



City Council Meeting
January 17, 2017 - 7:00 PM
Auburn City Hall
AGENDA

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[Watch the meeting video](#)

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

I. CALL TO ORDER

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

II. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

- A. Children's Dental Health Month Proclamation
Mayor Backus to proclaim February 2017 as "Children's Dental Health Month" in the City of Auburn.

III. APPOINTMENTS

- A. Auburn Municipal Airport Advisory Board
City Council to confirm the following appointments to the Auburn Municipal Airport Advisory Committee. Each will be appointed to serve a three year term, expiring December 31, 2019:

Deanna Clark
Mark Kornei

IV. AGENDA MODIFICATIONS

V. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE

- A. **Public Hearings**
No public hearing is scheduled for this evening.
- B. **Audience Participation**
This is the place on the agenda where the public is invited to speak to the City Council on any issue. Those wishing to speak are reminded to sign in on the form provided.
- C. **Correspondence**
There is no correspondence for Council review.

VI. COUNCIL AD HOC COMMITTEE REPORTS

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

VII. CONSENT AGENDA

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

A. Minutes of the January 3, 2017 City Council Meeting*

B. Claims Vouchers (Coleman)

2016 claims voucher numbers 442174 and voucher number 442177 through 442331 in the amount of \$2,986,427.06 and two wire transfers in the amount of \$549,207.54 and dated January 17, 2017.

2017 claims voucher numbers 442175 and 442176 and voucher number 442332 through 442408 in the amount of \$2,856,549.79 and two wire transfers in the amount of \$1,801.08 and dated January 17, 2017.

C. Payroll Vouchers (Coleman)

Payroll check numbers 537027 through 537066 in the amount of \$593,247.57, electronic deposit transmissions in the amount of \$1,437,912.81 for a grand total of \$2,031,160.38 for the period covering December 29, 2016 to January 11, 2017.

D. Public Works Project No. CP1408* (Snyder)

City Council approve Final Pay Estimate No. 5 to Contract No. 14-25 in the amount of \$0.00 and accept construction of Project No. CP1408, Hangar Row 3 Improvements

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

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

X. ORDINANCES

A. Ordinance No. 6634* (Hinman)

An Ordinance of the City Council of the City of Auburn, Washington, amending Sections 2.76.020, 2.76.040, 2.77.010, 2.77.020, 2.77.040 and 2.77.050 of the Auburn City Code relating to the City's tourism promotional efforts

(RECOMMENDED ACTION: City Council adopt Ordinance No. 6634.)

B. Ordinance No. 6635* (Coleman)

An Ordinance of the City Council of the City of Auburn, Washington, amending Auburn City Code Sections 3.04.600 and 3.04.610 of the Auburn City Code relating to funds

(RECOMMENDED ACTION: City Council adopt Ordinance No. 6635.)

XI. RESOLUTIONS

A. Resolution No. 5270* (Snyder)

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor and City Clerk to execute a contract between the City of Auburn and the City of Algona for decant facilities usage and street sweeping services

(RECOMMENDED ACTION: City Council adopt Resolution No. 5270.)

XII. MAYOR AND COUNCILMEMBER REPORTS

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

A. **From the Council**

B. **From the Mayor**

XIII. ADJOURNMENT

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

*Denotes attachments included in the agenda packet.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes of the January 3, 2017 City Council Meeting

Date:

January 9, 2017

Department:

Administration

Attachments:

[Minutes](#)

Budget Impact:

\$0

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

Meeting Date: January 17, 2017

Item Number: CA.A



City Council Meeting
January 3, 2017 - 7:00 PM
Auburn City Hall
MINUTES

I. CALL TO ORDER

A. Pledge of Allegiance

Mayor Nancy Backus called the meeting to order at 7:00 p.m. in the City Hall Council Chambers located at 25 West Main Street in Auburn. Mayor Backus led those in attendance in the Pledge of Allegiance.

B. Roll Call

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

Mayor Nancy Backus was in attendance, and the following department directors and staff members were present: City Attorney Daniel B. Heid, Human Resources and Risk Management Director Rob Roscoe, Community Development and Public Works Director Kevin Snyder, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Police Commander Steve Stocker, Director of Administration Dana Hinman, Innovation and Technology Director Paul Haugan, Finance Director Shelley Coleman, Parks, Arts and Recreation Director Daryl Faber, and City Clerk Danielle Daskam.

II. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

A. Korean American Day Proclamation

Mayor Backus to proclaim January 13, 2017 as Korean American Day in the city of Auburn.

Mayor Backus read and presented a proclamation declaring January 13, 2017 as Korean- American Day in the city of Auburn. Mike Park and members of the Washington State Korean-American Day Celebration Foundation Committee accepted the proclamation.

B. Service Award

Mayor Backus presented City Attorney Dan Heid with his 15 year pin commemorating his service with the City of Auburn. Dan was the City Attorney for the cities of Sunnyside, Toppenish, SeaTac, and Lakewood prior to serving as City Attorney for Auburn. Dan served as a Navy Corpsman alongside the Marines in Viet Nam. Dan received the Washington State Association of Municipal Attorneys (WSAMA) Outstanding Service Award, the WSAMA Honorary Life Membership Award, and the WSAMA Ernest H. Campbell Award (for outstanding

contributions to municipal law). Dan has also authored or co-authored more than fifty reported appellate cases. Mayor Backus thanked Dan for his service to the City.

III. **APPOINTMENTS**

A. **Arts Commission Appointments**

City Council confirm the following appointments to the Arts Commission. Each will be appointed to serve a three year term, expiring December 31, 2019:

Amy Sie
Kelley Kuhlman
Kenneth Greg Watson

Deputy Mayor Wales moved and Councilmember Peloza seconded to confirm the appointments to the Arts Commission.

MOTION CARRIED UNANIMOUSLY. 7-0

B. **Board and Commission Reappointments**

City Council to confirm the following Board and Commission reappointments for three year terms ending December 31, 2019:

Arts Commission

Jan Jensen
Charlotte Gollnick
Cary Davidson
Donna Smart

Auburn Lodging Tax Advisory Committee

Bob Fraser
Chantelle Herburger
Satpal Sohal

Cemetery Board

Judi Roland
Warren Olson

Human Services Committee

Barbara Derda

Planning Commission

Ronald Copple
Joan Mason

Salary Commission

Ronald Beyersdorf

Urban Tree Board

Brooksie Hall

James Tourangeau

Deputy Mayor Wales moved and Councilmember Baggett seconded to confirm the re-appointments to the Arts Commission, Auburn Lodging Tax Advisory Committee, Cemetery Board, Human Services Committee, Planning Commission, Salary Commission and Urban Tree Board.

MOTION CARRIED UNANIMOUSLY. 7-0

IV. **AGENDA MODIFICATIONS**

There was no change to the agenda.

V. **CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE**

A. **Public Hearings**

There was no public hearing 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.

Jim Olson, 32460 56th Avenue South, Auburn

Mr. Olson spoke regarding the \$20.00 vehicle license fee recently approved by the Auburn Transportation Benefit District. He expressed opposition to the vehicle license fee because there is no exemption for low income residents. He also expressed concern with increased development between 51st and 58th Avenues.

Elam Anderson, 301 28th Street SE, Auburn

Mr. Anderson expressed concern with the amount of fluoride in the City's water and urged the City to discontinue the use of fluoride in the City's water. Mr. Anderson also spoke against the use of plastic bottles.

Virginia Haugen, 2503 R Street SE, Auburn

Ms. Haugen commended Mayor Backus, City Council and staff for their work. She reiterated the concerns expressed by the previous speakers.

C. **Correspondence**

There was no correspondence for Council review.

VI. **COUNCIL AD HOC COMMITTEE REPORTS**

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

Councilmember Baggett reported on behalf of the Finance ad hoc committee that reviews claims and payroll vouchers. Councilmember Baggett reported that he and Councilmember Wagner reviewed the claims and payroll vouchers as presented and described on this evening's agenda and recommend City Council approval.

Councilmember Wagner reported on behalf of the ad hoc committee established to review the Council structure. Councilmember Wagner reported that he and Councilmembers DaCorsi and Holman met and will be prepared to report out to Council at the next study session.

VII. CONSENT AGENDA

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

- A. Minutes of the December 19, 2016 City Council Meeting
- B. Claims Vouchers (Coleman)
2016 claims voucher numbers 441961 through 441965 and voucher numbers 441968 through 442161 in the amount of \$1,825,221.60 and four wire transfers in the amount of \$399,594.72 and dated January 3, 2017.

2017 claims voucher numbers 441966 through 441967 and voucher numbers 442162 through 442173 in the amount of \$109,171.66 and one wire transfer in the amount of \$440,807.04 and dated January 3, 2017.

- C. Payroll Vouchers (Coleman)
Payroll check numbers 536999 through 537026 in the amount of \$747,604.90 and electronic deposit transmissions in the amount of \$1,397,459.98 for a grand total of \$2,145,064.88 for the period covering December 15, 2016 to December 28, 2016.

Deputy Mayor Wales moved and Councilmember DaCorsi seconded to approve the Consent Agenda.

MOTION CARRIED UNANIMOUSLY. 7-0

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. NEW BUSINESS

There was no new business.

X. RESOLUTIONS

- A. Resolution No. 5266 (Snyder)
A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to accept a grant from the Washington State Transportation Improvement Board for construction of the Auburn Way South (SR-164) Sidewalk Improvement Project

Councilmember Holman moved and Councilmember Baggett seconded to adopt Resolution No. 5266.

MOTION CARRIED UNANIMOUSLY. 7-0

- B. Resolution No. 5267 (Roscoe)
A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute a second addendum to the Public Defense Services contract between Cayce & Grove and the City of Auburn, providing for an extension thereof for one additional year

Councilmember Holman moved and Councilmember Wagner seconded to adopt Resolution No. 5267.

Councilmember Holman stated Cayce & Grove have been providing public defense services to the City for several years. Resolution No. 5267 provides for an extension of the contract.

Human Resources and Risk Management Director Roscoe reported the firm of Cayce & Grove provides a monthly report as well as an annual summary report of the number of case filings. Mr. Roscoe stated he would forward a copy of the report to the City Councilmembers.

MOTION CARRIED UNANIMOUSLY. 7-0

- C. Resolution No. 5269 (Roscoe)
A Resolution of the City Council of the City of Auburn, Washington, approving and authorizing the Administrative Services Agreement between the City of Auburn and ICMA Retirement Corporation

Councilmember Holman moved and Councilmember DaCorsi seconded to adopt Resolution No. 5269.

MOTION CARRIED UNANIMOUSLY. 7-0

XI. MAYOR AND COUNCILMEMBER REPORTS

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

A. From the Council

Deputy Mayor Wales reported she visited local congregations to discuss the needs of the homeless. Deputy Mayor Wales also stated she visited residents on the West Hill who have concerns with traffic and lack of sidewalks, particularly in the vicinity of Evergreen Heights Elementary School.

Councilmember Trout-Manuel reported she volunteered to serve lunch at the Senior Center along with Councilmember Pelozza and his wife. Councilmember Trout-Manuel also reported on her participation at the Mayor's Blue Ribbon Committee on Healthy Auburn for Life.

Councilmember Pelozza reported that while on a visit to the VA Hospital in Seattle, he noticed a large number of homeless and a large amount of trash and garbage left by the homeless on public rights-of-way. Councilmember Pelozza stated he reported the condition to King County

Councilmember von Reichbauer and the Director of King County Public Health as a public health issue.

B. From the Mayor

Mayor Backus reported she participated in the Night Before Christmas event at the Community and Event Center. Mayor Backus reported that the Economic Development Council-Seattle recently filmed in Auburn for its promotional materials as part of the upcoming Economic Development Forecasting Conference that will be held in Seattle. Mayor Backus also met with Dr. Jim Brass from Help Northwest, whose youth are performing community service in Auburn providing first response and emergency response services. Mayor Backus reported she and Councilmember DaCorsi met with residents of the River Mobile Home community to discuss traffic safety issues and solutions. Mayor Backus also reported on her participation in the Auburn Food Bank Christmas basket distribution; Mayor Backus noted the number of those needing help from the food bank has diminished over the past three years according to the Food Bank Director.

XII. EXECUTIVE SESSION

A. Closed Session

Mayor Backus recessed the meeting to closed session at 7:50 p.m. to discuss collective bargaining negotiations pursuant to RCW 42.30.140 (4). City Attorney Heid and Human Resources and Risk Management Director Roscoe attended the closed session.

Mayor Backus reconvened the meeting at 8:06 p.m.

City Attorney Heid read the title of Resolution No. 5268:

Resolution No. 5268

A Resolution of the City Council of the City of Auburn, Washington, approving the Collective Bargaining Agreement between the City of Auburn and Teamsters Union Local No. 117 - Outside Unit

Deputy Mayor Wales moved and Councilmember DaCorsi seconded to adopt Resolution No. 5268.

MOTION CARRIED UNANIMOUSLY. 7-0

XIII. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 8:07 p.m.

APPROVED this 17th day of January, 2017.

NANCY BACKUS, MAYOR

Danielle Daskam, City Clerk

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AGENDA BILL APPROVAL FORM

Agenda Subject:

Claims Vouchers

Date:

January 11, 2017

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:

\$0

Administrative Recommendation:

City Council approve the claims vouchers.

Background Summary:

2016 claims voucher numbers 442174 and voucher number 442177 through 442331 in the amount of \$2,986,427.06 and two wire transfers in the amount of \$549,207.54 and dated January 17, 2017.

2017 claims voucher numbers 442175 and 442176 and voucher number 442332 through 442408 in the amount of \$2,856,549.79 and two wire transfers in the amount of \$1,801.08 and dated January 17, 2017.

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

Coleman

Meeting Date: January 17, 2017

Item Number: CA.B



AGENDA BILL APPROVAL FORM

Agenda Subject:

Payroll Vouchers

Date:

January 10, 2017

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:

\$0

Administrative Recommendation:

City Council approve payroll vouchers.

Background Summary:

Payroll check numbers 537027 through 537066 in the amount of \$593,247.57, electronic deposit transmissions in the amount of \$1,437,912.81 for a grand total of \$2,031,160.38 for the period covering December 29, 2016 to January 11, 2017.

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

Coleman

Meeting Date: January 17, 2017

Item Number: CA.C



AGENDA BILL APPROVAL FORM

Agenda Subject:

Public Works Project No. CP1408

Date:

January 10, 2017

Department:

CD & PW

Attachments:

[Budget Status Sheet](#)

[Final Pay Estimate](#)

[Vicinity Map](#)

Budget Impact:

\$0

Administrative Recommendation:

City Council approve Final Pay Estimate No. 5 to Contract No. 14-25 in the amount of \$0.00 and accept construction of Project No. CP1408, Hangar Row 3 Improvements.

Background Summary:

This project converted 17 open hangers to enclosed hangars at the Auburn Municipal Airport. This was accomplished by adding sliding doors, interior fire/partition walls, and a fire alarm system to an existing row of open hangars. The attached vicinity map shows the specific row of hangars that was converted.

A project budget contingency of \$68,146.00 remains in the 465 (Airport) Fund.

The final contract amount is within the budget and within the authorized contingency for the project.

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

Snyder

Meeting Date: January 17, 2017

Item Number: CA.D

BUDGET STATUS SHEET

Project No: CP1408	Project Title: Hangar Row 3 Improvements
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Project Manager: Seth Wickstrom

Initiation Date: Oct 29, 2014
 Advertisement Date: Nov 19, 2014
 Award Date: Dec 15, 2014

- ☐ Project Initiation

☐ Permission to Advertise

☐ Contract Award

☐ Change Order Approval

☒ Contract Final Acceptance

Date: January 10, 2017

The "Future Years" column indicates the projected amount to be requested in future budgets.

Funds Budgeted (Funds Available)

Funding	Prior Years	2015	2016	Future Years	Total
465 Fund - Airport	18,815	274,129	72,871		365,815
Total	18,815	274,129	72,871	0	365,815

Estimated Cost (Funds Needed)

Activity	Prior Years	2015	2016	Future Years	Total
Design Engineering - City Costs*					0
Design - Permit Fees	3,050				3,050
Design Engineering - Consultant Costs	15,765	12,370			28,136
Construction Contract Bid		240,082			240,082
Change Order #1		10,974			10,974
Change Order #2		807			807
Change Order #3		2,738			2,738
Construction Engineering - City Costs*					0
Construction Engineering - Consultant Costs		7,158	4,725		11,883
Total	18,815	274,129	4,725	0	297,669

*City staff costs were not charged against the project budget and are not shown here.

465 Airport Budget Status

	Prior Years	2015	2016	Future Years	Total
**465 Funds Budgeted ()	(18,815)	(274,129)	(72,871)	0	(365,815)
465 Funds Needed	18,815	274,129	4,725	0	297,669
**465 Fund Project Contingency ()	0	0	(68,146)	0	(68,146)
465 Funds Required	0	0	0	0	0

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

CITY OF AUBURN
CP1408
PAY ESTIMATE #5

CO. NO. 14-25
Hangar Row 3 Improvements
SCHEDULE A: Hangar Improvements

ITEM NO.	ITEM DESCRIPTION	ESTIMATE QUANTITY	TOTAL QUANTITY	PERIOD QUANTITY	UNIT TYPE	UNIT COST	TOTAL COST	PERIOD COST	PERCENT EST. QTY.
1	Hangar Improvements	1	1	0	LS	\$ 219,253.30	\$ 219,253.30	\$ -	100%
CO1-1	Hangar Door Panels - Winter White	7,650	7,650	0	LS	\$ 1.31	\$ 10,021.50	\$ -	100%
CO2-1	Hangars 301/317 Door Reconfiguration	1	1	0	EA	\$ 737.31	\$ 737.30	\$ -	100%
CO3-1	Replace Lower Track Anchor Bolts	1	1	0	EA	\$ 2,500.00	\$ 2,500.00	\$ -	100%

SCHEDULE TOTAL \$ -

Period Dates
Begin: June 2, 2015
End: July 21, 2016

**CITY OF AUBURN
PROJECT SUMMARY**

**CP1408, Hangar Row 3 Improvements
CO. NO. 14-25**

PAY ESTIMATE #5 & FINAL

	Original Contract Amount	Contract Change Orders	Total Payment	This Period	Percent/Contract
SCHEDULE A: Hangar Improvements					
Contract	\$ 219,253.30	\$ 13,258.81	\$ 232,512.10	\$ -	100%
Sales Tax (+9.5%)	\$ 20,829.06	\$ 1,259.59	\$ 22,088.65	\$ -	
Retainage (-5%)			\$ (11,625.61)	\$ -	
SCHEDULE TOTAL	\$ 240,082.36	\$ 14,518.40	\$ 242,975.14	\$ -	

TOTAL CONTRACT AMOUNT TO DATE (including Sales Tax)	\$	254,600.75	
TOTAL PAYMENT TO CONTRACTOR	\$	242,975.14	\$ -
PAYMENT DUE CONTRACTOR:		\$	-

Period Dates
Begin: June 2, 2015
End: July 21, 2016

CITY OF AUBURN
CP1408

CO. NO. 14-25
Hangar Row 3 Improvements

PAY ESTIMATE #5 & FINAL

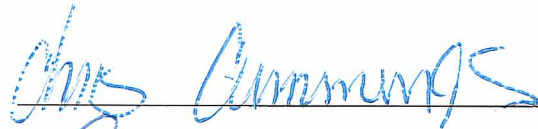
CONTRACTOR:
CFC Construction LLC
20233 SE 192nd Street
Renton, WA 98058

The undersigned has reviewed and approved this final pay estimate. I agree that it is a true and correct statement showing all monies due me from the City of Auburn under this contract; that I have carefully examined the final pay estimate estimate and understand it and that I hereby release the City of Auburn from any and all claims of whatsoever nature which I may have, arising out of this contract, which are not set forth in this estimate.

PAY AMOUNT DUE CONTRACT = \$ -

Signatures:

Contractor



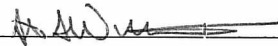
Date 12-19-16

Inspector



Date 1/9/16

Project Manager



Date 1/9/17

City Engineer

Date

Vicinity Map (CP1408)

Printed Date: 1/10/2017
Map Created by City of Auburn eGIS
Imagery Date: May 2015



NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet

CA.D

Information shown is for general reference purposes only and does not necessarily represent exact geographic or cartographic data as mapped. The City of Auburn makes no warranty as to its accuracy.





AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6634

Date:

January 11, 2017

Department:

Administration

Attachments:

[Ordinance 6634](#)

[Ordinance 5920](#)

[ACC 2.77](#)

Budget Impact:

\$0

Administrative Recommendation:

City Council adopt Ordinance No. 6634.

Background Summary:

Ordinance No. 6634 looks to eliminate overlapping functions, clarify roles and responsibilities, and condense the number of meetings necessary to carry out the functions of the Lodging Tax Advisory Committee and the Tourism Board in relation to the collection of lodging tax revenues and tourism related activities. Both have additional spots for members in an effort to increase the likelihood of quorums; therefore, allowing the board to be more efficient and timely when it comes to decision-making. Furthermore, the Tourism Board has removed the requirement for an elected official, however, the Lodging Tax Advisory Committee will retain an elected official as one of its required members.

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

Hinman

Meeting Date: January 17, 2017

Item Number: ORD.A

ORDINANCE NO. 6 6 3 4

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING SECTIONS 2.76.020, 2.76.040, 2.77.010, 2.77.020, 2.77.040 AND 2.77.050 OF THE CITY CODE, RELATING TO THE CITY'S TOURISM PROMOTIONAL EFFORTS

WHEREAS, the City of Auburn (the "City") has a lodging tax advisory committee, pursuant to Revised Code of Washington (RCW) 67.28.1817, which advises the Auburn City Council on lodging tax matters; and

WHEREAS, pursuant to RCW 67.28.1816, lodging tax revenues can only be spent on tourism marketing, marketing and operation of special events and festivals designed to attract tourists, supporting the operations and capital expenditures of tourism-related facilities owned or operated by a municipality or a public facilities district, or supporting the operations of tourism-related facilities owned or operated by nonprofit organizations; and

WHEREAS, the City also has a tourism board, created by City Council Ordinance No. 6041, which is charged with addressing issues related to tourism; and

WHEREAS, the overlapping functions of the lodging tax advisory committee and the tourism board necessitate close cooperation between the two bodies; and WHEREAS, close cooperation between the lodging tax advisory committee and the tourism board can produce effective City tourism promotional efforts that benefit the citizens, residents, and businesses of Auburn.

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

Section 1. Amendment to City Code.

Section 2.76.020 of the City of

Auburn City Code is amended to read as follows

Ordinance No. 6634
January 10, 2017

Page 1 of 5
ORD.A

2.76.020 Membership.

The Auburn lodging tax advisory committee shall consist of ~~at least five~~seven members as follows:

A. ~~Two~~Three members appointed by the city council who are representatives of businesses required to collect tax under Chapter 67.28 RCW, including two regular members and one alternate member who is authorized to vote on any matter before the Auburn lodging tax advisory committee when serving in lieu of a regular member.

B. ~~Two~~Three members appointed by the city council who are persons involved in activities authorized to be funded by revenue received under Chapter 67.28 RCW, including two regular members and one alternate member who is authorized to vote on any matter before the Auburn lodging tax advisory committee when serving in lieu of a regular member.

C. Persons who are eligible for appointment under subsection A of this section are not eligible for appointment under subsection B of this section and persons who are eligible for appointment under subsection B of this section are not eligible for appointment under subsection A of this section.

D. One elected official appointed by the mayor and confirmed by the city council shall serve as chair of the Auburn lodging tax advisory committee.

E. ~~The city council shall review the membership of the committee annually and make changes as appropriate.~~ Persons who are members of the Auburn tourism board are not eligible for appointment to the Auburn lodging tax advisory committee.

F. Subject to the provisions of chapter 2.30 of the city code and at the pleasure of the city council, members of the lodging tax advisory committee shall serve for a term of three years or until appointment of a successor member, whichever is later. It is provided, however, that, one member shall be initially appointed for a three- year term; one member shall be initially appointed for a two-year term; and one member shall be initially appointed for a one-year term. In case of any vacancies on the committee, vacancies shall be filled consistent with the procedures set forth in section 2.30.030 for the unexpired terms for which such vacancies are filled. (Ord. 6040 § 1, 2006; Ord. 5920 § 1, 2005; Ord. 5554 § 1, 2001.)

Section 2. Amendment to City Code.

Section 2.76.040 of the City of

Auburn City Code is amended to read as follows:

2.76.040 Responsibilities.

A. The Auburn lodging tax advisory committee shall meet as often as may be required to meet the statutory duties described in RCW 67.28.1817, and shall make reports and recommendations to the mayor and city council as follows:

AB. The lodging tax advisory committee shall make recommendations regarding the lodging tax to city council, preside over the budget for tourism related activities based on the lodging tax collected, and provide the final approval for the implementation of a business plan. The committee shall adopt rules for the transaction of business and keep a record of its resolutions, transactions, findings and determinations which shall be a public record open to public inspection.

Ordinance No. 6634

January 10, 2017

Page 2 of 5

ORD.A

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C. The committee shall, by resolution, fix the time and place within the city for regular meetings, hold at least two regular meetings each year when there is new official business to transact, and hold additional meetings as the chairperson or a majority of the committee deem necessary.

D. The committee shall consider proposals for imposition of a city lodging tax under Chapter 67.28 RCW, establish a proposed budget for the expenditure of lodging tax revenues, and interview and designate lodging tax grant recipients.

BE. If such a tax is adopted, the committee shall review any increases in the rate of tax imposed, repeal of any exemption from a tax imposed or a change in the use of revenue received under Chapter 67.28 RCW. The committee shall consider any such proposal, provide for public input, and submit comments in a timely manner to the mayor and city council. The comments shall include an analysis of the extent to which the proposal will accommodate activities for tourists or increase tourism, and the extent to which the proposal will affect the long-term stability of the fund created under RCW 67.28.1815.

GF. The Auburn lodging tax advisory committee shall also make such other recommendations to the city council on tourism promotion and tourism-related issues as are consistent with the functions of the committee as provided herein. (Ord. 6040 § 1, 2006; Ord. 5920 § 1, 2005; Ord. 5554 § 1, 2001.)

Section 3. Amendment to City Code.

Section 2.77.010 of the City of

Auburn City Code is amended to read as follows:

2.77.010 Creation.

There is hereby created the Auburn tourism board. The board shall serve in an advisory capacity to the mayor and city council, ~~asand to the tourism board, to be distinguished fromlodging tax advisory committee for the city's lodging tax advisory committee, established by city ordinance codified under Chapter 2.76 ACC, and pursuant to RCW 67.28.1817. purpose of planning and promoting tourism related activities.~~ (Ord. 6041 § 1, 2006.)

Section 4. Amendment to City Code.

Section 2.77.020 of the City of

Auburn City Code is amended to read as follows:

2.77.020 Membership.

A. The Auburn tourism board shall consist of at least five~~not more than ten~~ members appointed by the mayor and confirmed by the city council, who shall serve at the pleasure of the city council. The members shall be residents of the city. ~~In addition thereto, one elected official shall serve, ex officio, as chair of the Auburn tourism board. or have a current licensed business in the city of Auburn.~~

B. Members of the Auburn tourism board are prohibited from being members of the Auburn lodging tax advisory committee. (Ord. 6041 § 1, 2006.)

Section 5. Amendment to City Code.

Section 2.77.040 of the City of

Auburn City Code is amended to read as follows:

2.77.040 Terms and vacancies.

Subject to the provisions of ~~AGC chapter 2.43.0202.30~~ of the city code and at the pleasure of the city council, members of the Auburn tourism board shall serve for a term of three years or until appointment of a successor member, whichever is later, ~~unless otherwise replaced.~~ It is provided, however, that, ~~other than the elected official serving, ex officio, as chair of the Auburn tourism board, for the initial appointment of members~~ one member shall be initially appointed for a three-year term, ~~or until appointment of a successor member, whichever is later, unless otherwise replaced;~~ one member shall be initially appointed for a two-year term, ~~or until appointment of a successor member, whichever is later, unless otherwise replaced;~~ and one member shall be initially appointed for a one-year term, ~~or until appointment of a successor member, whichever is later, unless otherwise replaced.~~ In case of any vacancies on the ~~commission board,~~ vacancies shall be filled consistent with the procedures set forth in ~~AGC section 2.43.0202.30.030~~ of the city code for the unexpired terms for which such vacancies are filled. (Ord. 6041 § 1, 2006.)

Section 6. Amendment to City Code.

Section 2.77.050 of the City of

Auburn City Code is amended to read as follows:

2.77.050 Officers – Meetings.

A. ~~At its first meeting of each year, the~~ The tourism board members shall adopt rules for the transaction of business and keep a record of its resolutions, transactions, findings and determinations, which shall be a public record open to public inspection

B. ~~The tourism board shall elect a vice chairperson from among the regular its members, for a term of the board one year, and those other officers as it determines necessary.~~

C. ~~The board shall meet as needed to perform the duties of the tourism board and shall, by resolution, fix the time and place within the City for regular meetings, hold at least one regular meeting each month when there is new official business to fulfill the role of being an advisory body to the city council.~~

B. ~~It shall be the duty of the chairperson (the elected official serving ex officio) to preside over all meetings of the board. The vice chairperson shall preside at all meetings where the chairperson is absent. Minutes shall be kept and meeting agendas prepared in coordination between members of the board and staff members. A majority of the members of the board shall constitute a quorum for the transaction of business, and a majority vote of those present shall be necessary to carry any recommended action, transact, and hold additional meetings as the chairperson or a majority of the tourism board deem necessary. (Ord. 6041 § 1, 2006.)~~

Section 7. Implementation.

The Mayor is hereby authorized to implement

Ordinance No. 6634

January 10, 2017

Page 4 of 5

ORD.A

Page 24 of 47

such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 8. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 9. Effective date. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

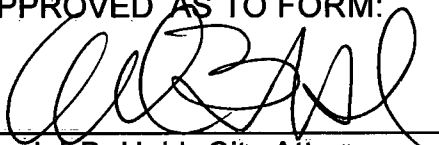
CITY OF AUBURN

ATTEST:

NANCY BACKUS, MAYOR

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

Published: _____

Ordinance No. 6634

January 10, 2017

Page 5 of 5

ORD.A

ORDINANCE NO. 5920

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING CHAPTER 2.76 OF THE AUBURN MUNICIPAL CODE RELATING TO THE AUBURN TOURISM BOARD

WHEREAS, pursuant to the provisions of RCW 67.28.1817 cities collecting lodging taxes are to establish lodging tax advisory committees to operate pursuant to statute in order to determine appropriate procedures and methodology for the tax collection and expenditure under the statute; and

WHEREAS, as tourism is also a necessary adjunct of that lodging tax, and the purposes for which the lodging tax advisory committee would be operating translate very closely to tourism considerations, it would be reasonable and advantageous for the City to expand the purposes of the committee to include tourism related issues; and

WHEREAS, in addition to the slight change in these duties, it would make sense to re-label the committee to the Auburn Tourism Board.

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

Section 1. Amendment to City Code. That Chapter 2.76 of the Auburn City Code is amended to read as follows:

Chapter 2.76
~~LODGING TAX ADVISORY COMMITTEE~~AUBURN TOURISM BOARD

Sections:

2.76.010	Creation.
2.76.020	Membership.

Ordinance No. 5920
May 23, 2005
Page 1

- 2.76.030 Terms.
- 2.76.040 Responsibilities.

2.76.010 Creation.

There is hereby created the ~~lodging tax advisory committee~~ Auburn Tourism Board. The ~~committee board~~ shall serve in an advisory capacity to the mayor and city council, as the lodging tax advisory committee pursuant to RCW 67.28.1817. (Ord. 5554 § 1, 2001.)

2.76.020 Membership.

The ~~lodging tax advisory committee~~ Auburn Tourism Board shall consist of at least five members as follows:

A. Two members appointed by the city council who are representatives of businesses required to collect tax under Chapter 67.28 RCW.

B. Two members appointed by the city council who are persons involved in activities authorized to be funded by revenue received under Chapter 67.28 RCW.

C. Persons who are eligible for appointment under subsection A of this section are not eligible for appointment under subsection B of this section and persons who are eligible for appointment under subsection B of this section are not eligible for appointment under subsection A of this section.

D. One elected official shall serve as chair of the ~~lodging tax advisory committee~~ Auburn Tourism Board.

E. The city council shall review the membership of the ~~advisory committee board~~ annually and make changes as appropriate. (Ord. 5554 § 1, 2001.)

2.76.030 Terms.

All members appointed pursuant to ACC 2.76.020 shall serve three-year terms. The initial appointment shall be staggered with two appointments serving a one-year term, two appointments serving a two-year term, and two appointments serving a three-year term. Organizations representing businesses required to collect tax under Chapter 67.28 RCW and organizations involved in activities authorized to be funded by revenue received under said tax as well as local agencies involved in tourism and promotion may submit recommendations for membership on the ~~committee board~~.

Members of the ~~committee board~~ shall be subject to removal in accordance with the provisions of Chapter 2.30 ACC as it currently exists or as it may be amended hereafter. (Ord. 5803 § 11, 2003; Ord. 5554 § 1, 2001.)

2.76.040 Responsibilities.

The ~~lodging tax advisory committee~~ Auburn Tourism Board shall make reports and recommendations to the mayor and city council as follows:

A. The ~~committee board~~ shall consider proposals for imposition of a city lodging tax under Chapter 67.28 RCW.

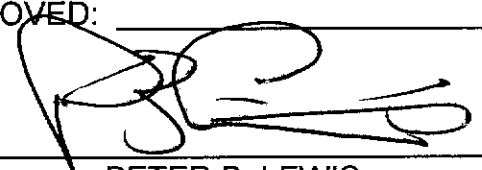
B. If such a tax is adopted, the ~~committee-board~~ shall review any increases in the rate of tax imposed, repeal of any exemption from a tax imposed or a change in the use of revenue received under Chapter 67.28 RCW. The ~~committee-board~~ shall consider any such proposal, provide for public input, and submit comments in a timely manner to the mayor and city council. The comments shall include an analysis of the extent to which the proposal will accommodate activities for tourists or increase tourism, and the extent to which the proposal will affect the long-term stability of the fund created under RCW 67.28.1815.

C. The Auburn Tourism Board shall also make such other recommendations to the City Council on tourism promotion and tourism related issues as are consistent with the functions of the board as provided herein. (Ord. 5554 § 1, 2001.)

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

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

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

INTRODUCED: JUL 5 2005
PASSED: JUL 5 2005
APPROVED: JUL 5 2005


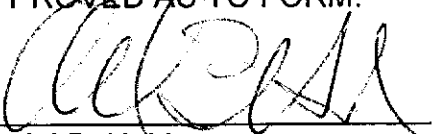
PETER B. LEWIS
MAYOR

ATTEST:



Danielle E. Daskam,
City Clerk

APPROVED AS TO FORM:



Daniel B. Heid,
City Attorney

Published: July 9, 2005

(9 hits)

Chapter 2.77 AUBURN TOURISM BOARD

Sections:

- 2.77.010 Creation.
- 2.77.020 Membership.
- 2.77.030 Appointment.
- 2.77.040 Terms and vacancies.
- 2.77.050 Officers – Meetings.
- 2.77.060 Role of the advisory board.
- 2.77.070 Compensation.
- 2.77.080 Annual reports of progress.
- 2.77.090 Severability.

2.77.010 Creation.

There is hereby created the Auburn tourism board. The board shall serve in an advisory capacity to the mayor and city council, as the tourism board, to be distinguished from the city's lodging tax advisory committee, established by city ordinance codified under Chapter 2.76 ACC, and pursuant to RCW 67.28.1817. (Ord. 6041 § 1, 2006.)

2.77.020 Membership.

The Auburn tourism board shall consist of at least five members appointed by the mayor and confirmed by the city council, who shall serve at the pleasure of the city council. The members shall be residents of the city. In addition thereto, one elected official shall serve, ex officio, as chair of the Auburn tourism board. (Ord. 6041 § 1, 2006.)

2.77.030 Appointment.

The members of the tourism board shall be appointed from among members of the public who are representatives of businesses, entities or agencies related to the tourism industry or businesses, entities or agencies that would provide goods and/or services to tourists or tourist-related businesses. (Ord. 6041 § 1, 2006.)

2.77.040 Terms and vacancies.

Subject to the provisions of ACC 2.43.020 and the pleasure of the city council, members of the board shall serve for a term of three years or until appointment of a successor member, whichever is later, unless otherwise replaced. It is provided, however, that, other than the elected official serving, ex officio, as chair of the Auburn tourism board, for the initial appointment of members one member shall be initially appointed for a three-year term, or until appointment of a successor member, whichever is later, unless otherwise replaced; one member shall be initially appointed for a two-year term, or until appointment of a successor member, whichever is later, unless otherwise replaced; and one member shall be initially appointed for a one-year term, or until appointment of a successor member, whichever is later, unless otherwise replaced. In case of any vacancies on the commission, vacancies

shall be filled consistent with the procedures set forth in ACC 2.43.020 for the unexpired terms for which such vacancies are filled. (Ord. 6041 § 1, 2006.)

2.77.050 Officers – Meetings.

A. At its first meeting of each year, the tourism board members shall elect a vice chairperson from among the regular members of the board. The board shall meet as needed to perform the duties of the tourism board and to fulfill the role of being an advisory body to the city council.

B. It shall be the duty of the chairperson (the elected official serving ex officio) to preside over all meetings of the board. The vice chairperson shall preside at all meetings where the chairperson is absent. Minutes shall be kept and meeting agendas prepared in coordination between members of the board and staff members. A majority of the members of the board shall constitute a quorum for the transaction of business, and a majority vote of those present shall be necessary to carry any recommended action. (Ord. 6041 § 1, 2006.)

2.77.060 Role of the advisory board.

The tourism board is created to assist the city council formulate strategies for tourism-related activities, projects and programs geared to promote the city of Auburn as a tourist destination, and enhance the ability of local businesses to serve the needs of tourists and the tourist industry in Auburn.

The Auburn tourism board shall also make such other recommendations to the city council on tourism promotion and tourism-related issues as are consistent with the functions of the board as provided herein. (Ord. 6041 § 1, 2006.)

2.77.070 Compensation.

The regular members of the tourism board shall serve without compensation related to the duties thereof. This does not preclude the elected official serving, ex officio, as chairperson from receiving any compensation due the person by reason of his/her capacity as a member of the city council. (Ord. 6041 § 1, 2006.)

2.77.080 Annual reports of progress.

The tourism board shall annually provide to the city council a report on progress made in carrying out the board's responsibilities. Additional reports may be submitted when deemed appropriate by the board or when requested by the city council. (Ord. 6041 § 1, 2006.)

2.77.090 Severability.

If any portion of this chapter, or its application to any persons or circumstances, is held invalid, the validity of the chapter as a whole, or any other portion thereof, and its application to other persons or circumstances, shall not be affected. (Ord. 6041 § 1, 2006.)



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6635

Date:

January 11, 2017

Department:

Finance

Attachments:

[Ordinance No. 6635](#)

Budget Impact:

\$0

Administrative Recommendation:

City Council adopt Ordinance No. 6635.

Background Summary:

The Senior Center Savers Pantry is open two days per month and offers seniors the opportunity to shop for low-cost foods. Cost savings are passed through by way of bulk food purchases and re-packaging into individual sizes. While many items are purchased through restaurant supply vendors, value can also be achieved through the purchase of supplies at traditional retail outlets, particularly in the case of sale items. Establishing a purchasing fund for the Pantry in the recommended amount of \$1,500.00 will permit the Senior Center's volunteer shopper to take advantage of these additional cost savings. The Senior Center Supervisor will be the assigned custodian of the purchasing fund and will be responsible for disbursements, obtaining original receipt documentation, and reimbursement of the fund to its authorized level.

Additionally, Ordinance No. 6635 removes reference to the Municipal Court and Detention Facility change funds presently cited in Auburn City Code Section 3.04.600, and the Municipal Court petty cash fund presently cited in Auburn City Code Section 3.04.610. The aforementioned funds were administratively closed with the transition to the King County Court System and SCORE.

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

Coleman

Meeting Date: January 17, 2017

Item Number: ORD.B

ORDINANCE NO. 6635

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING AUBURN CITY CODE SECTIONS 3.04.600 AND 3.04.610 OF THE AUBURN CITY CODE RELATING TO FUNDS

WHEREAS, the City of Auburn is responsible for maintaining its fund, line items and budget elements in conformity with state law; and

WHEREAS, in order to properly account for funds, particularly those that involve making change in payments for city services or for making purchases in support of city functions, the City has developed certain identified change, petty cash, purchasing and investigation funds; and

WHEREAS, in order to better accommodate the needs of the City to provide these services to its citizenry, and to update the change, petty cash, purchasing and investigation funds' needs, it is appropriate to amend the City Code accordingly.

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

Section 1. Amendment to City Code. Section 3.04.600 of the Auburn City Code is amended to read as follows:

3.04.600 Change Funds Created.

The finance director is herewith authorized to establish the following change funds throughout the city. Change funds will be used for the purpose of making change from cash for patrons of the city.

Department	Location	Amount
Finance	25 W. Main St.	\$1,200.00
Parks – Recreation	910 9th St.	\$700.00
Parks – Senior center	808 9th St.	\$100.00
Municipal court	340 E. Main St.	\$200.00
Cemetery	2020 Mtn. View Rd.	\$100.00
Building	25 W. Main St.	\$200.00
Detention facility	25 W. Main St.	\$200.00
City clerk	25 W. Main St.	\$200.00
Police	340 E. Main St.	\$200.00
Golf course pro shop	29630 Green River Rd. NE	\$800.00
Total		\$3,900.00 <u>\$3,500.00</u>

(Ord. 6294 § 1, 2010; Ord. 6250 § 1, 2009; Ord. 6079 § 1, 2007; Ord. 5907 § 1, 2005; Ord. 5895 § 1, 2005; Ord. 5804 § 1, 2003; Ord. 5742 § 1, 2003.)

Section 2. Amendment to City Code. Section 3.04.610 of the Auburn City Code is amended to read as follows:

3.04.610 Petty Cash, Purchasing and Investigation Funds Created.

The finance director is herewith authorized to establish the following petty cash, purchasing and special investigation funds throughout the city. Petty cash and purchasing funds will be used to purchase incidental supplies and other necessary incidental expenses. Special investigation funds will be used for law enforcement and investigation in the police department. The city finance director shall reimburse the funds from time to time for expenses outstanding to make the cash balance equivalent to the authorized amount.

Department	Location	Amount
Finance petty cash	25 W. Main St.	\$700.00
City clerk petty cash	25 W. Main St.	\$100.00
Parks – Recreation petty cash	910 9th St.	\$500.00
Parks – Senior center petty cash	808 9th St.	\$500.00
<u>Parks – Senior center pantry</u>		
<u>purchasing fund</u>	<u>808 9th St.</u>	<u>\$1,500.00</u>
Municipal court petty cash	340 E. Main St.	\$100.00
Police petty cash	340 E. Main St.	\$400.00
Police special investigation	340 E. Main St.	\$1,000.00
Police special investigation	340 E. Main St.	\$10,000.00
Golf course petty cash	29630 Green River Rd. NE	\$200.00
Cemetery	2020 Mtn. View Rd.	\$100.00
M & O	1305 C St. SW	\$300.00
		\$13,900.00 <u>\$15,300.00</u>

(Ord. 6255 § 1, 2009; Ord. 6250 § 2, 2009; Ord. 6079 § 2, 2007; Ord. 5895 § 2, 2005; Ord. 5742 § 2, 2003.)

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

Section 4. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

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

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

Daniel B. Heid, City Attorney

Published: _____



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5270

Date:

January 5, 2017

Department:

Public Works

Attachments:

[Res 5270 and Agreement](#)

Budget Impact:

\$0

Administrative Recommendation:

City Council adopt Resolution No. 5270.

Background Summary:

The contract adopted by Resolution No. 5270 will allow City of Algona to continue to utilize the City of Auburn's Decant Facility to dump Vector waste material on a space limited basis. The City of Auburn will also supply street sweeping services for the City of Algona on an as needed basis. Algona also agrees to participate in long term decant facility improvements.

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

Snyder

Meeting Date: January 17, 2017

Item Number: RES.A

RESOLUTION NO. 5 2 7 0

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF AUBURN, WASHINGTON, AUTHORIZING THE
MAYOR AND CITY CLERK TO EXECUTE A CONTRACT
BETWEEN THE CITY OF AUBURN AND THE CITY OF
ALGONA FOR DECANT FACILITIES USAGE AND
STREET SWEEPING SERVICES

WHEREAS, the City of Algona has inadequate facilities to handle the waste materials produced from their public works street sweeping and Vector maintenance; and

WHEREAS, the City of Auburn has sufficient capacity at their decant facility to handle the Algona waste materials and is willing to provide for the proper handling, processing and disposal of the City of Algona's street sweeper and Vector truck materials at a cost that is acceptable to the City.

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

Section 1. The Mayor of the City of Auburn is hereby authorized to execute an Interlocal Agreement between the City of Auburn and the City of Algona for Decant Facility Usage and Street Sweeping Services in substantial conformity with the Agreement attached hereto as Exhibit "A" and incorporated herein by this reference.

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

Section 3. This resolution shall be in full force and effect upon passage and signatures hereon.

Dated and Signed this _____ day of _____, 2017.

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Held, City Attorney

**CONTRACT FOR SERVICES
BETWEEN THE CITY OF ALGONA
AND THE CITY OF AUBURN
FOR DECANT FACILITIES USAGE
AND STREET SWEEPING SERVICES**

THIS AGREEMENT is made and executed by and between the City of Algona, a Washington municipal corporation, hereafter designated as "Algona," and the City of Auburn, a Washington municipal corporation, hereafter designated as "Auburn."

WHEREAS, Algona has inadequate facilities to properly handle the Waste Materials produced as a result of their Public Works street sweeping and Vactor maintenance activities; and

WHEREAS, Auburn has sufficient capacity at their decant facility to handle the Algona Waste Materials.

NOW, THEREFORE, for the consideration stated in this Agreement, Algona and Auburn do agree as follows:

1. PURPOSE

The purpose of this Agreement is to provide for proper handling, processing and disposal of Street Sweeper and Vactor truck materials, herein referred to as "Waste Materials" generated by Algona.

2. RESPONSIBILITIES

The City of Algona shall deliver Waste Materials to the decant area of the City of Auburn Maintenance & Operations facility (hereafter, the "Facility"), currently located at 1305 C Street SW, during the hours of 7:00 am and 3:00 pm. The unloading of the Waste Materials by Algona at the Facility is to be done under the supervision of an Auburn employee at the Facility. Algona will only send operators to use the decant facility that have been properly trained by Auburn on the safe and efficient use of the facility and dumping of Waste Materials.

If conditions at the Auburn Facility require, Auburn reserves the right to request Algona to retain its Waste Materials until such time as the conditions at the Facility allow Auburn to accept the Waste Materials again. Auburn will give Algona as much advance notice of these conditions as is practicable. Auburn further reserves the right to reject any individual shipment of Waste Materials.

Auburn will provide for the dewatering and the disposal of the Waste Materials in compliance with all local, state, and federal permits pertaining to the dewatering and disposal of such Waste Materials.

3. VOLUME

Auburn shall accept from Algona's Waste Materials in the following volumes: not to exceed 20 tons per month or a total of 150 tons per year as measured at Auburn's truck scale. Auburn may accept Waste Material from Algona that exceeds these volumes upon the review of a written request from Algona. All such requests shall be made to Auburn's Public Works Maintenance and Operations Manager thirty (30) days in advance of proposed delivery of such additional Waste Materials.

4. COST FOR SERVICES

A. Waste Materials.

Algona shall pay Auburn \$30.00 per month base fee for administration costs and \$75.00 per ton of Waste Materials for processing, testing and disposal fee (measured as scale weight). Auburn will bill Algona on a quarterly basis.

B Sweeping Services.

Auburn will provide street sweeping services on an as needed basis to Algona at the rate of \$98.00 per hour for sweeper and operator; this does not include fees for the handling, processing and disposal of Waste Materials generated from sweeping.

Auburn reserves the right to increase these fees in response to increases in labor, disposal, and regulatory costs. Auburn shall give Algona at least sixty (60) days' advance written notification of any proposed fee increases.

5. DECANT FACILITY IMPROVEMENTS

Algona recognizes that the capacity of Auburn's Facility is limited and that additional capacity will need to be provided, as both Cities' waste disposal needs continue to grow, in order to provide long-term service to Algona.

Algona will also agree to participate in planning and funding of long term capacity improvements to the decant process in Auburn, including but not limited to improvements to the existing facility, installation of additional facility or other means to add additional capacity. By way of example only, and not by way of limitation, Algona and Auburn contemplate that subsequent amendments or agreements might address the following types of issues: planning, design and construction costs for potential improvements to the existing Facility or construction of a new decant facility. The parties agree that Auburn will act as lead entity in the all aspects of any proposed improvement project. Auburn will consult in advance of any final decisions with Algona for the purposes of determining Algona's future needs and Algona's desire to participate in funding for an improved facility or a new facility.

6. TERM

The duration of this Agreement shall be for an initial term of three (3) years beginning January 1, 2017 through December 31, 2019, and may be extended thereafter for an optional, additional term of three (3) years beginning January 1, 2020 through December 31, 2022, by written amendment of the Parties, including but not limited to mutual agreement on proposed changes – increases or decreases – to the cost for services in Section 4 of this Agreement, not later than sixty (60) days prior to the end of the initial term. It is further provided, however, that either party may terminate this Agreement upon providing one hundred twenty (120) days' advance written notice to the other party.

7. REOPENER

Either party may request that any provision of this Agreement can be renegotiated by submitting a written request with fourteen (14) days' advance notice. Any amendment of this Agreement shall be in writing and shall be signed by both parties consistent with Section 13 of this Agreement.

8. HOLD HARMLESS AND INDEMNIFICATION

- a. Algona shall indemnify and hold Auburn and its agents, employees, officers and/or volunteers, harmless from and shall process and defend at its own expense any and all claims, demands, suits, at law or equity, actions, penalties, losses, damages, or costs, of whatsoever kind or nature, brought against Auburn arising out of, in connection with, or incident to the execution of this Agreement and/or Algona's performance or failure to perform any aspect of this Agreement; provided, however, that if such claims are caused by or result from the concurrent negligence of Auburn, its agents, employees, officers and/or volunteers, this indemnity provision shall be valid and enforceable only to the extent of the negligence of Algona; and provided further, that nothing herein shall require Algona to hold harmless or defend Auburn, its agents, employees officers and/or volunteers from any claims arising from the sole negligence of Auburn, its agents, employees, officers and/or volunteers. No liability shall attach to Auburn by reason of entering into this Agreement except as expressly provided herein.
- b. Auburn shall indemnify and hold Algona and its agents, employees, officers and/or volunteers, harmless from and shall process and defend at its own expense any and all claims, demands, suits, at law or equity, actions, penalties, losses, damages, or costs, of whatsoever kind or nature, brought against Algona arising out of, in connection with, or incident to the execution of this Agreement and/or Auburn's performance or failure to perform any aspect of this Agreement; provided, however, that if such claims are caused by or result from the concurrent negligence of Algona, its agents, employees, officers and/or volunteers, this indemnity provision shall be valid and enforceable only to the extent of the negligence of Auburn; and provided further, that nothing herein shall require Auburn to hold harmless or defend Algona, its agents, employees, officers and/or volunteers from

any claims arising from the sole negligence of Algona, its agents, employees, officers and/or volunteers. No liability shall attach to Algona by reason of entering into this Agreement except as expressly provided herein.

- c. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Auburn and Algona, its officers, officials, employees, and volunteers, any damages allowed shall be levied in proportion to the percentage of negligence attributable to each party, and each party shall have the right to seek contribution from the other party in proportion to the percentage of negligence attributable to the other party. It is further specifically and expressly understood that the indemnification provided herein constitutes the Parties' waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the Parties. The provisions of this section shall survive the expiration or termination of this Agreement.
- d. AUBURN SHALL HAVE NO LIABILITY FOR, AND SHALL BE HELD HARMLESS FROM AND AGAINST, ALL CLAIMS, DAMAGES, LIABILITIES AND COSTS ARISING OUT OF OR RELATING TO THE PRESENCE, DISCOVERY, OR FAILURE TO DISCOVER, REMOVE, ADDRESS, REMEDIATE OR CLEANUP ENVIRONMENTAL OR BIOLOGICAL HAZARDS RESULTING FROM ALGONA DELIVERIES OR OTHERWISE ATTRIBUTABLE TO ALGONA, SPECIFICALLY INCLUDING, BUT NOT LIMITED TO, MOLD, FUNGUS, HAZARDOUS WASTE, SUBSTANCES OR MATERIALS.

9. RESOLUTION OF DISPUTES AND GOVERNING LAW

a. Alternative Dispute Resolution If a dispute arises from or relates to this Agreement or the breach thereof and if the dispute cannot be resolved through direct discussions, the parties agree to endeavor first to settle the dispute in an amicable manner by mediation before resorting to arbitration. The mediator may be selected by agreement of the parties. Following mediation, or upon written agreement of the parties to waive mediation, any unresolved controversy or claim arising from or relating to this Agreement or breach thereof shall be settled through arbitration. The arbitrator may be selected by agreement of the parties or through King County court procedures. All fees and expenses for mediation or arbitration shall be borne by the parties equally. However, each party shall bear the expense of its own counsel, experts, witnesses and preparation and presentation of evidence.

b. Applicable Law and Jurisdiction This Agreement shall be governed by the laws of the State of Washington. Although the agreed to and designated primary dispute resolution method as set forth above, in the event any claim, dispute or action arising from or relating to this Agreement cannot be submitted to arbitration, then it shall be commenced exclusively in the King County Superior Court or the United States District

Court, Western District of Washington as appropriate. The prevailing party in any such action before the courts shall be entitled to recover its costs of suit and reasonable attorneys' fees.

10. WRITTEN NOTICE

All communications regarding this Agreement shall be sent to the parties at the addresses listed on the signature page of the Agreement, unless notified to the contrary. Any written notice hereunder shall become effective three (3) business days after the date of mailing by registered or certified mail, and shall be deemed sufficiently given if sent to the addressee at the address stated in this Agreement or such other address as may be hereafter specified in writing. If written notice is provided by electronic mail (e-mail), then such written notice shall become effective one (1) business day after it is successfully sent.

11. NON-DISCRIMINATION

Parties shall not discriminate in any manner related to this Agreement on the basis of race, color, national origin, sex, religion, age, marital status or disability in employment or the provision of services.

12. SEVERABILITY

If any provision of the Agreement shall be held invalid, the remainder of this Agreement shall not be affected thereby if such remainder would then continue to serve the purposes and objectives of both parties.

13. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties. Any modifications or amendments to this Agreement shall be in writing and shall be signed by each party.

DATED this 16th day of December 2016.

CITY OF ALGONA

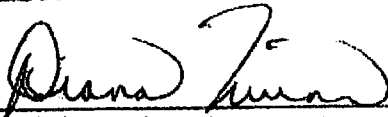


David Hill, Mayor
402 Warde Street
Algona, WA 98001

CITY OF AUBURN

Nancy Backus, Mayor
25 W. Main Street
Auburn, WA 98001

ATTEST:


Diana Quinn, City Administrator

APPROVED AS TO FORM:


Rod Kaseguma, City Attorney

ATTEST:

Dani Daskam, City Clerk

APPROVED AS TO FORM:


Dan Held, City Attorney