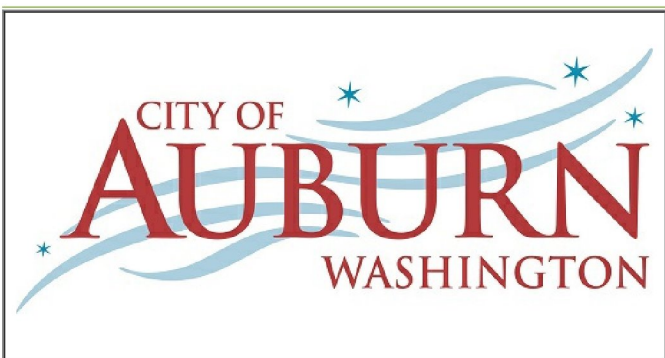


	City Council Meeting January 16, 2024 - 7:00 PM City Hall Council Chambers AGENDA Watch the meeting LIVE! Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. CALL TO ORDER

II. LAND ACKNOWLEDGMENT

We would like to acknowledge the Federally Recognized Muckleshoot Indian Tribe, the ancestral keepers of the land we are gathered on today. We thank them for their immense contributions to our state and local history, culture, economy, and identity as Washingtonians.

III. PUBLIC PARTICIPATION

1. Public Participation

The Auburn City Council Meeting scheduled for Tuesday January 16, 2024 at 7:00 p.m. will be held in person and virtually.

Virtual Participation Link:

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

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

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

Telephone: 253 205 0468

Toll Free: 888 475 4499

Zoom: <https://us06web.zoom.us/j/89209093966>

A. Pledge of Allegiance

IV. Roll Call

V. APPOINTMENTS

A. Arts Commission

City Council to approve the appointments of Andrea Dailey, Amber Lott, Carol Danner, Carol Smetheram, and Raymond Salvador to the Arts Commission for a three year term expiring December 31, 2026

(RECOMMENDED ACTION: Move to approve the appointments of Andrea Dailey, Amber Lott, Carol Danner, Carol Smetheram, and Raymond Salvador to the Arts Commission for a three year term expiring December 31, 2026.)

VI. ANNOUNCEMENTS, MAYOR'S PROCLAMATIONS, AND PRESENTATIONS

VII. AGENDA MODIFICATIONS

VIII. CITIZEN INPUT, PUBLIC HEARINGS AND CORRESPONDENCE

A. Audience Participation

This is the place on the agenda where the public is invited to speak to the City Council on any issue.

1. The public can participate in-person or submit written comments in advance.

Participants can submit written comments via mail, fax, or email. All written comments must be received prior to 5:00 p.m. on the day of the scheduled meeting and must be 350 words or less.

Please mail written comments to:
City of Auburn
Attn: Shawn Campbell, City Clerk
25 W Main St
Auburn, WA 98001

Please fax written comments to:
Attn: Shawn Campbell, City Clerk
Fax number: 253-804-3116

Email written comments to:
publiccomment@auburnwa.gov

If an individual requires an accommodation to allow for remote oral comment because of a difficulty attending a meeting of the governing body, the City requests notice of the need for accommodation by 5:00 p.m. on the day of the scheduled meeting. Participants can request an accommodation to be able to provide remote oral comment by contacting the City Clerk's Office in person, by phone (253) 931-3039, or email to publiccomment@auburnwa.gov

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

IX. COUNCIL AD HOC COMMITTEE REPORTS

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

1. Finance Ad Hoc Committee (Chair Baldwin)

X. 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 2, 2024, City Council Meeting

B. Claims Vouchers (Thomas)

Claims voucher list dated January 10, 2024 which includes voucher number 474569 through 474705, in the amount of \$1,924,013.54, two electronic fund transfers in the amount of \$910.43, and two wire transfers in the amount of \$740,602.24

Claims voucher list dated January 10, 2024 which includes voucher number 474706 through 474731, in the amount of \$275,717.13, and three wire transfers in the amount of \$705,693.91

C. Payroll Voucher (Thomas)

Payroll check numbers 539555 through 539558 in the amount of \$82,809.78, electronic deposit transmissions in the amount of \$2,623,726.83, and also a special payroll for Sick Leave cash out with check numbers 539559 through 539562 in the amount of \$1,530.68 and electronic deposit transmissions in the amount of \$28,572.76 for a grand total of \$2,736,640.05 for the period covering December 28, 2023 to January 10, 2024

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

XI. UNFINISHED BUSINESS

XII. NEW BUSINESS

XIII. RESOLUTIONS

A. Resolution No. 5749 (Gaub)

A Resolution setting a Public Hearing to consider the Vacation of City Right-Of-Way located within a portion of 108th Avenue SE that lies South of Lea Hill Road within the City of Auburn, Washington

(RECOMMENDED ACTION: Move to adopt Resolution No. 5749.)

XIV. MAYOR AND COUNCILMEMBER REPORTS

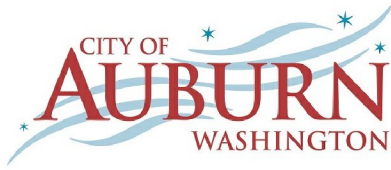
At this time the Mayor and City Council may report on significant items associated with their appointed positions on federal, state, regional and local organizations.

A. **From the Council**

B. **From the Mayor**

XV. ADJOURNMENT

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



AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes of the January 2, 2024, City Council Meeting

Department:

City Council

Attachments:

[01-02-2024 Minutes](#)

Date:

January 10, 2024

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

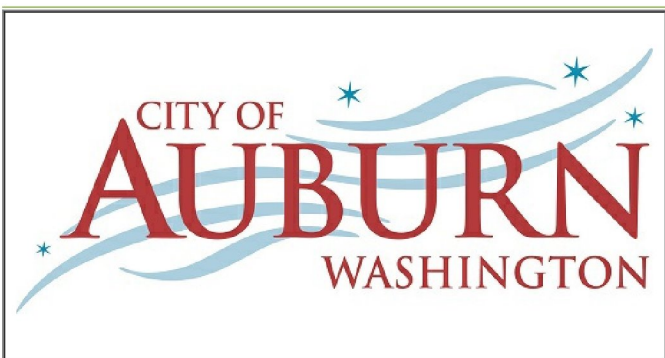
Revised Budget: \$0

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

Meeting Date: January 16, 2024

Staff:

Item Number: CA.A

	City Council Meeting January 2, 2024 - 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

II. LAND ACKNOWLEDGMENT

III. PUBLIC PARTICIPATION

1. Public Participation

The City Council Meeting was held in person and virtually.

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 and led those in attendance in the Pledge of Allegiance.

IV. Roll Call

Councilmembers present: Deputy Mayor Larry Brown, Hanan Amer, Kate Baldwin, Clinton Taylor, and Tracy Taylor. Councilmembers Cheryl Rakes, and Yolonda Trout-Manuel.

Mayor Nancy Backus and the following staff members present included: Acting City Attorney Harry Boesche, Chief of Police Mark Caillier, Director of Public Works Ingrid Gaub, Assistant Director of Community Development Jason Krum, Director of Parks, Arts and Recreation Daryl Faber, Outside Counsel Bob Sterbank, Business Systems Analyst Chrissy Malave, and City Clerk Shawn Campbell.

V. ANNOUNCEMENTS, MAYOR'S PROCLAMATIONS, AND PRESENTATIONS

A. Tamil Heritage Month

Mayor Backus proclaimed January 2024 as "Tamil Heritage Month" in the City of Auburn.

B. National Day of Racial Healing

Mayor Backus proclaimed January 16, 2024 as National Day of Racial

Healing in the City of Auburn.

C. Police Promotional Ceremony (Caillier)

Chief Caillier gave Jason Shultz his Oath of Honor as Sergeant during the Promotional Ceremony.

VI. AGENDA MODIFICATIONS

A. Executive Session

Mayor Backus recessed into an executive session at 7:13 p.m. per RCW 42.30.110(1)(c) to consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price and per RCW 42.30.110(1)(i)(ii) to discuss litigation that the agency reasonably believes may be commenced by or against the agency, the governing body, or a member acting in an official capacity; or litigation or legal risks of a proposed action or current practice that the agency has identified when public discussion of the litigation or legal risks is likely to result in an adverse legal or financial consequence to the agency for 20 minutes. Mayor, City Council, Senior City Staff Attorney Doug Ruth, Real Estate Manager Josh Arndt, Director of Public Works Ingrid Gaub, and Outside Counsel Bob Sterbank from Foster Garvey were required to attend.

Mayor Backus reconvened the meeting at 7:27 p.m.

VII. CITIZEN INPUT, PUBLIC HEARINGS AND CORRESPONDENCE

B. Audience Participation

This is the place on the agenda where the public is invited to speak to the City Council on any issue.

1. The public can participate in-person or submit written comments in advance.

No one came forward to speak.

C. Correspondence

There was no correspondence for Council to review.

VIII. COUNCIL AD HOC COMMITTEE REPORTS

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

1. Finance Ad Hoc Committee (Chair Baldwin)

Councilmember Baldwin, Chair of the Finance Ad Hoc Committee, reported she reviewed the claims and payroll vouchers described on the agenda this evening and recommended their approval.

IX. 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 18, 2023, City Council Meeting

B. Claims Vouchers (Thomas)

Claims voucher list dated December 27, 2023 which includes voucher number 474429 through 474568, in the amount of \$6,596,184.09, four electronic fund transfers in the amount of \$338.63, and three wire transfers in the amount of \$217,677.57

C. Payroll Voucher (Thomas)

Payroll check numbers 539550 through 539554 in the amount of \$766,035.84, electronic deposit transmissions in the amount of \$2,417,513.96, and also a special payroll for Unsubstantiated VEBA claims with electronic deposit transmission in the amount of \$2,229.30 for a grand total of \$3,185,779.10 for the period covering December 14, 2023 to December 27, 2023

Deputy Mayor Brown moved and Councilmember C. Taylor seconded to approve the consent agenda.

MOTION CARRIED UNANIMOUSLY. 5-0

X. UNFINISHED BUSINESS

There was no unfinished business.

XI. NEW BUSINESS

A. Special Focus Area Assignment (Council)

Deputy Mayor Brown explained the four Special Focus Areas per the Council Rules. He recommended the following Chair's and Vice Chair's for each Special Focus Area.

Community Wellness

Chair: Councilmember Trout-Manuel

Vice Chair: Councilmember C. Taylor

Finance and Internal Services

Chair: Councilmember Baldwin

Vice Chair: Councilmember Amer

Public Works & Community Development

Chair: Councilmember T. Taylor

Vice Chair: Deputy Mayor Brown

Municipal Services

Chair: Councilmember Rakes

Vice Chair: Councilmember Amer

Deputy Mayor Brown moved and Councilmember Baldwin seconded to adopt the 2024 Special Focus Area Chair and Vice Chair Assignments.

MOTION CARRIED UNANIMOUSLY. 5-0

XII. RESOLUTIONS

A. Resolution No. 5751 (Gaub)

A Resolution authorizing the Mayor to execute an agreement between the City of Auburn and the Central Puget Sound Regional Transit Authority for the conveyance of interest real estate

Councilmember Baldwin moved and Councilmember Amer seconded to adopt Resolution No. 5751.

MOTION CARRIED UNANIMOUSLY. 5-0

B. Resolution No. 5752 (Boesche)

A Resolution authorizing the Mayor to execute a Temporary Construction Easement between the City of Auburn and the Central Puget Sound Regional Transit Authority over City-Owned Property located at 11 A Street NW

Councilmember Kate Baldwin moved and Councilmember Tracy Taylor seconded to adopt Resolution No. 5752.

MOTION CARRIED UNANIMOUSLY. 5-0

C. Resolution No. 5754 (Boesche)

A Resolution authorizing the Mayor to sign a second amendment to an agreement between the City of Auburn and Totem Logistics, Inc. related to Garbage/Waste Cleanup Services

Councilmember Baldwin moved and Deputy Mayor Brown seconded to adopt Resolution No. 5754.

MOTION CARRIED UNANIMOUSLY. 5-0

D. Resolution No. 5755 (Gaub)

A Resolution authorizing the Mayor to execute and administer an agreement accepting a grant from the Washington State Department of Transportation and Federal Highway Administration for the Lea Hill Safe Routes to School Project

Deputy Mayor Larry Brown moved and Councilmember Amer seconded to adopt Resolution No. 5755.

MOTION CARRIED UNANIMOUSLY. 5-0

XIII. MAYOR AND COUNCILMEMBER REPORTS

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

A. From the Council

Deputy Mayor Brown expressed appreciation for the new Councilmembers.

Councilmember Amer expressed appreciation to the Staff for their help on onboarding.

B. From the Mayor

Mayor Backus no report.

XIV. ADJOURNMENT

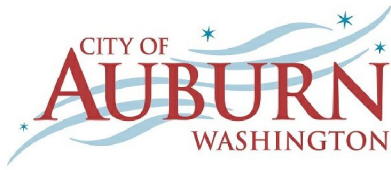
There being no further business to come before the Council, the meeting was adjourned at 7:54 p.m.

APPROVED this 16th day of January, 2024.

NANCY BACKUS, 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.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Claims Vouchers (Thomas)

Date:

January 3, 2024

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

Approve Claim Vouchers.

Background for Motion:**Background Summary:**

Claims voucher list dated January 10, 2024 which includes voucher number 474569 through 474705, in the amount of \$1,924,013.54, two electronic fund transfers in the amount of \$910.43, and two wire transfers in the amount of \$740,602.24.

Claims voucher list dated January 10, 2024 which includes voucher number 474706 through 474731, in the amount of \$275,717.13, and three wire transfers in the amount of \$705,693.91.

Reviewed by Council Committees:

Councilmember: Kate Baldwin

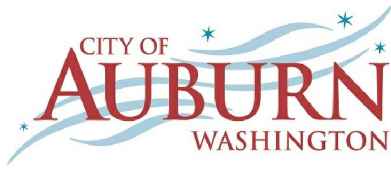
Staff:

Thomas

Meeting Date: January 16, 2024

Item Number:

CA.B



AGENDA BILL APPROVAL FORM

Agenda Subject:

Payroll Voucher (Thomas)

Date:

January 3, 2024

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:**Background for Motion:**

Approve Payroll Vouchers.

Background Summary:

Payroll check numbers 539555 through 539558 in the amount of \$82,809.78, electronic deposit transmissions in the amount of \$2,623,726.83, and also a special payroll for Sick Leave cash out with check numbers 539559 through 539562 in the amount of \$1,530.68 and electronic deposit transmissions in the amount of \$28,572.76 for a grand total of \$2,736,640.05 for the period covering December 28, 2023 to January 10, 2024.

Reviewed by Council Committees:

Councilmember: Kate Baldwin

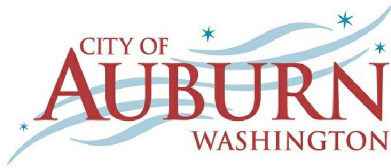
Staff:

Thomas

Meeting Date: January 16, 2024

Item Number:

CA.C



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5749 (Gaub)

Department:

Public Works

Attachments:

[Resolution No. 5749](#)

[Exhibit A](#)

[Exhibit B](#)

[Staff Report](#)

[Vicinity Map](#)

Date:

December 14, 2023

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

City Council to adopt Resolution No. 5749.

Background for Motion:

This Resolution will set February 20, 2024 as the date for the public hearing to consider the vacation of right-of-way located within a portion of 108th Ave SE that lies south of Lea Hill Road.

Background Summary:

Serhiy and Liliya Boyko have applied to the City for vacation of right-of-way located within a portion of 108th Ave SE that lies south of Lea Hill Road. The applicants own the adjacent Parcel No. 0821059033 to the east and have applied for the vacation to resolve building encroachment and maintenance issues that were created when the right-of-way was deeded to King County for roadway purposes in 1976 prior to the Boyko's ownership of the adjacent property. The home that is currently encroaching into the east side of the right-of-way was built in 1920.

The application has been reviewed by City staff and utility purveyors who have an interest in the right-of-way. Through this review City staff has determined that the right-of-way is not necessary to meet the needs of the City and could be vacated with conditions.

Resolution No. 5749, if adopted by City Council, sets the date of the Public Hearing for ROW Vacation No. VAC23-0001 for February 20, 2024.

Reviewed by Council Committees:

Councilmember: Tracy Taylor

Staff: Gaub

Meeting Date: January 16, 2024

Item Number: RES.A

RESOLUTION NO. 5749

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, SETTING A PUBLIC HEARING TO CONSIDER THE VACATION OF CITY RIGHT-OF-WAY LOCATED WITHIN A PORTION OF 108TH AVENUE SE THAT LIES SOUTH OF LEA HILL ROAD WITHIN THE CITY OF AUBURN, WASHINGTON

WHEREAS, the City received a petition signed by the owners of at least two-thirds (2/3) of the property abutting unopened City right-of-way located within a portion of 108th Avenue SE that lies south of Lea Hill Road. The petition requests that the City vacate its interest in this right-of-way; and

WHEREAS, RCW 35.79.010 and ACC 12.48.070 require the City to set a public hearing to consider the proposed vacation by Resolution, with the date of the hearing being not more than sixty (60) days nor less than twenty (20) days after the date of passage of such Resolution; and

WHEREAS, consistent with these authorities, this Resolution sets a timely public hearing to consider the proposed vacation.

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

Section 1. A public hearing to consider the petition for vacation of the City's right-of-way location within a portion of 108th Avenue SE that lies south of Lea Hill Road (legally described in attached Exhibit "A", and shown on the survey depiction marked as Exhibit "B) is set for 7:00 p.m. on the 20th day of February, 2024 at the City Council Chambers at 25 West Main Street, Auburn, Washington, 98001. All persons wishing to speak to this proposed vacation at the public hearing are invited to attend.

Section 2. The Mayor is authorized to implement those administrative procedures necessary to carry out the directives of this legislation, including posting notice of such public hearing as required by State law and City Ordinance.

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

Dated and Signed this _____ day of _____, 2024.

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Harry Boesche, Acting City Attorney

EXHIBIT A

LEGAL DESCRIPTION OF RIGHT OF WAY VACATION
(PORTION OF 108TH AVENUE SOUTHEAST)

THE WEST 30.00 FEET OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 21 NORTH, RANGE 5 EAST OF THE WILLAMETE MERIDIAN.

SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS AND UTILITIES UNDER KING COUNTY RECORDING NUMBER 5662631;

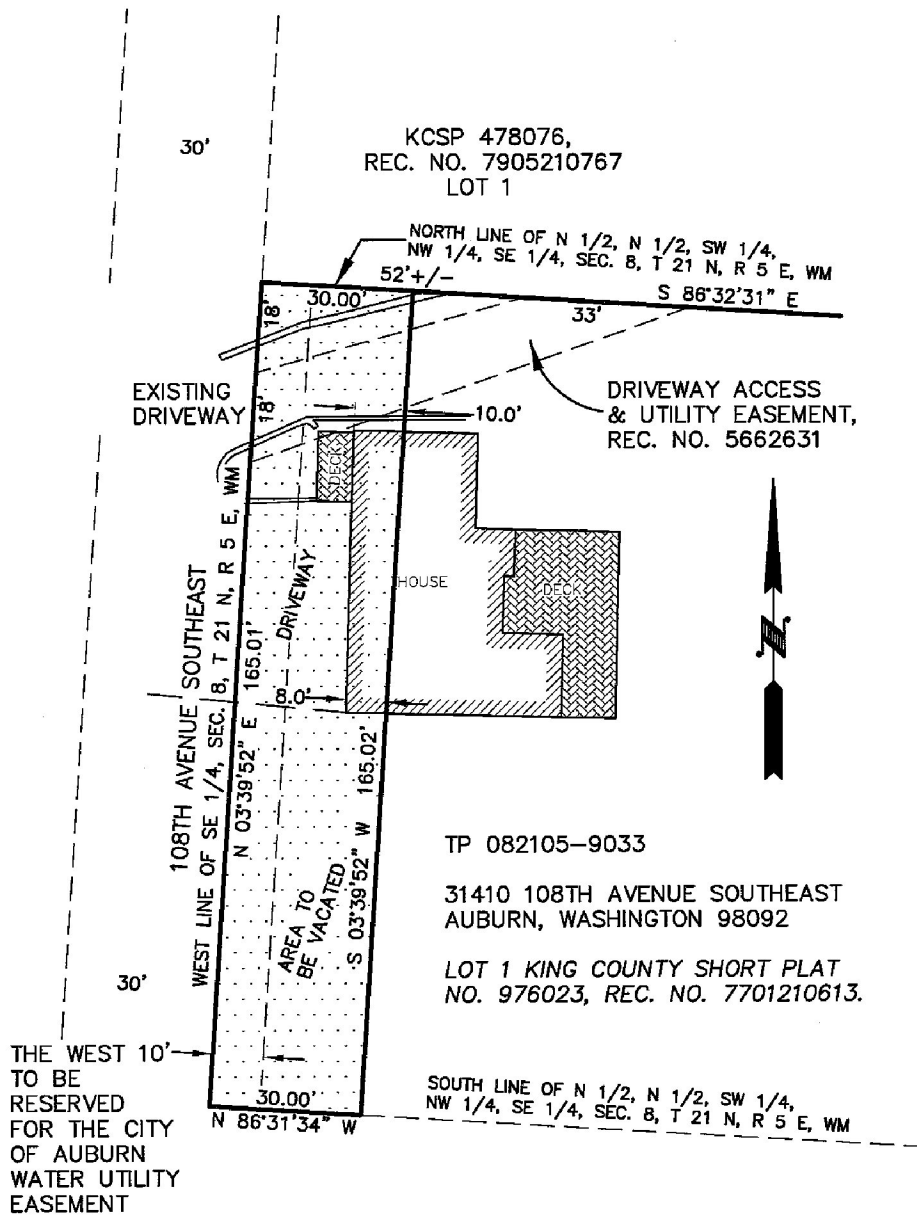
AND SUBJECT TO AN EASEMENT FOR CITY OF AUBURN WATER UTILITIES OVER THE WEST 10.00 FEET THEREOF;

SITUATE THE COUNTY OF KING COUNTY, STATE OF WASHINGTON.

CONTAINING 4,950 SQUARE FEET

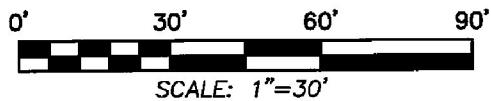


EXHIBIT B RIGHT OF WAY VACATION MAP



LEGEND

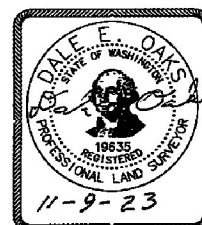
-  AREA TO BE VACATED
-  BUILDING
-  DECK

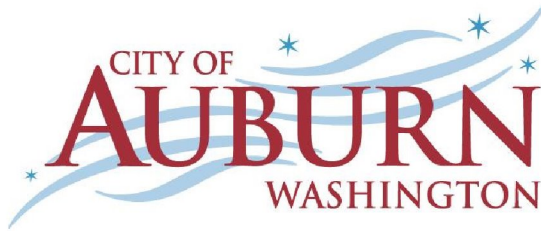


PREPARED FOR:
SERHIY & LILIYA BOYKO

PREPARED BY:
SADLER BARNARD & ASSOC.
717 W. STEWART
PUYALLUP, WA 98371
PHONE: 253-848-5170

REFERENCE:
JOB NO. 2023-086





RIGHT-OF-WAY VACATION STAFF REPORT

Right-of-Way (ROW) Vacation Number VAC23-0001

Applicant: Serhiy and Liliya Boyko

Property Location: Right-of-way located within a portion 108th Ave SE.

Description of right-of-way:

The ROW proposed for vacation is located within a portion of 108th Ave SE that lies south of but does not connect to Lea Hill Road. The proposed ROW is adjacent to Parcel No. 0821059033 on the east side, Parcel No. 0821059041 on the north side, and is bordered by City right-of-way to the west and south. The total area of ROW proposed for vacation is approximately 4,950± square feet.

The proposed ROW vacation area originally became ROW in 1976 when it was deeded as a roadway with King County Short Plat No. 976023 under Warranty Deed Recording No. 7612230657 on December 23, 1976. The area was annexed into Auburn city limits on February 29, 2000.

See Exhibit "A" for legal description and Exhibit "B" for survey depiction.

Proposal:

The Applicant is proposing that the ROW be vacated so that the proposed vacation area can be incorporated into their property and resolve encroachment and maintenance issues that were created when the ROW was dedicated in 1976. The house located on the property and encroaching into the east side of the ROW was built in 1920.

Applicable Policies & Regulations:

- RCW's applicable to this situation - meets requirements of RCW 35.79.
- MUTCD standards - not affected by this proposal.
- City Code or Ordinances - meets requirements of ACC 12.48.
- Comprehensive Plan Policy - not affected.
- City Zoning Code - not affected.

Public Benefit:

1 of 4
December 13, 2023
VAC23-0001 Staff Report

- Vacated Right-of-Way areas typically have a financial benefit to the general public because the vacated areas are subject to property taxes
- The street vacation decreases the Right-of-Way maintenance obligation of the City.

Discussion:

The vacation application was circulated to Puget Sound Energy (PSE), Comcast, CenturyLink/Lumen, Fatbeam, Zayo, and City staff.

1. Puget Sound Energy (PSE) – PSE has electrical facilities, including poles located in close proximity to the west boundary of the proposed vacation area. An easement of at least 10 feet in width is requested for maintenance and relocation purposes if relocation or undergrounding is ever required in the future.
2. Comcast – Comcast has facilities located on PSE's poles located in close proximity to the west boundary of the proposed vacation area. An easement of at least 10 feet in width is request for maintenance and relocation purposes if relocation or undergrounding is ever required in the future.
3. CenturyLink/Lumen – CenturyLink/Lumen has no facilities or equipment in the proposed vacation area and does not require an easement.
4. Fatbeam – Fatbeam has no facilities or equipment in the proposed vacation area and does not required an easement.
5. Zayo – Zayo has no facilities in the proposed vacation area and does not require and easement.
6. Engineering – All City facilities located in the proposed vacation area will require easements to ensure that they are accessible to the City.
7. Transportation – Transportation has no concerns with proposed vacation. Currently, there are no projects for a future road extension in the area of the proposed vacation in the comprehensive transportation plan.
8. Planning – Planning has no concerns or comments on the proposed vacation.
9. Development Engineering - Access and utility easements are required through the vacated right-of-way to serve the property(s) utilizing the northern part of the vacation area. There is an existing easement in place under KC Recording No. 5662631 dated October 31, 1963 for access and utilities to the northern parcel that was created prior to the ROW being dedicated as ROW. This easement remains in place and will survive the vacation of the ROW.
10. Water – There is an existing 6" water main in 108th Ave SE. A 10 foot easement for City water facilities and maintenance will be required to be reserved across the west 10 feet of the proposed vacation area.
11. Sewer – There are no existing City sewer facilities in the proposed vacation area and no easements are required.
12. Storm – There are no existing City storm facilities in the proposed vacation area and no easements are required.

13. Valley Regional Fire Authority – Review completed and the Fire Marshal had no comments.
14. Solid Waste – No comments.
15. Police – Review completed by Auburn PD. The proposed vacation has no impact on police operations.
16. M&O – No comments.
17. Construction Inspection – No comments.
18. Innovation and Technology – No comments

Assessed Value:

ACC 12.48 states: “The city council may require as a condition of the ordinance that the city be compensated for the vacated right-of-way in an amount which does not exceed one-half the value of the right-of-way so vacated, except in the event the subject property or portions thereof were acquired at public expense or have been part of a dedicated public right-of-way for 25 years or more, compensation may be required in an amount equal to the full value of the right-of-way being vacated. The city engineer shall estimate the value of the right-of-way to be vacated based on the assessed values of comparable properties in the vicinity. If the value of the right-of-way is determined by the city engineer to be greater than \$2,000, the applicant will be required to provide the city with an appraisal by an MAI appraiser approved by the city engineer, at the expense of the applicant. The city reserves the right to have a second appraisal performed at the city’s expense.”

RCW 35.79.030 states the vacation “shall not become effective until the owners of property abutting upon the street or alley, or part thereof so vacated, shall compensate such city or town in an amount which does not exceed one-half the appraised value of the area so vacated. If the street or alley has been part of a dedicated public right-of-way for twenty-five years or more, or if the subject property or portions thereof were acquired at public expense, the city or town may require the owners of the property abutting the street or alley to compensate the city or town in an amount that does not exceed the full appraised value of the area vacated”.

An appraisal by an MAI appraiser of the subject right-of-way was required to be submitted by the applicant. The appraisal was reviewed and found to be acceptable. The appraisal values the right-of-way using an “Across the Fence” methodology which values the subject right-of-way at \$17,000.00. The right-of-way has been right-of-way for more than 25 years and was provided through warranty deed associated with King County Short Plat No. 976023 in 1976 and annexed into Auburn city limits in 2000.

Recommendation:

Staff recommends that the street vacation be granted subject to the following conditions:

1. An easement shall be reserved for existing and future City water facilities.
2. An easement shall be reserved for Puget Sound Energy electric facilities.
3. An easement shall be reserved for Comcast cable facilities.
4. The existing easement in place under KC Recording No. 5662631 dated October 31, 1963 for access and utilities to the northern parcel that was created prior to the ROW being dedicated as ROW shall remain in place and will survive the vacation of the ROW.
5. Staff recommends that compensation for the value of the right-of-way not be required as it was initially deeded as right-of-way associated with development of a short plat at no cost to the City.

