the

elimination of the projects is impactful, but staff will be resourceful and some of the projects will still be needed in the future.

Councilmember Wagner recommended the Council retain the Maintenance and Operation Master Plan project funding.

Mayor Backus added that some of the projects that are eliminated from REET funding will be accomplished by utilizing other funding sources.

At 7:54 p.m. the meeting recessed for approximately 10 minutes for a brief intermission. The meeting reconvened at 8:02 p.m.

B. Property Tax Levy (10 Minutes)(Coleman)

Finance Director Coleman briefly spoke regarding 2018 revenues.

She stated a public hearing will be called in October on the property tax levy. The proposed levy for 2018 is estimated at \$21,501,525. The levy rate per \$1,000 assessed value will drop to approximately \$2.0928.

Director Coleman briefly reviewed General Fund revenue adjustments for 2018. The adjusted revenues for the General Fund will be \$66.9 million.

Director Coleman reviewed the revenue sources and the consolidated budget amendments and funding requests.

V. OTHER DISCUSSION ITEMS

There was no other discussion.

VI. NEW BUSINESS

There was no new business.

VII. MATRIX

A. Matrix

The following items were added to the matrix:

Auburn Avenue Theater on October 23

Community Block Grant Matching Funds on November 13

Council Budget Priorities on October 23

Traffic Calming on December 11

Three Year Review of Court Costs on October 23

The item listed as "Property at 104th" should also include plans for Green River Park.

VIII. ADJOURNMENT

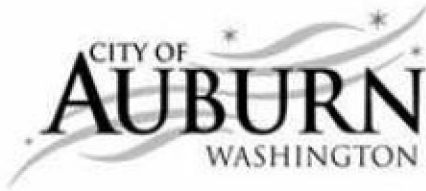
There being no further discussion, the meeting adjourned at 8:15 p.m.

APPROVED this _____ day of _____, 2019.

BILL PELOZA, DEPUTY MAYOR

Shawn Campbell, City Clerk

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**City Council Study Session PWCD SFA
October 9, 2017 - 5:30 PM
Council Chambers - City Hall
MINUTES**

📺 Watch the meeting LIVE!

📺 Watch the meeting video

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

I. CALL TO ORDER

Deputy Mayor Largo Wales called the meeting to order at 5:30 p.m. in the Council Chambers of Auburn City Hall located at 25 West Main Street, Auburn.

A. Roll Call

Councilmembers present: Deputy Mayor Largo Wales, Bob Baggett, Claude DaCorsi, John Holman, Bill Peloza, and Yolanda Trout-Manuel. Councilmember Rich Wagner arrived at 5:31 p.m.

Mayor Nancy Backus and the following department directors and staff members were present: City Attorney Daniel B. Heid, Police Commander Steve Stocker, Community Development and Public Works Director Kevin Snyder, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Innovation and Technology Director Paul Haugan, Assistant Director of Community Development Services Jeff Tate, Human Resources and Risk Management Director Rob Roscoe, Environmental Services Specialist Maggie Gipson, Economic Development Manager Doug Lein, Capital Projects Manager Ryan Vondrak, Assistant Director of Innovation and Technology Ashley Riggs, GIS Specialist Alice Pence, and City Clerk Danielle Daskam.

II. ANNOUNCEMENTS, REPORTS, AND PRESENTATIONS

Councilmember Holman announced today is Columbus Day, which is a federal holiday, but not a state holiday. He also noted that Indigenous Peoples Day was celebrated at the state capitol in Olympia today. Councilmember Holman acknowledged the contributions of Italian Americans to the quality of life in the city of Auburn.

III. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Ordinance No. 6658 - Modifying the Business Improvement Area Governing Provisions (Hinman)

An Ordinance of the City Council of the City of Auburn, Washington, creating a new chapters of the Auburn City Code related to the Auburn Business Improvement Area

Economic Development Manager Doug Lein presented Ordinance No. 6658 related to the Business Improvement Area (BIA). Also in

attendance were members of the BIA Committee of Ratepayers Giovanni DiQuattro, Ronnie Roberts, Laura Theimer, and Bob Klontz.

Manager Lein stated the BIA was originally established in 1988 by Ordinance No. 4293. The BIA ordinance was amended in 2007. The current Committee of Ratepayers has worked diligently to update the BIA ordinance with the following changes: creates a new chapter in Title 2 of the city code, and modifies exemptions to the special assessment. The range of fees is dependent on the range on square footage of retail space. Two exemptions were maintained for government and 501(C)(3) nonprofits with five or less full-time employees. The ordinance retains the BIA boundary and fees.

IV. PUBLIC WORKS AND COMMUNITY DEVELOPMENT DISCUSSION ITEMS

Councilmember Rich Wagner, chair of the Public Works and Community Development Special Focus Area, presided over the meeting during discussion of the Special Focus Area items.

A. Sound Transit Auburn Station Access Improvement Project Update (30 Minute Presentation)

Community Development and Public Works Director Snyder introduced Chelsea Levy, Government and Community Relations Officer for Sound Transit, and Sandra Fann, Project Engineer for Sound Transit.

In early 2017, Sound Transit initiated the alternative development and screening phase for the Auburn Station Access Improvements Project, which will construct a second parking garage and install non-motorized improvements in and around downtown. Throughout 2017, Sound Transit has worked with the City's Transportation Advisory Board, residents, citizens and businesses to identify potential parking garage sites and options for non-motorized improvements. The last presentation to Council was on August 14, 2017.

Ms. Levy reported that Sound Transit would like to designate a preferred parking garage site by the end of November. She stated that Sound Transit is looking for the City of Auburn to designate a recommended site.

Ms. Fann reviewed the project timeline, which anticipates the parking garage will be open in 2023.

Ms. Fann also recapped the goals and objectives: improve access to transit at the station, advance environmental sustainability goals of Sound Transit and the community, implementation of improvements in a timely manner, and support regional and community goals.

Ms. Fann reviewed the four sites recommended for further analysis and the rating criteria.

Site 1 provides approximately 545 net sites. Key considerations include

reasonable access for cars and passengers, higher potential for traffic congestion, and property development rights and constraints that may impact cost.

Site 2 provides approximately 580 net sites. Key considerations include reasonable access for cars and passengers, lower potential for traffic congestion, and property acquisition, site constraints, business relocation, and pedestrian bridge that will influence cost.

Site 3 provides approximately 525 net sites. Key considerations for this site include: easiest access for passengers and cars, lower potential for traffic congestion, and an extremely constrained site that requires more garage structure per stall.

Site 4 provides approximately 550 net sites. Key considerations include: could be connected to existing garage for easy access for passengers, reasonable access for cars, higher potential for traffic congestion, and property acquisition and site constraints will influence cost.

In response to question from Councilmember Peloza, Ms. Levy stated a significant amount of parking will be added to the Sound Transit line over the next few years, but adequate parking will never be possible. Therefore, it is important to make the access improvements and non-motorized improvements.

Ms. Fann reviewed the potential priority for non-motorized improvements. The estimated cost for the highest priority improvements is \$0.9 million.

Ms. Levy reviewed the public outreach summary, particularly the open house held on September 19, 2017. Ms. Levy reported that Sound Transit officials met with the Auburn Transportation Advisory Board on September 27, 2017.

Assistant Director Gaub reported that the Transportation Advisory Board meeting on September 27, 2017 did not have a quorum of its 15 members. Of the members and audience present, there was support for: maximizing the amount of parking for the chosen site and minimizing traffic impacts including ingress/egress of the garage. There was a lack of support for Site 3 (existing Sound Transit surface lot west of the station) and Site 4 (the union hall south of the station).

Councilmember Wagner recommended Sound Transit look at alternative proposals and requested language in the recommending resolution.

The matter will be considered at the October 16, 2017 Council meeting.

At 6:54 p.m., Councilmember Wagner recessed the meeting for a 10-minute intermission. The meeting reconvened at 6:54 p.m.

B. IT Update on Emerging Technologies (Haugan) (10 Minutes)

Assistant Director of Innovation and Technology Ashley Riggs, provided information on emerging technologies via three videos and a live demonstration.

The three short videos were all recorded with the use of the City's drone program. The first video was of the Auburn Golf Course, and will be used for marketing and on the golf course web site. The second video was a 3D model of downtown. The third video displayed use of aerial imaging and elevation data to create a model.

Assistant Director Riggs also demonstrated a virtual GIS system that allows one to view underground assets, such as utility lines, and their attributes.

C. Capital Project Status Report (Snyder) (10 Minutes)

Assistant Director of Engineering Services/City Engineer Gaub and Capital Projects Manager Vondrak presented the Capital Projects Status Report. The capital project group is currently managing 33 active projects with a total cost of \$54 million. Of these projects, 11 are in the design phase and 21 are under construction.

Councilmembers reviewed the status report and briefly discussed the following projects: Project C222A, 277th – Auburn Way North to Green River Bridge; CP1218, Auburn Way South Corridor Safety; CP1507, Auburn Way North Pavement Preservation; Project CP1107, Fulmer Wellfield Improvement Project; Project CP1513, 22nd Street NE and I Street NE Intersection Improvements; Project CP1511, M Street SE Improvements; Project CP0767, Mohawk Plastic Wetland Mitigation Monitoring; Project CP1520, B Street NW Reconstruction; Project CP1701, Auburn Way South Dynamic Message Sign; Project CP1317, Water Meter and Billing System Improvements; and Project CP1416, F Street SE Non-motorized Improvements.

D. Customer Service Dilemmas - Session 1 (Snyder) (10 Minutes)

Assistant Director of Community Development Services Tate reviewed two customer service dilemmas that are typical for his staff. Assistant Director Tate stated the discussion this evening is a continuation of the study session discussion held on August 28, 2017, which included an overview of the various types of development activities conducted by staff. He stated the customer service dilemmas challenge the City in its attempts to balance the interests of various customers and their competing needs.

The first scenario was a request from an applicant for expedited permit approval where project financing is dependent upon permit approval. Assistant Director Tate outlined the considerations in the scenario and different approaches to assist the customer.

The second real-life scenario was a request from an architect to approve plans for a warehouse in a C-3 zone, where the owner has already spent \$30,000 in building and site design work, and an occupant for the building. However, warehouses are not allowed in the C-3 zone.

Director Tate questioned whether City staff should be able to flex to find a way to approve the plans in order to satisfy the customer so that the City does not appear unfriendly to development.

E. Ordinance No. 6660 - EP to M-1 Area-wide Rezone (Snyder) (10 Minutes)

Assistant Director of Community Development Services Tate presented Ordinance No. 6660, which was discussed at the September 25, 2017 study session and provides for an area wide rezone from Environmental Park (EP) zone to M-1, Light Industrial.

Assistant Director Tate explained when Council adopted the 2015 Comprehensive Plan amendments (Ordinance No. 6584) the EP zone was eliminated as a zoning designation. The elimination of the EP designation in the Comprehensive Plan resulted in an inconsistency with the zoning regulations, and it is important to eliminate the inconsistency.

Assistant Director Tate reviewed principles and considerations. Land use policy decision should be based on: awareness of market forces, balancing both the public and the private short-term and long-term needs and interests, maximizing the public's return on investment on land uses, and the original concept of the EP zone envisioned the development and use of incentives to help lure green industry.

Assistant Director Tate noted properties zoned EP on the north side of Main Street are primarily small parcels that are already developed with a mix of light manufacturing uses and single-family homes. EP zoned lands located on the south side of Main Street consist of larger parcels with nearly no existing residential uses. For those parcels that are already developed, all of them are non-conforming.

Assistant Director Tate reviewed the Planning Commission's recommendation relative to Ordinance No. 6660 and four possible motions for Council's consideration.

Motion 1 – adopt the Planning Commission's recommendation to adopt Ordinance No. 6660.

Motion 2 - remand Ordinance No. 6660 back to the Planning Commission for further consideration.

Motion 3 – accept the Planning Commission's recommendation to adopt Ordinance No. 6660 for only the geographic area defined as properties located south of Main Street and remand back to the Planning Commission for reconsideration the area defined as the properties north

of Main Street.

Motion 4 – Council scheduled its own public hearing on Ordinance No. 6660.

Deputy Mayor Wales spoke in favor of moving on and changing the zoning by adopting Ordinance No. 6660.

Councilmember Wagner spoke in favor of Motion 3.

Councilmember Pelozo spoke in favor of remanding the ordinance back to the Planning Commission.

Mayor Backus recommended adoption of Ordinance No. 6660 to eliminate the inconsistency between the Comprehensive Plan and the zoning code.

V. OTHER DISCUSSION ITEMS

There was no other discussion.

VI. NEW BUSINESS

There was no new business.

VII. MATRIX

A. Matrix

Deputy Mayor Wales directed the Council's attention to the matrix.

Councilmember Wagner requested that the subject of traffic calming in residential neighborhoods be added to the general discussion items at the November 27th study session.

Councilmember Pelozo expressed concern about the infrequency of the special focus area meetings. He stated under the old system of Council committees, the committees were meeting on a monthly basis, and in the current system of special focus areas, he is unable to bring items forward in a quick manner. Councilmember Pelozo complained that he recalled under the committee system that staff members were bringing more topics for discussion, while under the special focus area format the chair and vice chair must come up with topics for discussion. Deputy Mayor Wales stated all special focus area chairs collaborate with staff on the items to be brought forward.

Deputy Mayor Wales suggested discussing the special focus areas scope of authority.

Councilmember Pelozo requested the item "police calls for mental health issues" be added back on the October 23rd special focus area.

Councilmember Baggett recommended moving "Council budget priorities"

to the November 27th special focus area.

VIII. ADJOURNMENT

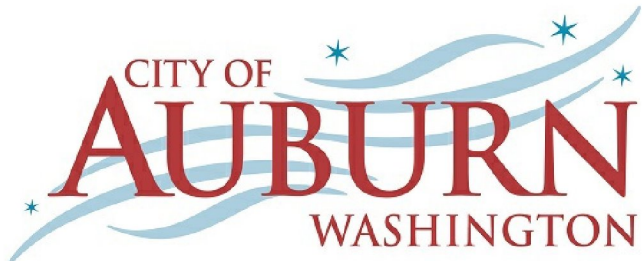
There being no further discussion, the meeting adjourned at 9.03 p.m.

APPROVED this _____ day of _____, 2019.

BILL PELOZA, DEPUTY MAYOR

Shawn Campbell, City Clerk

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	City Council Study Session Muni Services SFA October 23, 2017 - 5:30 AM Council Chambers - City Hall AGENDA Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. CALL TO ORDER

Deputy Mayor Largo Wales called the meeting to order at 5:30 p.m. in the Council Chambers of Auburn City Hall located at 25 West Main Street, Auburn.

A. Roll Call

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

Mayor Nancy Backus and the following department directors and staff members were present: City Attorney Daniel B. Heid, Police Chief Bob Lee, Assistant Chief of Police William Pierson, Community Development and Public Works Director Kevin Snyder, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Innovation and Technology Director Paul Haugan, Human Resources and Risk Management Director Rob Roscoe, Director of Administration Dana Hinman, Assistant Director of Public Works Randy Bailey, Solid Waste and Recycling Director Joan Nelson, Economic Development Manager Doug Lein, and Deputy City Clerk Shawn Campbell.

II. ANNOUNCEMENTS, REPORTS, AND PRESENTATIONS

There was no announcement, report, or presentation.

III. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Resolution No. 5320 (Faber)

An informational presentation from the Auburn Symphony Orchestra regarding the 2016-2017 and 2017-2018 performing art seasons and inclusion of the 2018 draft contract related to operating support for the Auburn Symphony Orchestra

Resolution No. 5320 authorizes an agreement between the City and the Auburn Symphony Orchestra for tourism promotion services.

Parks, Arts and Recreation Director Faber presented Resolution No. 5320. Director Faber reported the City has supported the Symphony Orchestra for the past several years to assist in promoting and marketing

Auburn as a destination for arts and events that in turn contribute to the economy of the City. Performing art programs serve as an economic driver and the activities of the Symphony Orchestra assist in attracting visitors to Auburn.

It is proposed that the City enter into a contract with the Symphony Orchestra for 2018 with specific scope of services for marketing, outreach and audience building, and organization efforts that assist in showcasing Auburn as a destination for arts and events. The amount of the contract is \$75,000.

Also present were Nancy Colson, Member of the Board of Directors of the Symphony Orchestra, and Lee Valenta, General Manager of the Auburn Symphony Orchestra.

Ms. Colson spoke about the mission of the symphony, public outreach, collaboration and partnerships such as with the Mary Olson Farm, and the ongoing search for a new conductor.

Mr. Valenta spoke about programs geared for students and youth, including an education outreach program and discounted family tickets.

Mr. Valenta also spoke regarding the search for a new conductor. There are three finalists at this time participating in the selection process.

Councilmembers reviewed the orchestra's latest annual report, fundraisers, and financial statement, while Ms. Colson and Mr. Valenta answered Council's questions.

B. Legislative Agenda for 2018 (Hinman)

Director of Administration Hinman noted the 2017 Legislative Agenda and the Sound Cities Association's (SCA) draft 2018 Legislative agenda were distributed prior to the meeting.

Director Hinman reviewed the 2017 Legislative Agenda and the SCA proposed legislative agenda. Also, the Association of Washington Cities released their legislative priorities for 2018.

Councilmember DaCorsi reported at the last AWC Board meeting approximately 20 subjects were discussed as possible legislative priorities. The subjects of housing conditions, mental health and social safety net programs, economic development, and preservation of state-shared revenues were elevated, but the remaining items will not be forgotten.

Councilmember Wagner wants to look at ways to incentivize the United States Post Office to construct a new post office in Auburn.

Director Hinman noted the SCA has three priorities for 2018: adjust the

property tax cap, invest in public health services, and address the housing and homelessness crisis.

Councilmember Holman urged the Councilmembers to vote on the legislative priorities at the next regular meeting November 6th.

Deputy Mayor Wales asked for information on the cost of each legislative priority. She stated she supports all of the issues but wants to know how the implementation funding will be generated.

Mayor Backus stated the property tax cap adjustment would allow local governments the option to replace the arbitrary annual one percent cap on property tax increase with a limit tied to inflation plus population growth.

Councilmember Holman noted the SCA priorities are the same as 2017 but the verbiage is modified to make it a one-page document.

Councilmember Wagner stated he believes there should be a priority for improvements to State Route 167.

Councilmember Holman stated the property tax cap of one percent is an arbitrary figure and does not keep up with inflation and the increasing labor costs and increase in City population.

Councilmember DaCorsi urged the Council to speak with a unified voice when speaking to legislators regarding the City's legislative priorities.

Councilmember Pelosa suggested a special study session on the SCA legislative priorities on November 6th at 3:00 p.m. so that Council will be able to support the SCA vote on legislative priorities.

C. Frequency of Special Focus Area Meetings

Councilmember Pelosa stated he brought up this subject at a previous study session.

Mayor Backus stated she heard from Councilmember Pelosa his frustration in not having special focus area sessions as frequently as he desired. In order to achieve more frequency of special focus area discussions, the Council would have two special focus areas at each study session meeting in addition to the general study session. Chairs of the special focus areas would need to work together to prioritize items for discussion.

Councilmember DaCorsi stated he does object to two special focus areas at each study session. He stated he wants to set priorities with staff.

Deputy Mayor Wales stated the Finance special focus area and the Human Services special focus areas may not need to meet any sooner than already scheduled.

Councilmember Baggett cautioned that some items take considerable time and doubling up special focus areas may be burdensome.

Councilmember Wagner suggested using the general discussion item or other business to bring items forward more often.

Councilmembers discussed the pros and cons for each scenario.

Councilmember DaCorsi suggested that the two chairs of the special focus areas for Finance and Human Services discuss how the doubling up of special focus area agendas would affect the study session and special focus area.

Deputy Mayor Wales recommended further discussion at the next study session.

D. Development Incentives

Deputy Mayor Wales directed the Council's attention to a memorandum prepared by Community Development and Public Works Director Kevin Snyder regarding development incentives. Director Snyder stated the agenda item was a late addition to the meeting agenda and staff did not have adequate time to prepare any materials for inclusion in the meeting packet or to prepare for any substantive discussion with the Council at the meeting. Director Snyder stated that his memo expresses his thoughts only; it does not reflect the opinion of Administration or any other departments or their directors.

Director Snyder referred to the State Constitution limit, which prohibits the gift of public funds. He stated economic tools that may be available in other states, such as property tax forgiveness and direct payment of job training funds to private companies, are not allowed in the State of Washington.

Director Snyder provided consideration for economic development incentives: must account for market forces, must be rooted in reality, and are limited to service and financial.

The City has previously enacted a number of regulatory and financial oriented development incentives including: 1) deferrals for impact fees and system development charges; 2) multi-family property tax exemption in Downtown; 3) construction sales tax refund program; 4) Downtown Storefront Façade Improvement Program; 5) Small Business Assistance Program (50% reduction in planning, building and engineering fees for qualifying projects); 6) preparation and implementation of a Downtown Plan and EIS; 7) traffic impact fee waiver for the four Downtown Catalyst blocks; and 8) reduction of parking requirements in the Downtown.

Director Snyder also reviewed excerpts from an article published by the

Municipal Research and Services Center on Washington's economic development incentive challenges.

Director Snyder stated development incentives should be used strategically and carefully evaluated by the City relative to the return on investment and the impact to the community. He further stated that developers are attracted to a quality city with robust and well-maintained infrastructure, great schools, walkable neighborhoods and commercial areas, diverse retail and service businesses, safe neighborhoods and commercial areas, and strategic, focused and innovative leadership.

Councilmember Holman stated many incentives can be non- financial in nature. The City needs to look at the city code and see if modifications are needed to help development.

Deputy Mayor Wales agreed that current city policies and regulations need to be reviewed as to their impact on development.

Director Snyder stated city staff have worked with the City Council and the Planning Commission for the last several years to identify and update the City's development regulations to address and resolve vagueness, inconsistencies and conflicting language as well as to respond to internal and external concerns related to standards and processes. Director Snyder cautioned that there must be a balance between the City's vision as a community and the pursuit of regulatory relief.

Councilmember Wagner stated he wants to focus on special zones rather than across the board relief from regulation.

There was discussion regarding existing businesses who wish to remodel or expand and the regulation impacts to those businesses' efforts; i.e. parking, sidewalks, floor area ratio, etc. There was also discussion regarding waivers.

Councilmember DaCorsi suggested the City Council provide incentives, such as shorter review time and expedited permitting, to small businesses who want to come to Auburn and open up as soon as possible so that they can be successful.

At 7:31 p.m., Deputy Mayor Wales recessed the meeting for ten minutes for a brief intermission. The meeting reconvened at 7:42 p.m.

IV. MUNICIPAL SERVICES DISCUSSION ITEMS

Councilmember Bill Peloza, chair of the Municipal Services Special Focus Area, presided over the meeting during discussion of the Special Focus Area items.

A. Dangerous Dog (Lee)

Discussion on Dangerous Dog Ordinance.

Assistant Chief of Police William Pierson reviewed the Dangerous Dog

ordinance, which was passed in 2004.

Assistant Chief Pierson reported the animal control services have grown over the years, and the City will have two animal control officers beginning in 2018 to meet the demand.

Assistant Chief Pierson reviewed the ordinance (Ordinance No. 5829) and the regulations applied to dangerous dogs and potentially dangerous dogs and the differences in the two designations.

Assistant Chief Pierson reviewed the application of the dangerous and potentially dangerous dog regulations and the rights and requirements of the owner.

B. King County Draft 2019 Comprehensive Solid Waste Management Plan (Coleman)

Finance Director Coleman and Solid Waste and Recycling Supervisor Joan Nelson presented the King County Draft 2019 Comprehensive Solid Waste Management Plan item. King County is seeking comments from the Solid Waste Advisory Committee and the Metropolitan Solid Waste Management Plan before the draft plan is released to the public for comment. King County's current plan was adopted in 2001, with updates in 2011 and 2013 (which were not adopted). King County will release the draft plan for public comment in December 2017 with an anticipated adoption in early 2019.

The Plan goals include achieving zero waste of resources by 2030 and keeping tipping fees as low as reasonable.

The proposed Plan incorporates the following updates and changes:

- Reevaluation of 2007 Transfer & Waste Management Plan
- Options to study resource recovery and changes to rate structure
- Possible policy changes such as mandatory recycling and new C&D recycling and disposal policies
- Consideration of anaerobic digestion and advanced materials recovery
- Optimizing development of Cedar Hills Landfill
- Consideration of waste-to-energy and other alternative disposal technologies

C. King County Court Update (Roscoe)

Human Resources and Risk Management Director Rob Roscoe reviewed historical court costs comparing District Court expenses to projected comparison of municipal court and probation expenses from 2014 – 2017.

Director Roscoe also reviewed case filings from 2012 to 2017 (estimated).

Director Roscoe also included average daily population statistics for the SCORE jail from 2013 to 2018 (estimated).

D. Shopping Cart Update (Snyder)

Assistant Director of Public Works Randy Bailey presented an update on shopping carts.

Using a handout and PowerPoint presentation, Assistant Director Bailey reviewed the City's shopping cart regulations. The handout included the Auburn City Code relating to shopping carts as well as the Revised Code of Washington and code from Livermore, California and other cities relating to shopping carts.

The City's code provides the following: 1) Abandoned shopping carts constitute a public nuisance; 2) The intent is to facilitate the retrieval of abandoned shopping carts in a manner consistent with state law; and 3) The law applies to any business that provides shopping carts for customer use.

The code provides that abandonment is prohibited, and it shall be unlawful for any person to cause or permit any shopping cart to be abandoned upon any sidewalk, street or other public area, other than the premises of the owner of such shopping cart.

The code also requires cart identification as follows:

Every shopping cart owned or provided by any owner must have a sign permanently affixed to the shopping cart that contains all of the following information:

- a. Identity of owner, business establishment or both.
- b. Notification to the public that the removal of the shopping cart from the premises is a violation of state law (RCW 9A.56.270), and notification to the public of the procedure to be utilized for authorized removal of the cart from the premises.
- c. The address or phone number of the owner of the business establishment for shopping cart return.

Enforcement is through civil action accordance with Chapter 1.25 ACC. As an alternative to civil enforcement, abandoned shopping carts may be impounded. Any impounded shopping carts bearing the identification of ownership, the City will do the following:

1. Shall mail an invoice/notice of impoundment by certified mail.
2. Require payment of the administrative impoundment fee of \$30.00 per cart and a \$70.00 disposal fee, per cart after 14 days.

Councilmember Pelosa stated the costs for enforcement was \$8,000 annually, while the City was collecting \$4,000 in fines.

Deputy Mayor Wales asked about a cart used by the homeless. Assistant Director Bailey stated that carts used by the homeless for their personal belongings are not confiscated by the City.

Councilmember Pelozo asked whether staff could do a daily search of the downtown area for abandoned shopping carts. Deputy Mayor Wales stated it would not be the best use of Public Works staff. Deputy Mayor Wales suggested the task be included in the next garbage contract.

Assistant Director Bailey confirmed that staff members, in their normal course of work, pick up carts and drop them back in the store parking lot.

Assistant Director Bailey reviewed shopping cart ordinances from around the country. He noted some cities require a shopping cart plan by those businesses who provide 25 or more shopping carts for customers' use. The shopping cart plans must provide the following: identifying Information, number of carts and required identification on the carts, public notices and customer education/public outreach, employee training, signs on the property, loss prevention measures, and retrieval measures. The shopping cart plan may be revoked if: a) a shopping cart has been found on public property on eight or more occasions within the past six-month period; b) the owner has failed to comply with a provision of the code/ordinance; c) the owner has knowingly made a false statement or fails to disclose relevant information in an application, an amendment or in a report to the city.

Any owner who fails to submit a plan, implement the proposed plan or implement any required modifications to the plan as required and within the time frames as specified in this chapter or a plan has been revoked, shall incur a penalty of \$50.00 for each day of noncompliance.

The City of Auburn is working on the following: collaboration with cart providers, create standards to reduce or eliminate cart abandonment, amend City code to provide clarity, avoid burdensome process for the City and cart providers.

Staff will continue to: meet with cart providers to gather ideas and feedback via phone and in person, collect feedback from other stakeholders (Police, Code Enforcement), and review other cities' cart processes to find out what works and what doesn't.

Assistant Director Bailey stated he expects to bring a draft ordinance to Council in early 2018.

E. 2017 Draft Interlocal Agreement for SCATBd (Snyder)

Assistant Director of Engineering Services/City Engineer Gaub presented the 2017 Draft Interlocal Agreement for the South King County Area Transportation Board (SCATBd). The Board is comprised of elected

officials representing South King County jurisdictions for the purpose of information sharing, consensus building and coordinating to resolve transportation issues, identifying priorities, making recommendations, and promoting transportation plans and programs that benefit the South King County area.

The current interlocal agreement expires December 31, 2017. The changes to the interlocal agreement provide clarifying language as to the role of SCATBd and various entities' voting rights. The proposed interlocal will run through 2019 with the ability to extend through 2021.

A resolution approving the interlocal agreement will be presented to Council before the end of the year.

V. OTHER DISCUSSION ITEMS

Councilmember Wagner brought up an email from Orin Wells regarding the roundabout at 22nd and I Street NE, and specifically costs and pedestrian safety.

Assistant Director of Engineering Services/City Engineer presented information from a Council presentation held November 28, 2016 on the roundabout at 22nd and I Street NE.

Assistant Director Gaub reviewed the design of the roundabout.

Assistant Director Gaub stated studies have shown that roundabouts are safer than traditional stop sign or signal-controlled intersections. A study by the Federal Highway Administration and the Insurance Institute for Highway Safety that studied stop and traffic signal-controlled intersection that were converted to a roundabout. Overall, vehicle collisions are reduced by 37%, injury collisions are reduced by 75%, fatality collisions are reduced by 90% (may not apply to this project), and pedestrian collisions are reduced by 40%. Severity of an accident is also reduced due to slower traffic.

Assistant Director Gaub pointed out that the roundabout described in Mr. Wells' email is a two-lane roundabout on the east coast and at a major intersection on a state route. It is not a good comparison to the single-lane roundabout at 22nd and I Street NE.

Councilmember Baggett expressed concern with any landscaping installed in the middle of a roundabout.

The majority of funding for the project is from grants. The breakdown of project funding is as follows:

Funding includes:

\$1,140,000 in Grants

\$ 405,000 in Water Funds

\$ 29,890 in Sewer Funds

\$ 315,000 in Street Funds

VI. NEW BUSINESS

There was no new business.

VII. MATRIX

A. Matrix

Deputy Mayor Wales directed the Council's attention to the matrix. The Municipal Services Special Focus Area item for shopping carts will be moved to March 2018. Items relating to dangerous dogs and an update on King County District Court should be removed from the matrix.

VIII. ADJOURNMENT

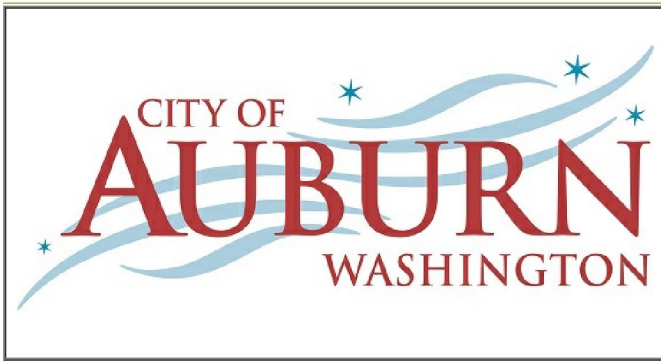
There being no further discussion, the meeting adjourned at 9.29 p.m.

APPROVED this _____ day of _____, 2019.

BILL PELOZA, DEPUTY MAYOR

Shawn Campbell, City Clerk

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.

	City Council Study Session HHS SFA January 22, 2018 - 5:30 PM Council Chambers - City Hall MINUTES Watch the meeting LIVE! Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. CALL TO ORDER

Deputy Mayor Bob Baggett called the meeting to order at 5:30 p.m. in the Council Chambers of Auburn City Hall, 25 West Main Street in Auburn.

A. Roll Call

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

Mayor Nancy Backus and the following department directors and staff members were present: City Attorney Dan Heid, Director of Community Development & Public Works Kevin Snyder, Director of Parks & Recreation Daryl Faber, Commander Mark Callier, Real Property Analyst Josh Arndt, Economic Development Manager Doug Lein, Director of Administration Dana Hinman, Human Services Manager Joy Scott, Human Services Program Coordinator Duanna Richards, Human Services Program Coordinator Emily Pearson, Arts & Events Manager Julie Krueger, Theater Operations Coordinator Jim Kleinbeck, Senior Planner Thaniel Gouk and Deputy City Clerk Shawn Campbell.

II. ANNOUNCEMENTS REPORTS AND PRESENTATIONS

There was no announcement, report or presentation.

III. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Joint Meeting with Airport Advisory Board (Snyder)(60 Minutes)

Discussion of the Competitive Market Assessment and Long term Rate Study

Director Snyder introduced Jamelle Garcia with the Aviation Management Group LLC, and Todd Chase and David Gordon with the FCS Group.

Mr. Garcia introduced Sperro Tang, Deanna Clark and John Tyson with the Airport Advisory Board and provided Council with an overview of the airport and discussed daily operations, federal funding via the Airport Improvement Program (AIP), airport categories, facilities and aircraft, and guidelines to receive FAA funds.

Mr. Chase discussed the project objectives including; keeping the airport as an asset to the City, looking at the long term strategic plan to come up with goals and ways to achieve the goals to ensure continued operation of the airport, project scope and timeline were also discussed with the focus on existing conditions/situational assessments, regional and global positioning, and feasibility assessment/action plan.

Mr. Gordon reviewed the results of the survey that was provided to the Boardmembers and Councilmembers, approximately ten responses were received ranking the importance of what the Auburn Municipal Airport can do and how it can grow.

B. Tourism Update (Hinman)(15 Minutes)

Deputy Mayor Baggett called for a recess at 6:40 p.m. the meeting reconvened at 6:50 p.m.

Manager Lein and Tourism Boardmember Rachel McAlister, Curator at the Museum and Rebecca Fresh the Public Relations and Social Media Manager for Muckleshoot Casino provided Council with a Tourism Board year end update and discussed the 2017 accomplishments, the new tourism website, the holiday digital campaign and the goals for 2018 including; creating an Auburn Tourism map and revamping the Auburn logo.

C. Ordinance No. 6673 (Snyder)(5 Minutes)

Hearing Examiner's recommendation to approve a request to rezone a 7,500 square foot parcel from R-7 Residential to DUC (Downtown Urban Center)

Planner Gouk discussed Ordinance No. 6673, requesting to rezone 307 "D" St SE from a single family residential property into an architectural office. The Hearing Examiner recommended approval with no conditions and verified that the applicant would be required to pay traffic impact fees.

D. Auburn Avenue Theater Update (Faber)(20 Minutes)

Director Faber, Manager Krueger and Theater Coordinator Kleinbeck provided Council with the background of the Auburn Avenue Theater, explaining that the Theater lease will expire December 31, 2021, and discussed current operations including; youth theater, tribute shows, children's theater, and the Auburn community players. They reviewed expenses, revenues and current lease options.

E. Proposed 2018 Legislative Priorities(Hinman)(15 Minutes)

Review of proposed 2018 federal and state legislative priorities

Director Hinman reviewed the proposed 2018 legislative priorities including; streamlined sales tax, community priorities related to homelessness, opioid addiction and mental health. Nexus and YWCA will receive grant funds and the Federal agenda to invest in local transportation and infrastructure programs.

IV. HEALTH AND HUMAN SERVICES DISCUSSION ITEMS

A. Report on 2017 Housing Repair (Hinman)(10 Minutes)

Review of 2017 Housing Repair Projects Utilizing CDBG Grant Funds

Councilmember Trout-Manual introduced Coordinator Richards, Coordinator Pearson and Manager Scott, who presented Council with the priorities for Human Services funding.

Coordinator Richards discussed her roll in helping people in need in the City and reviewed the housing repair program which is funded by the Community Development Block Grant, 72 households were helped in 2017 with the average grant being \$6,200 and covered the requirements for assistance including; live inside Auburn city limits, owning the home needing repairs, have lived there at least one year and plan to stay at least one year after repairs are done, meet low to moderate income guidelines. Once an applicant is approved they can access funds for up to three years.

B. Human Services Funding Priorities (Hinman)(10 Minutes)

Discussion about possible changes to current funding priorities for City of Auburn General Fund Human Services Grants

Manager Scott and Coordinator Pearson provided Council with information on Human Services funding priorities including; child abuse and neglect, domestic violence and sexual assault, healthcare and poverty reduction, they also looked at the regional trends in funding priorities of other cities, how Auburn responds to emergent issues in the community, and the upcoming funding cycle timeline.

Council discussed the option of changing funding priorities for 2018 and putting homelessness first on the current list and was advised the new priorities would need to be provided by February 15, 2018.

C. Human Services Grant Timeline (Hinman)(10 Minutes)

Discussion regarding timeline of application process and funding recommendations for 2019-2020 Human Services Granting cycle

Manager Scott and Coordinator Pearson covered the Human Services Grant Timeline with Human Services funding priorities.

D. Proposed Resolution to Increase the Human Services Committee Membership (Hinman)(5 Minutes)

Discussion regarding increasing the Human Services Committee from 7 members to 9

Manager Scott advised Council that the Human Services Committee has requested to expand the membership to 9 members to help review applications and make recommendations.

Council discussed getting a list of current members, how other cities allocate Human Services funds and moving forward with updating funding

priorities.

V. OTHER DISCUSSION ITEMS

There was no other discussion.

VI. NEW BUSINESS

Councilmember Trout-Manual stated she belongs to the Auburn Coalition for Prevention and Wellness with the Auburn School District and would like them to come in to do a presentation for the City Council on February 29, 2018, she will contact them to confirm a date.

Council requested an ordinance to discuss Human Services membership in February, a Livable Cities update and adding the National League of Cities Service Line Program to the March agenda.

VII. MATRIX

A. Matrix

Council discussed the Matrix and no changes were made.

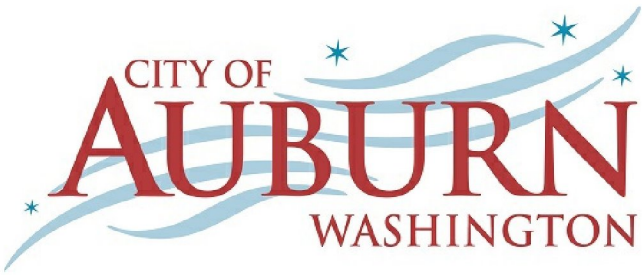
VIII. ADJOURNMENT

There being no further discussion, the meeting was adjourned at 8:56 p.m.

APPROVED this 22nd day of January, 2019.

BILL PELOZA, DEPUTY MAYOR Shawn Campbell, City Clerk

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

	City Council Study Session January 29, 2018 - 5:30 PM City Hall Council Chambers MINUTES Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. CALL TO ORDER

Deputy Mayor Bob Baggett called the meeting to order at 5:30 p.m. in the Council Chambers of Auburn City Hall, 25 West Main Street in Auburn.

A. Roll Call

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

Mayor Nancy Backus was present, and the following department directors and staff members were in attendance: Director of Community Development and Public Works Kevin Snyder, Assistant Director of Engineering Services Ingrid Gaub, Police Commander Mike Hirman, Innovation and Technology Director Paul Haugan, Director of Administration Dana Hinman, City Attorney Daniel B. Heid, and City Clerk Danielle Daskam.

II. ANNOUNCEMENTS, REPORTS, AND PRESENTATIONS

A. Agenda Modifications

The following items were added to the agenda for Council discussion: Ordinance No. 6676 relating to the number of members on the Human Services Committee, Human Services Funding Priorities, and Consultant Services Agreements for Legislative Services.

B. Auburn Community and Prevention Coalition (30 Minutes)

Ashley Boyd, the Prevention and Wellness Initiative Coalition Coordinator for the Auburn School District and Jonna Chissus, the Coalitions Chair and Operations Manager from the Auburn Library provided Council with a brief history on how the Auburn Community and Prevention Coalition was created and their mission statement. The Coalition will focus on Auburn High School and Cascade Middle School. The project is funded by the Department of Social and Health Services. They reviewed statistics of alcohol, marijuana and depression among middle and high school students. The project also funds a prevention and intervention specialist.

III. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Regional Transportation System Initiative (RTSI) Briefing (20 Minutes) (Snyder)

Assistant Director Gaub provided Council a revised agenda for the Regional Transportation System Initiative meeting in February of 2018. She gave a brief overview of the transportation condition in the Puget Sound Region, transportation funding options and future transportation needs for the region. The regional discussion is in the early phases, The goal is to have all of the affected jurisdictions approach the legislature with one voice.

Mayor Backus noted along with the transportation issues there is also an economic development issue. If the goods cannot get from point a to point b reasonably the cost increases. Also when the funds do become available there needs to be an adequate supply of skilled labor to complete the work.

B. Ordinance No. 6676 - Increasing the number of members on the Human Services Committee

Director Hinman presented Council with an ordinance that would to increase the Human Services Committee membership from seven to nine members.

C. Human Services Funding Priorities

Mayor Backus read from the January 22, 2018 study session: "Human Services funds are one percent of the General Fund that go to the biennial competitive Human Services funding. Funds are awarded to programs of non-profit organizations; not the entire organization. The funds must benefit Auburn residents and align with the City's area of focus which include: poverty reduction, child abuse and neglect, domestic violence and sexual assault and health care."

If the Council would like to change the funding priorities for the current funding cycle the changes must be made by February 23, 2018.

The funding priorities are currently:

- Child Abuse and Neglect
 - youth services
 - special needs
 - at-risk babies & children
 - youth homeless shelter support
 - quality child care access
 - educational success
 - family support programs
- Domestic Violence and Sexual Assault
 - advocacy
 - prevention

- shelter
- counseling
- Healthcare
 - medical
 - dental
 - mental wellness
- Poverty Reduction
 - housing
 - food access
 - job preparedness
 - utility shut-off & eviction prevention
 - civil legal aid
 - refugee support

Director Hinman requested council to clarify the requested changes to the funding priorities.

Councilmembers expressed support for maintaining the four categories.

D. Consultant Services Agreements for Legislative Services

Council reviewed annual report from W2A and Thompson Consulting Group, the City's legislative consultants.

Councilmember Pelozo commented that the annual report does not cover deliverables in a form that reflects the funds brought to the City. Councilmember Pelozo stated he would like to see the number of meetings they have advocated on behalf of Auburn.

Director Hinman stated a more detailed report will be presented as part of contract renewal.

IV. OTHER DISCUSSION ITEMS

A. Service Line Warranty Program

Councilmember Pelozo requested that a presentation on Service Line Warranty Program be added to the March 26, 2018 City Council Study Session. The vendor will be in attendance to brief the Council on the program.

V. NEW BUSINESS

There was no new business.

VI. MATRIX

There was no matrix to review.

VII. ADJOURNMENT

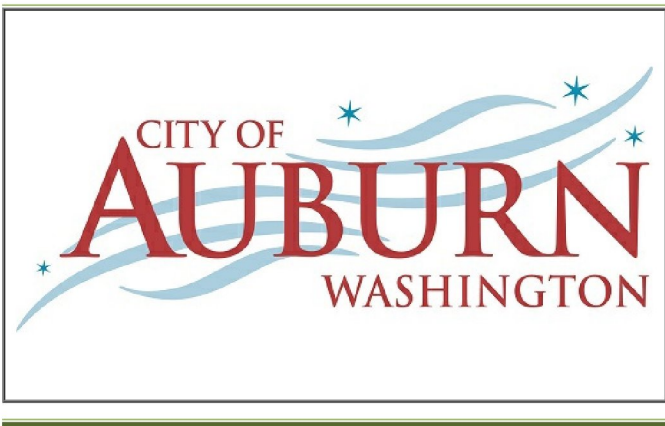
There being no further business to come before the Council, the meeting adjourned at 6:49 p.m.

Approved this 22nd day of January, 2019.

BILL PELOZA, DEPUTY MAYOR

Shawn Campbell, City Clerk

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.

	City Council Study Session Finance - Econ Dev SFA December 10, 2018 - 5:30 PM Council Chambers - City Hall MINUTES Watch the meeting LIVE! Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. CALL TO ORDER

Deputy Mayor Baggett called the meeting to order at 5:30 p.m. in the Council Chambers of Auburn City Hall, 25 West Main Street in Auburn.

A. Roll Call

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

Mayor Nancy Backus and the following department directors and staff members were present: City Attorney Steve Gross, Director of Finance Shelley Coleman, Director of Community Development Jeff Tate, Director of Public Works Ingrid Gaub, Police Commander David Colglazier, Patrol Officer April Steinman, Code Compliance Office Chris Barack, Planner II Alexandria Teague, Right-of-Way Specialist Amber Price, Planning Services Manager Jeff Dixon, Assistant City Attorney Doug Ruth and Deputy City Clerk Teresa Mattingly.

II. ANNOUNCEMENTS, REPORTS, AND PRESENTATIONS

There was no announcement, report or presentation

III. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Annexation of "Island" areas

Provide a preliminary issues analysis regarding annexation of the Klump (north Auburn) and the Totem (south Auburn) island area. Areas identified for high-level analysis include key issues pertaining to: land use and addressing impacts; fiscal impacts; infrastructure impacts; and environmental impacts

City Attorney Gross, Director Coleman, Director Guab, and Director Tate provided Council with a presentation on the annexation of the Klump and Totem "Island" areas. City Attorney Gross discussed the legal process for annexation, timelines, notices to property owners and applicable Counties and how property owners can petition for a referendum. Director Coleman covered the fiscal impacts to homeowners, and capital costs to improve the utility infrastructure with the annual Local

Improvement District (LID) cost of approximately \$3,900 per parcel instead of \$8,700 which was noted in error. Director Gaub and Director Tate covered road conditions, properties that would require address changes, the required changes to the Federal Emergency Management Agency (FEMA) map and potential zoning changes.

Council discussed that it would require 50% plus one property owner to vote down the annexation, other potential areas for annexation, the benefits to homeowners and the City, homeowners responsibility for their own water and sewer improvements, road conditions in the Klump and Totem areas, changes to police service, the annexation would give the City control of the Business & Occupation (B&O) tax and potential zoning changes.

Councilmembers Pelosa and Wales requested Director Coleman provide a list of advantages and disadvantages for annexation to the City for the "Island" areas and potential annexation of the peninsula area.

B. Graffiti Update (Tate) (15 Minutes)

Presentation of efforts to combat graffiti

Patrol Officer Steinman and Code Compliance Officer Barack provided Council with a presentation on graffiti and discussed the difference between gang graffiti versus non-gang graffiti, ways to report, record and eliminate graffiti, public versus private property graffiti removal responsibility, timeframes for removal, prioritization based on content and location, the importance of expeditious removal, the partnership with Agrishop and Voucher Program, classes for Maintenance and Operations staff to identify gang versus non-gang graffiti, and fighting graffiti as a community.

Councilmember Trout-Manuel thanked Officer Steinman and Code Compliance Officer Barack for sharing what they are doing to fight graffiti, and asked how often areas are being marked and what is being done to apprehend these individuals. Officer Steinman advised Council that they do track graffiti and take photos, but it is hard to catch the offenders since they are usually gone by the time an officer responds.

Mayor Backus reminded Council that two of the six new police officers will be dedicated to gang related activity ensuring gang information is shared throughout the region.

Council also discussed the relationship between the amount of new graffiti and weather conditions, the number of new tags each month, age restrictions to purchase spray paint, options to gain community support, and the number of gangs in Auburn.

C. Ordinance No. 6698 (Tate) (15 Minutes)

An Ordinance of the City Council of the City of Auburn, Washington, relating to planning; adopting 2018 annual comprehensive plan map and text amendments pursuant to the provisions of RCW Chapter 36.70a and adopting corresponding rezones related to certain map amendments

Manager Dixon and Planner Teague provided Council with a presentation on Ordinance No. 6698 relating to the 2018 Annual Comprehensive Plan, including policy/text amendments, map amendments and privately initiated plan map amendments, the application process, private applications received and proposed revisions.

Council discussed the option of putting an elementary school on Kersey Way and the potential traffic impact. Manager Dixon advised Council that the applicant has prepared and submitted a traffic study and will also submit a site plan showing driveway and turn lane locations.

D. Ordinance No. 6699 (Tate) (10 Minutes)

An Ordinance of the City Council of the City of Auburn, Washington amending Sections 19.02.115, 19.02.120, 19.02.130 and 19.02.140 of the Auburn City Code relating to School Impact Fees

Manager Dixon provided Council with information on Ordinance No. 6699 amending the Auburn City Code relating to School Impact Fees and discussed the four impacted school districts, the process for preparing and approving facility plans, the purpose of the School Impact Fees, rates for single family and multifamily units. The School Impact Fees apply to new construction only and is a one time payment.

Council discussed the City of Federal Way School Impact Fees for multifamily units versus the City of Auburn. Manager Dixon advised Council that Auburn does not have any areas within the Federal Way school district that are zoned for multifamily units, their fees do not have an effect within the City of Auburn.

E. Ordinance No. 6708 (Tate) (10 Minutes)

An Ordinance of the City Council of the City of Auburn, Washington, creating new sections 15.20.075 and 15.20.077 and amending Sections 1.25.030, 1.25.040, 1.25.065 and 15.20.030 of the Auburn City Code relating to Code Enforcement

Code Compliance Officer Barack and Assistant City Attorney Ruth provided Council with information related to the enforcement of the Auburn City Code, potential violations, streamlining their process by eliminating the need to issue a Notice to Correct and proceed directly to issuance of a citation, removing the requirement for certified mailings and amending the International Property Maintenance Code to allow the City to enforce certain provisions of the adopted Code.

Councilmember Holman asked if there is an attempt to revise the International Property Maintenance Code to correct anomalies and Code

Compliance Officer Barack advised Council that it is up to each jurisdiction.

F. Ordinance No. 6707 (Gaub) (15 Minutes)

An Ordinance of the City Council of the City of Auburn, Washington, relating to telecommunications infrastructure, and adopting new Chapter 20.14, small wireless facilities in the public right-of-way; providing for severability; and establishing an effective date

Deputy Mayor Baggett called for a recess at 7:01 p.m. the meeting reconvened at 7:13 p.m.

Director Gaub and Specialist Price provided Council with a Small Cell Code update, they discussed what Small Cells are, they are, how they work, size requirements, where they are located and how they can be attached. The Federal Communications Commission (FCC) new ruling takes effect January 14, 2019. It sets requirements on how the City can process, approve and charge for permits for small wireless facilities, small wireless facility franchise requirements, and addressing concerns if the antennas will harm people or animals.

Council discussed who owns the poles, the size of the antennas, if these changes could allow the City to provide Wi-Fi service at a reasonable price, broadband availability, the option of having one type of pole to keep them all standard and who makes the determination of radio frequency interference.

Director Gaub advised Council that Puget Sound Energy (PSE) and the City of Auburn own the poles, these changes will not impact the cost of service, broadband service availability is up to the providers and because of the different types of poles throughout the City there will not be one standard pole. The FCC determines frequency interference based on the license with the City.

G. Selection of Special Focus Area Chairs & Titles

Council discussed the Special Focus Areas, revised two of the names, assigned the chairs and vice chairs and discussed who makes and seconds a motion.

Health & Human Services will now be known as Community Wellness, with Councilmember Trout-Manual as the Chair and Councilmember DaCorsi as the Vice Chair. Finance & Economic Development has been renamed to Finance, Technology, & Economic Development with Councilmember Wales as Chair and Councilmember Holman as the Vice Chair. Sister Cities has been renamed to Sister Cities International. Public Works & Community Development's Chair will be Councilmember DaCorsi with Councilmember Baggett as the Vice Chair. Municipal Services Chair will be Councilmember Brown with Deputy Mayor Pelosa as Vice Chair.

IV. FINANCE AND ECONOMIC DEVELOPMENT DISCUSSION ITEMS

A. Gambling & Card Room Revenue (Coleman) (5 Minutes)

Director Coleman provided Council with an update on the Gambling & Card Room revenue, how the City receipts on pull tabs, which was changed from 5% gross receipts to 10% of net receipts, card room tax reduced to 4% of gross receipts and the Iron Horse Casino is making monthly payments on an outstanding promissory note of \$220,000.

Councilmember Pelozo asked about Emerald Downs and when the sovereign nation will come in. Director Coleman advised Council that Emerald Downs is not on tribal land at this time.

B. 3rd Quarter 2018 Financial Report (Coleman) (20 Minutes)

Director Coleman provided Council with an update on the 3rd Quarter 2018 Financial Report and covered the tax increases and decreases and the reasons behind the changes on the property taxes, sales and use tax, construction tax, utility tax, cable franchise fees, business licenses, building permits, intergovernmental revenues, charges for services, miscellaneous revenues, rental leases, real estate excise tax, capital project expenditures, and investment return rates.

Council discussed when business licenses go through the state it will make it easier for the City to collect the fees, when the school building permits are expected to come in, where marijuana revenue goes, if pet license sales are being increased and what the City's return on investment are.

Director Tate and Director Coleman advised Council that the changes with the business licenses going through the State will ensure a higher compliance rate, that the Auburn School District building permits are expected within the next one to two years, the marijuana revenue goes into the general fund, and the investment return rate is currently 2.34%.

V. OTHER DISCUSSION ITEMS

There was no other discussion.

VI. NEW BUSINESS

There was no new business.

VII. MATRIX

A. Matrix

Council discussed the Matrix and requested to change the staff Lead from Director Hinman to City Attorney Gross on the Domestic Violence Advocacy Report. No other changes were made.

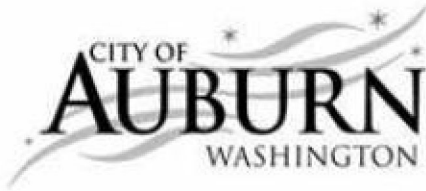
VIII. ADJOURNMENT

There being no further discussion, the meeting was adjourned at 8:37 p.m.

APPROVED this 22nd day of January, 2019.

BILL PELOZA, DEPUTY MAYOR Teresa Mattingly, Deputy City Clerk

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.



**City Council Study Session PWCD SFA
January 14, 2019 - 5:30 PM
City Hall Council Chambers
MINUTES**

📺 Watch the meeting LIVE!

📺 Watch the meeting video

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

I. CALL TO ORDER

Councilmember Wales called the meeting to order at 5:30 p.m. in the Council Chambers of Auburn City Hall, 25 West Main Street in Auburn.

A. Roll Call

Councilmembers present: Bob Baggett, Larry Brown, Claude DaCorsi, John Holman, Yolanda Trout-Manuel, Largo Wales, Deputy Mayor Bill Peloza arrived at 5:50 p.m.

Mayor Nancy Backus and the following directors and staff were in attendance: Assistant Director of Engineering Services Jacob Sweeting, Capital & Construction Engineering Manager Ryan Vondrak, Senior Project Engineer Matt Larson, Development Services Manager Jason Crumb, Senior Planner Thaniel Gouk, Senior Transportation Planner Cecile Malik, Economic Development Manager Doug Lien, Director of Community Development Jeff Tate, Director of Innovation & Technology David Travis, Director of Human Resources & Risk Management Candis Martinson, Director of Administration Dana Hinman, City Attorney Steve Gross, Police Commander Steve Stocker and Deputy City Clerk Teresa Mattingly.

II. ANNOUNCEMENTS, REPORTS, AND PRESENTATIONS

There was no announcement, report or presentation.

III. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Resolution for 2019 LTAC Approval (Hinman) (15 Minutes) (5:35 p.m.)

A Resolution of the City Council of the City of Auburn, Washington, approving the Lodging Tax Grant disbursements recommended by the Auburn Lodging Tax Advisory Committee

Manager Lien presented Council with information on the disbursements of funds from the Lodging Tax Grant and requested the approval of two grants. The proposed grants are for the Veterans Day Parade for \$3500 and Pet Palooza for \$5000. Manager Lien advised Council that the application process has been reopened due to not all of the grants funds being awarded.

B. Resolution No. 5395 - 2019 VRFA Fee Schedule (Tate) (10 Minutes) (5:50 p.m.)

A Resolution of the City Council of the City of Auburn, Washington, endorsing use of the 2019 Valley Regional Fire Authority Fee Schedule as adopted by the VRFA Board of Governance

Director Tate introduced Fire Marshall Karen Stewart with the Valley Regional Fire Authority (VRFA) and presented Council with an update on the VRFA Fee Schedule, how the fees are collected, and the proposed 3.6% fee increase.

Council questioned how fees for sprinkler heads are calculated and was advised by Fire Marshall Stewart that fees for sprinkler heads are calculated per device and not by square footage of the building.

C. Ordinance No. XXXX Identity Theft (Gross) (10 Minutes) (6:00 p.m.)

An Ordinance of the City Council of the City of Auburn, Washington, relating to criminal offenses, adopting the crime of Identity Theft, and amending Chapter 9.62 of the Auburn City Code

City Attorney Gross presented Council with the benefits of adopting Identity Theft into the City Code as a Gross Misdemeanor, including allowing officers to charge identity theft directly, and if King County declines to charge a case it will allow City Prosecutors to charge a case as identity theft instead of attempted identity theft.

Council discussed that the more tools the Police Department and City Prosecutors have the better it will be for everyone, that it could potentially reduce the number of violations from repeat offenders and speed up the prosecution process. Council requested that the number of identity theft cases be tracked for one year.

D. Draft Council Chambers Seating Assignments (Council) (10 Minutes) (6:10 p.m.)

Council discussed the draft council chambers seating assignments. Councilmember Trout-Manuel requested that her and Councilmember Brown switch seats. Councilmember Brown agreed to the change and the other Councilmembers were in consensus. No other changes were requested and name plates will be moved before the next Council meeting.

IV. PUBLIC WORKS AND COMMUNITY DEVELOPMENT DISCUSSION ITEMS

A. Capital Project Status Report (Gaub) (20 Minutes) (6:20 p.m.)

Capital & Construction Engineering Manager Ryan Vondrak and Senior Project Engineer Matt Larson provided Council with an update on Capital Projects and discussed the number of current projects, total project costs, the current status of individual projects and upcoming projects including; the Lake Tapps Parkway ITS Expansion Project, both Phase Two and Phase Three of the Auburn Way North Preservation Project, and the 2019

Arterial Patch and Overlay Project. Manager Ryan also advised Council of the open house scheduled for January 16, 2019 from 3 p.m. to 7 p.m. at Rainer Middle School regarding the Lea Hill Road Corridor Study.

Council discussed the spreadsheet that lists the Capital Projects and thanked Manager Ryan and Engineer Larson for the potential dog park and the new roundabouts.

B. Heritage Site Update (Tate) (15 Minutes) (6:40 p.m.)

Overview of the status of the demolition activity and redevelopment of the Heritage Site

Development Services Jason Krum provided Council with an update on the demolition and redevelopment of the Heritage Site, code enforcement notices and penalties, deadlines to reply to code enforcement actions, project deadlines and confirmed that the owner has hired a new contractor who has submitted the necessary demolition applications and plans on moving forward the beginning next week and the demolition should be completed by the end of the month.

Director Tate advised Council how and when liens are filed, the option of moving forward with an abatement action if the owner does not meet future deadlines, the number of grandfathered parking spaces allowed on the Heritage Site and the challenges with rebuilding a 100 year old building.

Council discussed their concerns regarding the limited number of parking spaces for the Heritage Site, how parking is going to be accommodated and potential rental rates.

C. Downtown Development Update (Tate) (15 Minutes) (6:55 p.m.)

Overview of downtown development activity and façade improvement projects

Director Tate provided Council with an update on the Downtown Development projects, including design and permit review for the Auburn Apartments, Legacy Senior Living and Tru By Hilton and façade improvement projects at Rail Hop'n Brewing, Brekke Building, Driessen Building and Vinifera Wine Bar & Bistro.

Council discussed parking at Legacy Senior Living, what type of awning will be installed at Vinifera, and the configuration of the Tru By Hilton building.

Deputy Mayor Peloza called for a 10 minute recess at 6:50 p.m. the meeting reconvened at 7:00 p.m.

V. OTHER DISCUSSION ITEMS

There was no other discussion.

VI. NEW BUSINESS

There was no new business.

VII. MATRIX

A. Matrix

Councilmembers discussed the option of adding a discussion regarding the Auburn Avenue Theater, a presentation on the Auburn Valley Arts group, an update from Technology Director David Travis and an update on the West Hill Parks and Recreation to the matrix.

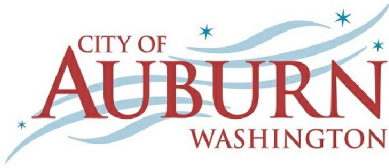
VIII. ADJOURNMENT

There being no further discussion, the meeting adjourned at 7:13 p.m.

APPROVED this 22nd day of January, 2019.

BILL PELOZA, DEPUTY MAYOR Teresa Mattingly, Deputy City Clerk

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



AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes of the December 17, 2018 Regular Council Meeting

Date:

January 10, 2019

Department:

Administration

Attachments:

[12-17-2018 Minutes](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

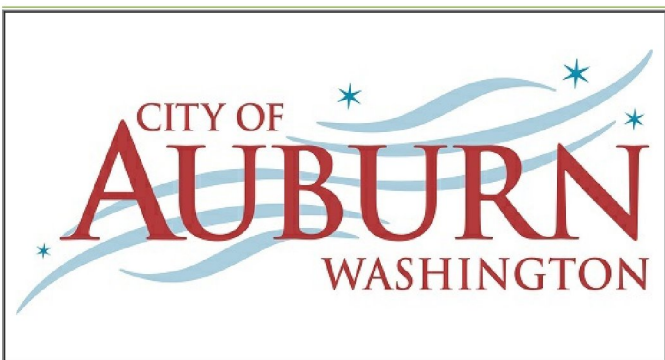
Revised Budget: \$0

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

Meeting Date: January 22, 2019

Staff:

Item Number: CA.B

	City Council Meeting December 17, 2018 - 7:00 PM City Hall Council Chambers MINUTES Watch the meeting LIVE! Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. CALL TO ORDER

A. Pledge of Allegiance

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

B. Roll Call

Councilmembers present: Deputy Mayor Bob Baggett, Larry Brown, Claude DaCorsi, John Holman, Yolanda Trout-Manuel and Largo Wales. Councilmember Pelozo arrived at 7:05 p.m.

Department directors and staff members present included: City Attorney Steve Gross, Director of Finance Shelley Coleman, Police Assistant Chief Mark Caillier, Director of Public Works Ingrid Gaub, Director of Community Development Jeff Tate, Director of Parks, Art and Recreation Daryl Faber and City Clerk Shawn Campbell.

II. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

There was no announcement, proclamation or presentation.

III. APPOINTMENTS

A. Human Services Committee

City Council to confirm the appointments of the following to the Human Services Committee for a three-year term to expire December 31, 2021.

- Shanece Dedeaux
- Tammy Gourdine
- Sue Miller
- Shawn Parkhurst Paton

Councilmember Wales moved and Councilmember Trout-Manuel seconded to approve the appointments.

MOTION CARRIED UNANIMOUSLY. 7-0

IV. AGENDA MODIFICATIONS

Exhibits for Resolution No. 5399 have been provided to Council.

V. CITIZEN INPUT, PUBLIC HEARINGS AND CORRESPONDENCE

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

B. Audience Participation

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

Greg Busch, Wireless Policy Group
Mr. Busch spoke to concerns regarding Ordinance No. 6707 regarding Small Wireless facilities deployment.

Lelah Vaga, Verizon Wireless
Ms. Vaga spoke about concerns regarding Ordinance No. 6707 regarding Small Wireless facilities deployment.

Brian Gunn 2305 27th ST SE, Auburn
Mr. Gunn about the King County Cites Climant Collaboration and urged the City to participate.

Steve Libadia 7th ST NE and H St NE, Auburn
Mr. Libadia shared his concerns regarding a new retention pond, the elevation of a new development and their retaining wall as well as the shaking of their property from road installation.

Jenny Anderson, 635 H St NE, Auburn
Ms. Anderson explained that during street construction her property was damaged. She also has concerns regarding the increased traffic in her area.

Virginia Haugen 2503 R St SE, Auburn
Ms. Haugen thanked Council for bicycle officers in her neighborhood. She requested additional crosswalks and warned people about allowing power poles on their property.

C. Correspondence

A letter from Wireless Policy Group was provided to Council.

VI. COUNCIL AD HOC COMMITTEE REPORTS

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

Councilmember Brown, chair of the Finance ad hoc committee, reported he and Councilmember Holman have reviewed the claims and payroll vouchers described on the Consent Agenda this evening and recommended their approval.

Councilmember Pelozo, chair of the Council Seating ad hoc committee, reported the committee plans to meet in the near future and will have a recommendation in the new year.

VII. CONSENT AGENDA

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

- A. Minutes of the April 24, 2017, June 26, 2017, July 24, 2017 and November 26, 2018 Study Session
- B. Minutes of the December 3, 2018 Regular Council Meeting
- C. Claims Vouchers (Coleman)
Claim voucher number 451773 through 451948 in the amount of \$4,878,419.96 and three wire transfers in the amount of \$431,484.35 and dated December 17th, 2018.
- D. Payroll Vouchers (Coleman)
Payroll check numbers 538259 through 538276 in the amount of \$232,183.35, electronic deposit transmissions in the amount of \$1,968,257.16 for a grand total of \$2,200,440.51 for the period covering November 29, 2018 to December 12, 2018.
- E. 2019 Annual On-Call Agreements (Gaub)
Approve the Annual On-Call Professional Service Agreements for 2019

Councilmember Pelozo moved and Councilmember Wales seconded to approve the consent agenda.

MOTION CARRIED UNANIMOUSLY. 7-0

VIII. UNFINISHED BUSINESS

- A. Seating Assignments for City Council Meetings
Council to approve or modify the ad hoc committee's recommendation.

Councilmember Pelozo stated the committee has not met at this time.

IX. NEW BUSINESS

There was no new business.

X. ORDINANCES

- A. Ordinance No. 6698 (Tate)

An Ordinance of the City Council of the City of Auburn, Washington, relating to planning; adopting 2018 annual comprehensive plan map and text amendments pursuant to the provisions of RCW Chapter 36.70a and adopting corresponding rezones related to certain map amendments

Councilmember DaCorsi moved and Councilmember DaCorsi seconded to approve Ordinance No. 6698.

MOTION CARRIED UNANIMOUSLY. 7-0

B. Ordinance No. 6699 (Tate)

An Ordinance of the City Council of the City of Auburn, Washington amending Sections 19.02.115, 19.02.120, 19.02.130 and 19.02.140 of the Auburn City Code relating to School Impact Fees

Councilmember Wales moved and Councilmember Holman seconded to approve Ordinance No. 6699.

MOTION CARRIED UNANIMOUSLY. 7-0

C. Ordinance No. 6707 (Gaub)

An Ordinance of the City Council of the City of Auburn, Washington, relating to telecommunications infrastructure, and adopting new Chapter 20.14, small wireless facilities in the public right-of-way; providing for severability; and establishing an effective date

Director Gaub explained staff does not recommend any changes at this time. She requested Council approve the ordinance as written so the City can be in compliance when the new Federal Aviation Administration (FAA) rules take affect.

Councilmember Wales moved and Councilmember DaCorsi seconded to approve Ordinance No. 6707

MOTION CARRIED UNANIMOUSLY. 7-0

D. Ordinance No. 6708 (Tate)

An Ordinance of the City Council of the City of Auburn, Washington, creating new sections 15.20.075 and 15.20.077 and amending Sections 1.25.030, 1.25.040, 1.25.065 and 15.20.030 of the Auburn City Code relating to Code Enforcement

Councilmember DaCorsi moved and Councilmember Trout-Manuel seconded to adopt Ordinance No. 6708.

MOTION CARRIED UNANIMOUSLY. 7-0

XI. RESOLUTIONS

A. Resolution 5396 (Faber)

A Resolution authorizing the Mayor to execute an agreement between the City of Auburn and the lowest responsible bidder for the Auburn Arts & Culture Center main

floor interior demolition project

Councilmember Pelozo moved and Councilmember Holman seconded to adopt Resolution No. 5396.

MOTION CARRIED UNANIMOUSLY. 7-0

B. Resolution No. 5398 (Gaub)

A Resolution of the City Council of the City of Auburn, Washington, related to the lead service line replacement program; authorizing an application for the drinking water state revolving fund loan and, if approved, acceptance and expenditure of loan proceeds

Councilmember DaCorsi moved and Councilmember Brown seconded to adopt Resolution No. 5398.

Councilmember Pelozo asked how the services lines are designated.
Director Gaub explained it is typically by age of lines.

MOTION CARRIED UNANIMOUSLY. 7-0

C. Resolution No. 5399 (Gross)

A Resolution of the City Council of the City of Auburn, Washington relating to Council Rules of Procedure; amending the designation of Special Focus Areas, and amending Council Rules of Procedure

Councilmember Brown moved and Councilmember Wales seconded to approve Resolution No. 5399.

MOTION CARRIED UNANIMOUSLY. 7-0

XII. MAYOR AND COUNCILMEMBER REPORTS

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

A. From the Council

Councilmember Pelozo reported he attended the Auburn Municipal Airport Open House.

Councilmember Trout-Manuel reported she attended the King County Regional Water Quality meeting, the Regional Law and Justice Committee meeting, the Domestic Violence Committee meeting and the Green River Community College workshop on racial equity.

Councilmember Holman reported he attended the Sound Cities Public Issues Committee meeting.

Councilmember Brown thanked the other Councilmembers for a successful first year.

Councilmember DaCorsi reported he attended the Affordable Housing Advisory Committee meeting, the Association of Washington Cities Board of Directors meeting, the Veterans Celebration, and the open house/town hall for the 42nd District Representatives.

B. From the Mayor

Mayor Backus reported she attended the Advisory and Executive Group for Regional Homelessness Issues meeting, the Breakfast with Santa, a toy giveaway at Overcomers Covenant Church, the annual South Sound Chamber breakfast, the Mayor's Holiday Open House, Shop with a Cop and the Gildo Rey toy giveaway. Mayor Backus reminded everyone that Tuesday December 18th is the Craft with a Cop event and encouraged everyone to attend.

XIII. ADJOURNMENT

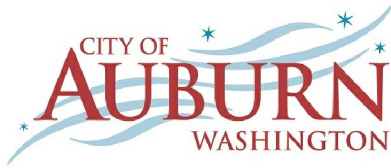
There being no further business to come before the Council, the meeting adjourned at 8:00 p.m.

Approved this 22nd day of January, 2019.

NANCY BACKUS, MAYOR

Shawn Campbell, City Clerk

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AGENDA BILL APPROVAL FORM

Agenda Subject:

Claims Vouchers (Coleman)

Date:

January 15, 2019

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

approve claims vouchers

Background Summary:

2018 Vouchers:

Claim voucher numbers 451949 and 451952 through 52146 in the amount of \$1,198,049.25 and two wire transfers in the amount of \$152,475.69 and dated January 7, 2019.

Claim voucher numbers 452171 and Voucher 452173 through 452337 in the amount of \$3,346,621.94 and one wire transfer in the amount of \$572,798.73 and dated January 22, 2019.

2019 Vouchers:

Claim voucher numbers 451950 through Voucher 451951 and Voucher #452147 through voucher number 452170, in the amount of \$1,650,367.41 and one wire transfer in the amount of \$574,380.46 dated January 7, 2019.

Claim voucher numbers 452172 and 452338 through 452444, in the amount of \$670,045.72 and one wire transfer in the amount of \$15,823.08 and dated January 22, 2019.

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

Coleman

Meeting Date: January 22, 2019

Item Number:

CA.C



AGENDA BILL APPROVAL FORM

Agenda Subject:

Payroll Vouchers (Coleman)

Date:

January 15, 2019

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

approve payroll vouchers

Background Summary:

2018 Vouchers:

Claim voucher numbers 451949 and 451952 through 52146 in the amount of \$1,198,049.25 and two wire transfers in the amount of \$152,475.69 and dated January 7, 2019.

Claim voucher numbers 452171 and Voucher 452173 through 452337 in the amount of \$3,346,621.94 and one wire transfer in the amount of \$572,798.73 and dated January 22, 2019.

2019 Vouchers:

Claim voucher numbers 451950 through Voucher 451951 and Voucher #452147 through voucher number 452170, in the amount of \$1,650,367.41 and one wire transfer in the amount of \$574,380.46 dated January 7, 2019.

Claim voucher numbers 452172 and 452338 through 452444, in the amount of \$670,045.72 and one wire transfer in the amount of \$15,823.08 and dated January 22, 2019.

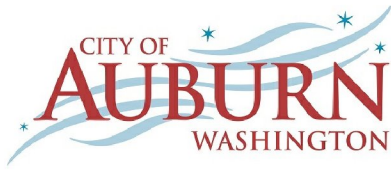
Reviewed by Council Committees:**Councilmember:****Staff:**

Coleman

Meeting Date: January 22, 2019

Item Number:

CA.D



AGENDA BILL APPROVAL FORM

Agenda Subject:
Seating Assignments for City Council Meetings

Department:
City Council

Attachments:
[2019 Council Seating Chart](#)

Date:
January 15, 2019

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

Administrative Recommendation:
Move to adopt the 2019 seating chart.

Background Summary:
Rule 2.1 of the Council Rules of Procedure calls for seating arrangements to be adopted by motion of the Council following a recommendation of an ad hoc committee.

An ad hoc committee was appointed on December 4, 2018. At Council's January 14, 2019 study session, the committee reported out to Council. Council by consensus agreed to a proposed modification of the committee's recommendation.

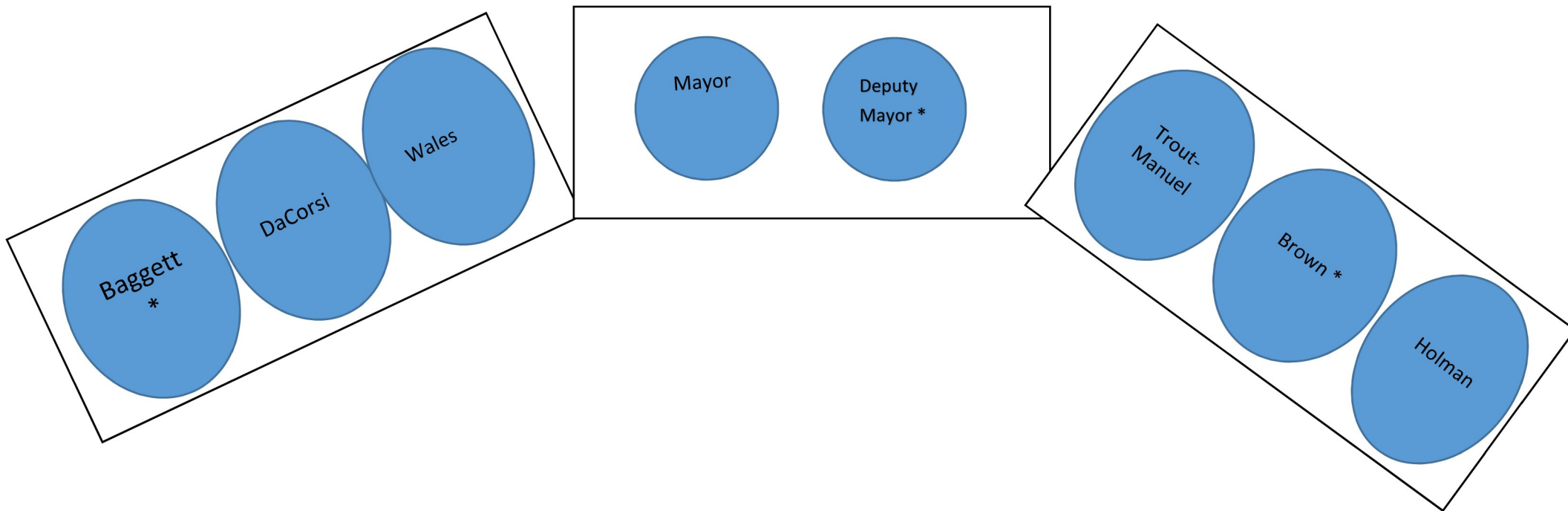
The new proposed seating chart is attached.

Reviewed by Council Committees:

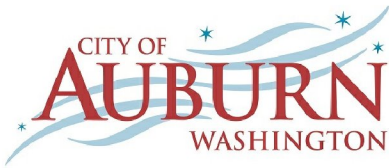
Councilmember: Pelosa
Meeting Date: January 22, 2019

Staff:
Item Number: UB.A

2019 Council Chambers Seating Chart



* Council Seating Ad Hoc Committee



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6710 (Gross)

Date:

January 15, 2019

Department:

City Attorney

Attachments:

[Ord6710](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

Move to Approve Ordinance 6710

Background Summary:

This ordinance was reviewed at the January 14, 2019 Council meeting. It adopts the crime of "Identity Theft" into the City Code as a Gross Misdemeanor, punishable by up to 364 days in jail and a \$5,000 fine. Adopting this crime allows the City Prosecutors to have a more logical argument to present to a jury than the current need to charge the crime of "attempted identity theft."

This revision was originally proposed as part of what was eventually adopted as Ordinance 6699 last year. It was pulled out of that ordinance in order for Council to discuss it further. Council discussed this matter at the August 27 and September 10 study sessions.

As staff explained earlier, State law divides felony crimes into 3 classes: A, B, and C. Class C felonies are the least serious of the 3. When a person attempts to commit a crime, the law reduces the crime by one degree. For example, an attempt to commit a class A felony is a class B felony, an attempt to commit a class B felony is a class C, and an attempt to commit a class C felony becomes a gross misdemeanor.

The King County Prosecutor's Office has the exclusive authority to decide whether to charge a felony. The list of county-declined class C felony cases coming to the City prosecutor's office for charging continues to grow. Because the City may only charge crimes that are misdemeanors and gross misdemeanors, when the county declines to charge a Class C felony, the City prosecutors can only charge the crime if it is charged as an "attempt" to commit that class C felony (thereby reducing it to a gross misdemeanor within our charging jurisdiction).

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

Gross

Meeting Date: January 22, 2019

Item Number:

ORD.A

ORDINANCE NO. 6710

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, RELATING TO CRIMINAL OFFENSES, ADOPTING THE CRIME OF IDENTITY THEFT, AND AMENDING CHAPTER 9.62 OF THE AUBURN CITY CODE

WHEREAS, Title 9 of the Auburn City Code contains the City's Criminal Code;
and,

WHEREAS, on review of existing language, the Legal Department recommends updating certain provisions.

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

Section 1. Amendment to City Code. Chapter 9.62 of the Auburn City Code is amended by adding a new Section 9.62.020 "Identity Theft" to read as shown in Exhibit A.

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

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

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

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

Shawn Campbell, MMC, City Clerk

APPROVED AS TO FORM:

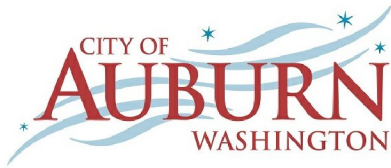
Steven L. Gross, City Attorney

Published: _____

New Section

9.62.020 Identity Theft

- A. Except as provided in RCW 9.35.020(9), it is unlawful for any person to knowingly obtain, possess, use, or transfer a means of identification or financial information of another person, living or dead, with the intent to commit, or to aid or abet, any crime.
- B. In a proceeding under this section, the crime will be considered to have been committed in any locality where the person whose means of identification or financial information was appropriated resides, or in which any part of the offense took place, regardless of whether the defendant was ever actually in that locality.
- C. Violation of this section is a gross misdemeanor, punishable by up to 364 days in jail and/or a \$5,000 fine.
- D. This section is intended to supplement city jurisdiction in identity theft cases that could have been prosecuted as felonies but which were declined by the county in which the offense occurred or which do not meet the county's charging guidelines. If a person is charged with identity theft under state law for a particular incident, the person shall not also be charged under this section for the same conduct.



AGENDA BILL APPROVAL FORM

Agenda Subject:
Resolution No. 5395 (Tate)

Date:
January 15, 2019

Department:
Community Development

Attachments:

[Agenda Bill](#)

[Resolution No. 5395](#)

[Attachment A - 2018 Fee Schedule Strikethrough](#)

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

Administrative Recommendation:

City Council to approve Resolution No. 5395.

Background Summary:

See the attached Agenda Bill.

Reviewed by Council Committees:

Councilmember: DaCorsi

Staff:

Tate

Meeting Date: January 22, 2019

Item Number:

RES.A



Memorandum

To: City Council Members

From: Jeff Tate, Director of Community Development

CC: Mayor Nancy Backus

Date: January 7, 2019

Re: Resolution No. 5395 - 2019 VRFA Fee Schedule Update

OVERVIEW

The Valley Regional Fire Authority (VRFA) was established in 2007 under RCW 52.26 as a Fire Authority that serves the cities of Auburn, Algona, and Pacific. As a Fire Authority VRFA operates as a separate municipal corporation, with independent taxing authority, and within an independent taxing district.

While VRFA is a separate Fire Authority and is organizationally independent from the City of Auburn, VRFA continues to have a role in reviewing development proposals and conducting inspections during the construction process. Within VRFA it is the Fire Marshal's Office that performs these functions.

While VRFA has taxing authority within its jurisdictional boundary, tax payers do not fund all services offered by VRFA. In some instances there are fees charged to customers who are seeking direct service, e.g. a permit to construct a commercial building. In other words, permit customers pay a substantial portion of the direct service they are seeking, as opposed to the service being subsidized across the taxing district. Stated in yet another way, a residential tax payer who pays a portion of their property taxes to VRFA is generally not providing a significant level monetary contribution to a commercial real estate proposal or a new residential subdivision.

Since the Fire Authority was established in 2007, VRFA has collected fees for reviewing development plans and conducting construction inspections. In Auburn, VRFA fees are collected by the City and distributed to VRFA. This practice was put in place in order to ensure that Auburn could achieve a one-stop permitting shop. Instead of sending customers to a VRFA office to pay fees and apply for separate fire permits, customers can submit, pay and pick up permits at the City's Permit Center. More times than not, the customer never knows that they are interacting with, and paying, separate governmental entities.

The proposed 2019 VRFA fee schedule is adjusted for the cost of living increase of 3.6% based on the semi-annual Seattle Tacoma Bellevue CPI-W experienced by the region.

While VRFA is a separate agency, with a separate Governance Board that has authority to establish its own service fees, the Auburn City Council has a role in endorsing fees that are collected by the City and distributed to other agencies (similar to Council's role in reviewing school district fees and taking action to authorize the collection of these external agency fees). Typically, City Council would provide this endorsement through action of a Resolution which then enables procedural efforts to occur that facilitate collection of the relevant fees and fee types.

This matter was presented to City Council during the January 14, 2019 study session discussion. City Council authorized Resolution No. 5395 to move forward for Council consideration during the January 22, 2019 meeting.

RESOLUTION NO. 5395

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, ENDORSING USE OF THE 2019 VALLEY REGIONAL FIRE AUTHORITY FEE SCHEDULE AS ADOPTED BY THE VRFA BOARD OF GOVERNANCE

WHEREAS, the Valley Regional Fire Authority (VRFA) was established in 2007 under the authority of RCW 52.26 and operates as a separate municipal corporation, with independent taxing authority, and within an independent taxing district; and

WHEREAS, VRFA serves the cities of Algona, Auburn, and Pacific and is guided by a Governance Board comprised of elected officials representing each city; and

WHEREAS, on November 6, 2018 the VRFA Governance Board has adopted an updated fee schedule for 2019 the covers a portion of the direct cost of permit review, plan review, and inspection services performed out of the Fire Marshal's office; and

WHEREAS, the City of Auburn collects direct service fees on behalf of VRFA in order to support the concept of a one-stop-shop for development and permitting services; and

WHEREAS, in order to collect direct service fees on behalf of VRFA, the City of Auburn must incorporate VRFA fees into city procedures, city permitting software systems, and city financial systems.

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

Section 1. The Valley Regional Fire Authority Fee Schedule is hereby
adopted as set forth in the attached "Exhibit A" and

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

Section 3. That this Resolution shall take effect and be in full force
upon passage and signatures hereon and on February 1, 2019.

Dated and Signed this _____ day of _____, 2019.

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

Shawn Campbell, MMC, City Clerk

APPROVED AS TO FORM:

Steven L. Gross, City Attorney

Valley Regional Fire Authority 2018 2019 Fee Schedule

Effective January 1, 2018–2019 and will remain in effect unless amended by the VRFA Board of Governance

	Activity	Fee
1	Building Department Review (Includes Initial Inspection)	
1.1	Commercial Occupancy Review	35% of Jurisdictional Fee ¹
1.2	Multi-Family Occupancy Review (R2)	20% of Jurisdictional Fee ¹
1.3	Other Permit Fees (mechanical, plumbing etc...)	\$216.00 \$223.78 ³
1.4	Revisions to previously reviewed plans	\$216.00 \$223.78 ³
1.5	Single Family Occupancy Review (R3)	15% of Jurisdictional Fee ²
2	Land Use Reviews	
2.1	Boundary Line Adjustment	\$108.00 \$111.89 ³
2.2	Civil Reviews (hydrant placement, fire flow, fire department access, grading)	\$216.00 \$223.78 ³
2.3	Preliminary Plat and Plat Reviews (subdivisions)	\$216.00 \$223.78 ³
2.4	Other Permit Fees (miscellaneous, administrative, etc...)	\$108.00 \$111.89 ³
2.5	SEPA review	\$216.00 \$223.78 ³
2.6	Short Plat Review	\$216.00 \$223.78 ³
2.7	Variances	\$108.00 \$111.89 ³
2.8	Water Availability Reviews	\$108.00 \$111.89 ³
3	Fire Protection Systems (Includes Plan Review and Initial 2 Inspections) ⁴	
3.1	Commercial Automatic Fire Protection System (Fire Sprinkler)	\$356.00 \$368.82+ \$0.75 per sprinkler head over 10 heads ³
3.2	Commercial and Residential Automatic Fire Protection System (Underground Fire Sprinkler Line) (WAC 105.7.20)	\$356.00 \$368.82 per system / building ³
3.3	Commercial Automatic or Manual Fire Alarm Systems	\$356.00 \$368.82+ \$5.00 per device over 5 devices ³
3.4	Commercial Kitchen Fire Protection System	\$356.00 \$368.82 + \$0.75 per sprinkler head over 10 heads ³
3.5	Commercial: Other Fire Protection Systems (clean agent, FM200, wet or dry chemical, CO2, foam, mist, inert gas, and other systems)	\$356.00 \$368.82 + \$0.75 per sprinkler head over 10 heads ³
3.6	Emergency Responder Radio Coverage System (DAS)	\$356.00 \$368.82 +\$0.75 per device ³
3.7	Fireworks Display Permit	\$356.00 \$368.82 ³
3.8	Fireworks Sales Permit	\$108.00 \$111.89 ³

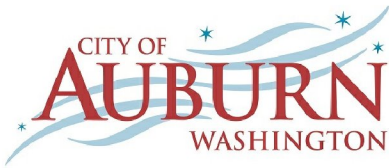
	Activity	Fee
3.9	Other Miscellaneous Plan Review not listed	\$356.00 \$368.82 ³
3.10	Over the Counter Permit (fire sprinkler with less than 10 sprinkler heads, or fire alarm with less than 5 devices)	\$108.00 \$111.89 ³
3.11	Residential (R3) Fire Sprinkler System	\$108.00 \$111.89 + \$0.75 per device over 10 devices ³
	Spray Booth Installation	
3.12	Spray Booth Fire Protection System	\$356.00 \$368.82 + \$0.75 per device over 10 devices ³
3.13	Spray Booth Fire Alarm System	\$356.00 \$368.82+ \$5.00 per device over 5 devices ³
4	Other Fire Permits (Includes Plan Review and Initial 2 inspections) ⁴	
4.1	Battery Systems	\$648.00 \$671.33 ³
4.2	New Business License Review	Included with Fire Benefit Charge
4.3	Compressed Gases	\$648.00 \$671.33 ³
4.4	Cryogenic Fluids	\$648.00 \$671.33 ³
4.5	Fire Pump & Equipment	\$648.00 \$671.33 ³
4.6	Flammable and Combustible Liquids (including above ground tanks, below ground tanks, dip tanks, etc...)	\$648.00 \$671.33 ³
4.7	Hazardous Materials Facility	\$648.00 \$671.33 ³
4.8	Industrial Ovens	\$648.00 \$671.33 ³
4.9	LP Gas Commercial	\$648.00 \$671.33 ³
4.10	LP Gas Residential	\$356.00 \$368.82 ³
4.11	Marijuana Extraction Systems (WAC 105.7.19)	\$648.00 \$671.33 ³
4.12	Commercial Heating Tank Removal	\$356.00 \$368.82 ³
4.13	Residential Home Heating Tank Removal	\$108.00 \$111.89 ³
4.14	Solar Photovoltaic Power Systems, Residential	\$393.00 \$407.15 ³
4.15	Solar Photovoltaic Power Systems, Commercial	\$648.00 \$671.33 ³
4.16	Temporary Tent/Membrane Structure > 400 square feet	\$216.00 \$223.78 ³
4.17	Working without a permit or ahead of the permit	Double the permit and inspection fee
5	Inspection Fees	
5.1	Initial Inspection	Included in the permit fee
5.2	1st Re-inspection	Included in the permit fee
5.3	2nd Re-inspection	\$216 \$223.78 for first 2 hours ³
5.4	Any subsequent (after 2nd) re-inspection	\$216 \$223.78 for first 2 hours ³

	Activity	Fee
5.5	After Hours Inspection (Outside of normal business hours)	\$162.00 \$167.83 per hour (2 hour minimum) ³
5.6	Progressive Inspections (beyond the first 2 inspections)	\$108.00 \$111.89 per hour (2 hour minimum) ³
5.7	Re-inspection (due to a failure to cancel appointment or work not ready for inspection at time of appointment)	\$108.00 111.89 per hour (2 hour minimum) ³
6	Pre-Application Fees	
6.1	Pre-Application Fees	Included with Fire Benefit Charge
7	Consultant Fees	
7.1	Use of Outside Consultants for Plan Review and Inspection, and Rapid Access Equipment	Actual Costs
8	Other Fire Authority Fees	
8.1	Fire Ambulance Transport Fee	\$821.26 \$1699.50
8.2	Fire Ambulance Transport Mileage Fee	\$16.87 per mile \$23.90 per mile
	False Alarm Responses (within a calendar year)	
8.3	Preventable Nuisance or Malfunction Alarm - 1st and 2nd violation	No Penalty
8.4	Preventable Nuisance or Malfunction Alarm - 3rd violation	\$75.00
8.5	Preventable Nuisance or Malfunction Alarm - 4 or more violations	\$150.00
9	Public Records Requests RCW70.020.010 & WAC 246-08-400	
	Description	Rate (effective 01/01/2018 2019)
9.1	General Records - paper copies	\$0.15 per page
9.2	General Records - electronic copies	\$0.10 per page + cost of media
9.3	Medical Incident Reports - Clerical Fee	\$25.00 per report
9.4	Medical Incident Reports - paper copies - Pages 1-30	\$1.12 per page
9.5	Medical Incident Reports - paper copies - Pages 31+	\$0.84 per page
9.6	Medical Incident Reports - electronic copies	\$0.10 per page + cost of media
9.7	Records mailed or shipped	Actual cost of postage and container
9.8	Video and audio tapes	Actual cost to reproduce
10	Classes and Training	
10.1	Public CPR Certification Training	\$25.00 per student

11	OPERATIONAL PERMITS	
The International Fire Code 105.6 Required Operational Permits authorizes the fire code official to issue operational permits for operations listed below.		
Permit type		Fee
11.1	Aerosol products	Included with the Fire Benefit Charge
11.2	Amusement building	Included with the Fire Benefit Charge
11.3	Aviation facilities	Included with the Fire Benefit Charge
11.4	Carbon dioxide systems	Included with the Fire Benefit Charge
11.5	Carnivals and fairs	Included with the Fire Benefit Charge
11.6	Combustible dust producing operations	Included with the Fire Benefit Charge
11.7	Combustible fibers	Included with the Fire Benefit Charge
11.8	Compressed gases	Included with the Fire Benefit Charge
11.9	Cover and open mall buildings	Included with the Fire Benefit Charge
11.10	Cryogenic fluids	Included with the Fire Benefit Charge
11.11	Cutting and welding	Included with the Fire Benefit Charge
11.12	Dry cleaning	Included with the Fire Benefit Charge
11.13	Exhibits and trade shows	Included with the Fire Benefit Charge
11.14	Explosives	Included with the Fire Benefit Charge
11.15	Flammable and combustible liquids	Included with the Fire Benefit Charge
11.16	Fruit and crop ripening	Included with the Fire Benefit Charge
11.17	Fumigation and insecticidal fogging	Included with the Fire Benefit Charge
11.18	Hazardous materials	Included with the Fire Benefit Charge
11.19	High piled storage	Included with the Fire Benefit Charge
11.20	Hot work operations	Included with the Fire Benefit Charge
11.21	Industrial ovens	Included with the Fire Benefit Charge
11.22	Lumber yards and woodworking plants	Included with the Fire Benefit Charge
11.23	Liquid or gas fueled vehicles or equipment in assembly buildings	Included with the Fire Benefit Charge
11.24	Liquid Petroleum (LP) gas	Included with the Fire Benefit Charge
11.25	Magnesium	Included with the Fire Benefit Charge
11.26	Miscellaneous combustible storage (tires, empty packing cases, rubber)	Included with the Fire Benefit Charge
11.27	Motor fuel dispensing facilities	Included with the Fire Benefit Charge
11.28	Organic coatings	Included with the Fire Benefit Charge
11.29	Place of assembly	Included with the Fire Benefit Charge
11.30	Private fire hydrants	Included with the Fire Benefit Charge
11.31	Refrigeration equipment	Included with the Fire Benefit Charge
11.32	Repair garages and motor fuel dispensing facilities	Included with the Fire Benefit Charge
11.33	Spraying or dipping operation using flammable or combustible liquids or powders	Included with the Fire Benefit Charge
11.34	Storage of tires, scrap tires, and by-products or rebuilding plants	Included with the Fire Benefit Charge
11.35	Temporary membrane structure and tents	Included with the Fire Benefit Charge
11.36	Waste handling	Included with the Fire Benefit Charge
11.37	Wood products	Included with the Fire Benefit Charge
11.38	Commercial kitchens with type I or type II hoods (ACC 10.36A.025)	Included with the Fire Benefit Charge

Explanatory notes:

1. The VRFA establishes its review and inspection fees on a percentage of the permit fee assessed by the authority having jurisdiction. Using a percentage of the jurisdictional fee as the basis of VRFA fees eliminates the need to adjust the VRFA fee schedule every time a jurisdictional fee changes.
2. The fee only applies to single family occupancies that require fire protection systems.
3. Hourly rate is based on the direct costs of VRFA staff time, salary, benefits, overhead, administrative costs, and resources.
4. Includes plan review and first two inspections.
5. Preventable nuisance and malfunction false alarms exist to reduce unwarranted calls that remove emergency apparatus from service. Though there is no penalty for 1st and 2nd violations, it provides the opportunity for the VRFA to educate owners about any mechanical problems within a system that may not be the fault of occupancy tenants. It further grants the opportunity for repair technicians to correct any deficiencies that may exist. Subsequent false alarms incur a penalty in an attempt to encourage needed repairs of the associated systems.
6. The VRFA Fire Marshal is authorized to reduce or waive any fees for permits. In compelling cases where the applicant - the party responsible for payment of such fees - is an organization exempt from taxation under 26 USC 501(c)(3), and where the permit relates directly to the provision of charitable services to residences of the VRFA service area, the VRFA Fire Marshal is vested with discretion to reduce any fees for permits, publications, and actions by up to 50%.
7. Permits that are not completed and no project improvements are made can, in writing, ask for the inspection fees to be refunded.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5401 (Gaub)

Date:

January 14, 2019

Department:

Public Works

Attachments:

[Resolution No. 5401](#)

[Exhibit "A"](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

City Council adopt Resolution No. 5401

Background Summary:

Resolution No. 5401 authorizes the Mayor to accept federal grants to be administered through the Washington State Department of Transportation (WSDOT).

The City applied for and was awarded the following federal grants:

- \$793,950.00 to finance the design, environmental permitting, and construction phases of the Lake Tapps Parkway ITS Expansion Project. This project will provide new ITS infrastructure along Lake Tapps Parkway from Lakeland Hills Way to East Valley Highway. The proposed ITS infrastructure includes conduit, new fiber optic cable, upgrading a section of existing copper interconnect with new fiber optic cable, VMS signage, traffic signal battery backup systems, traffic monitoring cameras, and network communications equipment. Additionally, new traffic signal timing and coordination plans will be developed for the East Valley Highway and Lake Tapps Parkway corridors.
- \$2,000,000.00 to finance the construction phase of the F Street Non-Motorized Improvements Project. This project will complete innovative non-motorized improvements connecting the Les Gove Community Campus to Auburn's Designated Regional Growth Center. The individual elements of this project include pavement rehabilitation, construction of curb & gutter, sidewalks, ADA accessibility improvements, bike lanes, wayfinding signage, 'Bicycle Boulevard' markings and signage, utility undergrounding, street-scaping improvements, safety improvements, traffic signal interconnect, and minor right of way acquisition needed to accommodate new ADA ramps at corners.
- \$748,000.00 to finance the construction phase of the Lakeland Hills Way Preservation Project. This project will grind, patch, and overlay Lakeland Hills Way from 57th Drive SE to Lake Tapps Parkway. The project also includes ADA upgrades to curb ramps and replacement of vehicle detection loops.
- \$889,720.00 to finance the construction phase of the Auburn Way North Preservation Phase 2. This project will grind and overlay Auburn Way North from the 22nd Street NE

to 8th Street NE, remove unused driveways, and upgrade curb ramps and pedestrian signals to meet ADA requirements.

- \$975,140.00 to finance the design, environmental permitting, and construction phase of the Auburn Way North Preservation Phase 3 Project. This project will grind and overlay Auburn Way North from the 8th Street NE vicinity to SR18 vicinity, remove unused driveways, and upgrade curb ramps and pedestrian signals to meet ADA requirements.

Funding has been made available in the approved City budget to meet the local funding match requirements of each grant. The Local Agency Agreement template used for each grant is attached for reference as Exhibit A.

Reviewed by Council Committees:

Councilmember:

Staff:

Gaub

Meeting Date: January 22, 2019

Item Number:

RES.B

RESOLUTION NO. 5401

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE MAYOR TO ACCEPT FEDERAL GRANT FUNDS TO BE ADMINISTERED THROUGH THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

WHEREAS, the City wishes to improve safety, capacity, and efficiency of the City's street network throughout Auburn; and

WHEREAS, it is in the best interest of the City to use grant monies to finance capital improvements to the transportation system; and

WHEREAS, the need for each of the improvements listed for the Lake Tapps Parkway ITS Expansion Project, the F Street Non-Motorized Improvements Project, the Lakeland Hills Way Preservation Project, Auburn Way North Preservation Phase 2, and Auburn Way North Preservation Phase 3 is recognized in Auburn's adopted Transportation Improvement Program; and

WHEREAS, completing each of these projects will improve safety, capacity, and efficiency of the City's street network; and

WHEREAS, the City applied for and was awarded the following federal grants to be administered by the Washington State Department of Transportation (WSDOT):

- \$793,950.00 to finance the design, environmental permitting, and construction phases of the Lake Tapps Parkway ITS Expansion Project;

- \$2,000,000.00 to finance the construction phase of the F Street Non-Motorized Improvements Project;
- \$748,000.00 to finance the construction phase of the Lakeland Hills Way Preservation Project;
- \$889,720.00 to finance the construction phase of the Auburn Way North Preservation Phase 2 Project;
- \$975,140.00 to finance the design, environmental permitting, and construction phase of the Auburn Way North Preservation Phase 3 Project; and

WHEREAS, funding has been made available in the approved City budget to meet the local funding match requirements for the grants.

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

Section 1. The Mayor is authorized to accept the federal grants for those grants for which the City has sought federal funding and has been awarded grants, including (1) Lake Tapps Parkway ITS Expansion Project, (2) F Street Non-Motorized Improvements Project, (3) Lakeland Hills Way Preservation Project, (4) Auburn Way North Preservation Phase 2 Project, and (5) Auburn Way North Preservation Phase 3 Project, in the amounts awarded by the granting Agency.

Section 2. The Mayor is authorized to negotiate and execute Local Agency Agreements between the City and the Washington State Department of Transportation for the design phase for each of the above-identified projects.

Section 3. The Mayor is authorized to negotiate and execute supplemental agreements consistent with project and grant requirements as may be necessary for all future phases for each of the Projects, up to the total amount of the grants and associated budget.

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

Section 5. This Resolution shall take effect and be in full force upon passage and signature.

Dated and Signed this _____ day of _____, 2019.

CITY OF AUBURN

NANCY BACKUS
MAYOR

ATTEST:

Shawn Campbell, MMC
City Clerk

Resolution No. 5401
January 4, 2019
Page 3

APPROVED AS TO FORM:

Steven L Gross
City Attorney

Resolution No. 5401
January 4, 2019
Page 4

Exhibit A



Washington State Department of Transportation

Agency

Address

Local Agency Agreement

CFDA No. 20.205

(Catalog or Federal Domestic Assistance)

Project No.

Agreement No.

For OSC WSDOT Use Only

The Local Agency having complied, or hereby agreeing to comply, with the terms and conditions set forth in (1) Title 23, U.S. Code Highways, (2) the regulations issued pursuant thereto, (3) 2 CFR Part 200, (4) the policies and procedures promulgated by the Washington State Department of Transportation, and (5) the federal aid project agreement entered into between the State and Federal Government, relative to the above project, the Washington State Department of Transportation will authorize the Local Agency to proceed on the project by a separate notification. Federal funds which are to be obligated for the project may not exceed the amount shown herein on line r, column 3, without written authority by the State, subject to the approval of the Federal Highway Administration. All project costs not reimbursed by the Federal Government shall be the responsibility of the Local Agency.

Project Description

Name

Length

Termini

Description of Work

Project Agreement End Date

Claiming Indirect Cost Rate

☐ Yes ☐ No

Proposed Advertisement Date

Type of Work		Estimate of Funding		
		(1) Estimated Total Project Funds	(2) Estimated Agency Funds	(3) Estimated Federal Funds
PE	a. Agency			
%	b. Other			
Federal Aid	c. Other			
Participation	d. State			
Ratio for PE	e. Total PE Cost Estimate (a+b+c+d)	\$ 0.00	\$ 0.00	\$ 0.00
Right of Way	f. Agency			
%	g. Other			
Federal Aid	h. Other			
Participation	i. State			
Ratio for RW	j. Total R/W Cost Estimate (f+g+h+i)	\$ 0.00	\$ 0.00	\$ 0.00
Construction	k. Contract			
%	l. Other			
Federal Aid	m. Other			
Participation	n. Other			
Ratio for CN	o. Agency			
	p. State			
	q. Total CN Cost Estimate (k+l+m+n+o+p)	\$ 0.00	\$ 0.00	\$ 0.00
	r. Total Project Cost Estimate (e+j+q)	\$ 0.00	\$ 0.00	\$ 0.00

Agency Official

Washington State Department of Transportation

By

By

Title

Director, Local Programs

Date Executed

Construction Method of Financing (Check Method Selected)**State Ad and Award**

Method A - Advance Payment - Agency Share of total construction cost (based on contract award)

Method B - Withhold from gas tax the Agency's share of total construction cost (line 5, column 2) in the amount of

\$ _____ at \$ _____ per month for _____ months.

Local Force or Local Ad and Award

Method C - Agency cost incurred with partial reimbursement

The Local Agency further stipulates that pursuant to said Title 23, regulations and policies and procedures, and as a condition to payment of the federal funds obligated, it accepts and will comply with the applicable provisions set forth below. Adopted by official action on _____, Resolution/Ordinance No. _____.

Provisions**I. Scope of Work**

The Agency shall provide all the work, labor, materials, and services necessary to perform the project which is described and set forth in detail in the "Project Description" and "Type of Work."

When the State acts for and on behalf of the Agency, the State shall be deemed an agent of the Agency and shall perform the services described and indicated in "Type of Work" on the face of this agreement, in accordance with plans and specifications as proposed by the Agency and approved by the State and the Federal Highway Administration.

When the State acts for the Agency but is not subject to the right of control by the Agency, the State shall have the right to perform the work subject to the ordinary procedures of the State and Federal Highway Administration.

II. Delegation of Authority

The State is willing to fulfill the responsibilities to the Federal Government by the administration of this project. The Agency agrees that the State shall have the full authority to carry out this administration. The State shall review, process, and approve documents required for federal aid reimbursement in accordance with federal requirements. If the State advertises and awards the contract, the State will further act for the Agency in all matters concerning the project as requested by the Agency. If the Local Agency advertises and awards the project, the State shall review the work to ensure conformity with the approved plans and specifications.

III. Project Administration

Certain types of work and services shall be provided by the State on this project as requested by the Agency and described in the Type of Work above. In addition, the State will furnish qualified personnel for the supervision and inspection of the work in progress. On Local Agency advertised and awarded projects, the supervision and inspection shall be limited to ensuring all work is in conformance with approved plans, specifications, and federal aid requirements. The salary of such engineer or other supervisor and all other salaries and costs incurred by State forces upon the project will be considered a cost thereof. All costs related to this project incurred by employees of the State in the customary manner on highway payrolls and vouchers shall be charged as costs of the project.

IV. Availability of Records

All project records in support of all costs incurred and actual expenditures kept by the Agency are to be maintained in accordance with local government accounting procedures prescribed by the Washington State Auditor's Office, the U.S. Department of Transportation, and the Washington State Department of Transportation. The records shall be open to inspection by the State and Federal Government at all reasonable times and shall be retained and made available for such inspection for a period of not less than three years from the final payment of any federal aid funds to the Agency. Copies of said records shall be furnished to the State and/or Federal Government upon request.

V. Compliance with Provisions

The Agency shall not incur any federal aid participation costs on any classification of work on this project until authorized in writing by the State for each classification. The classifications of work for projects are:

1. Preliminary engineering.
2. Right of way acquisition.
3. Project construction.

Once written authorization is given, the Agency agrees to show continuous progress through monthly billings. Failure to show continuous progress may result the Agency's project becoming inactive, as described in 23 CFR 630, and subject to de-obligation of federal aid funds and/or agreement closure.

If right of way acquisition, or actual construction of the road for which preliminary engineering is undertaken is not started by the close of the tenth fiscal year following the fiscal year in which preliminary engineering phase was authorized, the Agency will repay to the State the sum or sums of federal funds paid to the Agency under the terms of this agreement (see Section IX).

If actual construction of the road for which right of way has been purchased is not started by the close of the tenth fiscal year following the fiscal year in which the right of way phase was authorized, the Agency will repay to the State the sum or sums of federal funds paid to the Agency under the terms of this agreement (see Section IX).

The Agency agrees that all stages of construction necessary to provide the initially planned complete facility within the limits of this project will conform to at least the minimum values set by approved statewide design standards applicable to this class of highways, even though such additional work is financed without federal aid participation.

The Agency agrees that on federal aid highway construction projects, the current federal aid regulations which apply to liquidated damages relative to the basis of federal participation in the project cost shall be applicable in the event the contractor fails to complete the contract within the contract time.

VI. Payment and Partial Reimbursement

The total cost of the project, including all review and engineering costs and other expenses of the State, is to be paid by the Agency and by the Federal Government. Federal funding shall be in accordance with the Federal Transportation Act, as amended, 2 CFR Part 200. The State shall not be ultimately responsible for any of the costs of the project. The Agency shall be ultimately responsible for all costs associated with the project which are not reimbursed by the Federal Government. Nothing in this agreement shall be construed as a promise by the State as to the amount or nature of federal participation in this project.

The Agency shall bill the state for federal aid project costs incurred in conformity with applicable federal and state laws. The agency shall minimize the time elapsed between receipt of federal aid funds and subsequent payment of incurred costs. Expenditures by the Local Agency for maintenance, general administration, supervision, and other overhead shall not be eligible for federal participation unless a current indirect cost plan has been prepared in accordance with the regulations outlined in 2 CFR Part 200 - Uniform Admin Requirements, Cost Principles and Audit Requirements for Federal Awards, and retained for audit.

The State will pay for State incurred costs on the project. Following payment, the State shall bill the Federal Government for reimbursement of those costs eligible for federal participation to the extent that such costs are attributable and properly allocable to this project. The State shall bill the Agency for that portion of State costs which were not reimbursed by the Federal Government (see Section IX).

1. Project Construction Costs

Project construction financing will be accomplished by one of the three methods as indicated in this agreement.

Method A – The Agency will place with the State, within (20) days after the execution of the construction contract, an advance in the amount of the Agency's share of the total construction cost based on the contract award. The State will notify the Agency of the exact amount to be deposited with the State. The State will pay all costs incurred under the contract upon presentation of progress billings from the contractor. Following such payments, the State will submit a billing to the Federal Government for the federal aid participation share of the cost. When the project is substantially completed and final actual costs of the project can be determined, the State will present the Agency with a final billing showing the amount due the State or the amount due the Agency. This billing will be cleared by either a payment from the Agency to the State or by a refund from the State to the Agency.

Method B – The Agency's share of the total construction cost as shown on the face of this agreement shall be withheld from its monthly fuel tax allotments. The face of this agreement establishes the months in which the withholding shall take place and the exact amount to be withheld each month. The extent of withholding will be confirmed by letter from the State at the time of contract award. Upon receipt of progress billings from the contractor, the State will submit such billings to the Federal Government for payment of its participating portion of such billings.

Method C – The Agency may submit vouchers to the State in the format prescribed by the State, in duplicate, not more than once per month for those costs eligible for Federal participation to the extent that such costs are directly attributable and properly allocable to this project. Expenditures by the Local Agency for maintenance, general administration, supervision, and other overhead shall not be eligible for Federal participation unless claimed under a previously approved indirect cost plan.

The State shall reimburse the Agency for the Federal share of eligible project costs up to the amount shown on the face of this agreement. At the time of audit, the Agency will provide documentation of all costs incurred on the project. The State shall bill the Agency for all costs incurred by the State relative to the project. The State shall also bill the Agency for the federal funds paid by the State to the Agency for project costs which are subsequently determined to be ineligible for federal participation (see Section IX).

VII. Audit of Federal Consultant Contracts

The Agency, if services of a consultant are required, shall be responsible for audit of the consultant's records to determine eligible federal aid costs on the project. The report of said audit shall be in the Agency's files and made available to the State and the Federal Government.

An audit shall be conducted by the WSDOT Internal Audit Office in accordance with generally accepted governmental auditing standards as issued by the United States General Accounting Office by the Comptroller General of the United States; WSDOT Manual M 27-50, Consultant Authorization, Selection, and Agreement Administration; memoranda of understanding between WSDOT and FHWA; and 2 CFR Part 200.501 - Audit Requirements.

If upon audit it is found that overpayment or participation of federal money in ineligible items of cost has occurred, the Agency shall reimburse the State for the amount of such overpayment or excess participation (see Section IX).

VIII. Single Audit Act

The Agency, as a subrecipient of federal funds, shall adhere to the federal regulations outlined in 2 CFR Part 200.501 as well as all applicable federal and state statutes and regulations. A subrecipient who expends \$750,000 or more in federal awards from all sources during a given fiscal year shall have a single or program-specific audit performed for that year in accordance with the provisions of 2 CFR Part 200.501. Upon conclusion of the audit, the Agency shall be responsible for ensuring that a copy of the report is transmitted promptly to the State.

IX. Payment of Billing

The Agency agrees that if payment or arrangement for payment of any of the State's billing relative to the project (e.g., State force work, project cancellation, overpayment, cost ineligible for federal participation, etc.) is not made to the State within 45 days after the Agency has been billed, the State shall effect reimbursement of the total sum due from the regular monthly fuel tax allotments to the Agency from the Motor Vehicle Fund. No additional Federal project funding will be approved until full payment is received unless otherwise directed by the Director, Local Programs.

Project Agreement End Date - This date is based on your projects Period of Performance (2 CFR Part 200.309).

Any costs incurred after the Project Agreement End Date are NOT eligible for federal reimbursement. All eligible costs incurred prior to the Project Agreement End Date must be submitted for reimbursement within 90 days after the Project Agreement End Date or they become ineligible for federal reimbursement.

X. Traffic Control, Signing, Marking, and Roadway Maintenance

The Agency will not permit any changes to be made in the provisions for parking regulations and traffic control on this project without prior approval of the State and Federal Highway Administration. The Agency will not install or permit to be installed any signs, signals, or markings not in conformance with the standards approved by the Federal Highway Administration and MUTCD. The Agency will, at its own expense, maintain the improvement covered by this agreement.

XI. Indemnity

The Agency shall hold the Federal Government and the State harmless from and shall process and defend at its own expense all claims, demands, or suits, whether at law or equity brought against the Agency, State, or Federal Government, arising from the Agency's execution, performance, or failure to perform any of the provisions of this agreement, or of any other agreement or contract connected with this agreement, or arising by reason of the participation of the State or Federal Government in the project, PROVIDED, nothing herein shall require the Agency to reimburse the State or the Federal Government for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the Federal Government or the State.

XII. Nondiscrimination Provision

No liability shall attach to the State or Federal Government except as expressly provided herein.

The Agency shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract and/or agreement or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts and agreements. The WSDOT's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Agency of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

The Agency hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the rules and regulations of the Secretary of Labor in 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance, or guarantee or understanding pursuant to any federal program involving such grant, contract, loan, insurance, or guarantee, the required contract provisions for Federal-Aid Contracts (FHWA 1273), located in Chapter 44 of the Local Agency Guidelines.

The Agency further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, that if the applicant so participating is a State or Local Government, the above equal opportunity clause is not applicable to any agency, instrumentality, or subdivision of such government which does not participate in work on or under the contract.

The Agency also agrees:

- (1) To assist and cooperate actively with the State in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and rules, regulations, and relevant orders of the Secretary of Labor.
- (2) To furnish the State such information as it may require for the supervision of such compliance and that it will otherwise assist the State in the discharge of its primary responsibility for securing compliance.
- (3) To refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, government contracts and federally assisted construction contracts pursuant to the Executive Order.
- (4) To carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the State, Federal Highway Administration, or the Secretary of Labor pursuant to Part II, subpart D of the Executive Order.

In addition, the Agency agrees that if it fails or refuses to comply with these undertakings, the State may take any or all of the following actions:

- (a) Cancel, terminate, or suspend this agreement in whole or in part;
- (b) Refrain from extending any further assistance to the Agency under the program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the Agency; and
- (c) Refer the case to the Department of Justice for appropriate legal proceedings.

XIII. Liquidated Damages

The Agency hereby agrees that the liquidated damages provisions of 23 CFR Part 635, Subpart 127, as supplemented, relative to the amount of Federal participation in the project cost, shall be applicable in the event the contractor fails to complete the contract within the contract time. Failure to include liquidated damages provision will not relieve the Agency from reduction of federal participation in accordance with this paragraph.

XIV. Termination for Public Convenience

The Secretary of the Washington State Department of Transportation may terminate the contract in whole, or from time to time in part, whenever:

- (1) The requisite federal funding becomes unavailable through failure of appropriation or otherwise.
- (2) The contractor is prevented from proceeding with the work as a direct result of an Executive Order of the President with respect to the prosecution of war or in the interest of national defense, or an Executive Order of the President or Governor of the State with respect to the preservation of energy resources.
- (3) The contractor is prevented from proceeding with the work by reason of a preliminary, special, or permanent restraining order of a court of competent jurisdiction where the issuance of such order is primarily caused by the acts or omissions of persons or agencies other than the contractor.
- (4) The Secretary is notified by the Federal Highway Administration that the project is inactive.
- (5) The Secretary determines that such termination is in the best interests of the State.

XV. Venue for Claims and/or Causes of Action

For the convenience of the parties to this contract, it is agreed that any claims and/or causes of action which the Local Agency has against the State of Washington, growing out of this contract or the project with which it is concerned, shall be brought only in the Superior Court for Thurston County.

XVI. Certification Regarding the Restrictions of the Use of Federal Funds for Lobbying

The approving authority certifies, to the best of his or her knowledge and belief, that:

- (1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit the Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, and contracts and subcontracts under grants, subgrants, loans, and cooperative agreements) which exceed \$100,000, and that all such subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification as a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

XVII. Assurances

Local agencies receiving Federal funding from the USDOT or its operating administrations (i.e., Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration) are required to submit a written policy statement, signed by the Agency Executive and addressed to the State, documenting that all programs, activities, and services will be conducted in compliance with Section 504 and the Americans with Disabilities Act (ADA).

Additional Provisions