

**City Council Meeting
January 6, 2014 - 7:30 PM
Auburn City Hall
MINUTES**

I. CALL TO ORDER

A. Flag Salute

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

B. Roll Call

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

Department Directors and staff members present: Director of Administration Michael Hursh, City Attorney Daniel B. Heid, Assistant Director of Planning and Development Jeff Tate, Acting City Engineer Ingrid Gaub, Finance Director Shelley Coleman, Acting Director of Human Resources and Risk Management Rob Roscoe, Chief of Police Bob Lee, Parks, Arts and Recreation Director Daryl Faber, Innovation and Technology Director Ron Tiedeman, Economic Development Manager Doug Lein, Engineering Aide Amber Mund, and City Clerk Danielle Daskam.

C. Announcements, Appointments, and Presentations

1. Miss Auburn & Miss Auburn's Outstanding Teen Scholarship Program Days
Mayor Backus to proclaim January 24th and January 25th as Miss Auburn & Miss Auburn's Outstanding Teen Scholarship Program Days in Auburn.

Miss Auburn contestants and Miss Auburn Outstanding Teen contestants introduced themselves and their sponsors and described their platforms. Miss Auburn contestants in attendance included: Morgan Warren sponsored by the Rotary Club of Auburn, Sarah Gleason sponsored by the Kiwanis Club of Auburn, Hannah Wood sponsored by Don Small and Son, Emma Wanner sponsored by Sound Credit Union, Ashley Larson sponsored by Scotty's Construction, Katelyn Durrant sponsored by Cascade Eye and Skin Center, De'Djuana Simpson sponsored by Longhorn Barbecue, Alyssa Mesina sponsored by American

Solutions, Erin Fischer sponsored by Oddfellas Pub and Eatery, Savannah Stephen-Borer sponsored by Auburn Kiwanis of the Valley, Kristen Durrant sponsored by Jerry Honeysett, Sophie Nelson sponsored by HBT Insurance, Syndee Babcock sponsored by Space Management, Elizabeth Keeley sponsored by Molen Orthodontics, and Jacque Guyette sponsored by Auburn Chevrolet. Miss Auburn Outstanding Teen contestants in attendance included: Vivian Dao, Stellsie Thackeray, Bailey Williams, Megan Bass, Madison Truscan, Sylvia Jones, Evelyn Crisotomo, Sophie Tekola, Lexie Smith, and Rovine Sincioco.

Mayor Backus introduced Miss Auburn Scholarship officers in attendance: Tamie Bothell, President; Jim Kleinbeck, Vice President; Angie Kleinbeck, Treasurer; Emily Hursh, Secretary; and Co-Executive Directors Tamie Bothell and Lonna Graves. Other board members and volunteers in the audience were also recognized.

Mayor Backus, who worked with the Miss Auburn Scholarship Program for thirty-three years, read a proclamation declaring January 24th and January 25th as Miss Auburn and Miss Auburn's Outstanding Teen Scholarship Program Day in the city of Auburn.

2. Human Trafficking Awareness Month
Mayor Backus to proclaim January, 2014 as Human Trafficking Awareness Month in the city of Auburn.

Mayor Backus read and presented a proclamation declaring January 2014 as Human Trafficking Awareness Month in the city of Auburn to Linda Myers, Core Leader and Co-founder of the Southeast King County Coalition Against Trafficking (SEKCAT).

D. Agenda Modifications

A revised version of Ordinance No. 6492 was distributed prior to the City Council meeting.

II. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE

A. Public Hearings

1. Right-of-Way Vacation No. V1-13 (Osborne/Gaub)
City Council to conduct a public hearing on the application by Plan A Development LLC for the vacation of right-of-way located at the alley between South Division Street and A Street SE, south of East Main Street.

Engineering Aide Amber Mund presented the staff report on the request to vacate the alley between South Division Street and A

Street SE south of East Main Street. The alley was dedicated as right-of-way in 1886 through the dedication of the original plat of the City. Plan A Development LLC is the applicant for the vacation and is proposing the vacation in order to create a more cohesive development on adjoining properties.

Staff recommends approval of the vacation provided that easements are reserved for utilities and public access easement for the purpose of allowing vehicular, pedestrian, and emergency access to parcels adjacent to the vacated right-of-way.

No compensation is required of the applicant since the right-of-way was originally acquired through dedication at no cost to the City.

Staff noted that public benefit from the right-of-way includes decreased right-of-way maintenance obligation by the City and an increase in downtown commercial development and sales tax revenue.

Mayor Backus opened the public hearing.

Virginia Haugen, 2503 R Street SE, Auburn
Ms. Haugen spoke against the alley vacation.

There being no further comment, Mayor Backus closed the public hearing.

B. Audience Participation

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

Kristina Driessen, 16 A Street SE, Auburn
Ms. Driessen, who has a law practice on A Street SE, spoke regarding the impact of changes in parking near her business. She stated that the parking changes have negatively affected her business and other businesses in the area.

Giovanni Di Quattro, owner of The Rainbow Cafe on East Main Street, Auburn

Mr. Di Quattro spoke regarding the transfer of sixteen parking spaces that were previously City owned public parking and are now owned by Chase Bank. Mr. Di Quattro questioned the property exchange and reported he has lost business due to the loss of public parking near his business.

Assistant Planning and Development Director Jeff Tate explained the

land exchange that occurred between the City and Chase Bank, which was for the parking area across A Street SE for 16 parking spaces in the parking lot north of Safeway. Mr. Tate reported that approximately 80 public parking spaces remain behind East Main Street and north of Safeway. Mr. Tate stated that conversations are ongoing regarding the public use of the 16 parking spaces during non-banking hours.

Virginia Haugen, 2503 R Street SE, Auburn
Ms. Haugen spoke regarding the need for parking in the downtown area.

Veronica Willer, 1408 11th Street NE, Auburn
Ms. Willer spoke regarding the need for additional public parking in the downtown area.

C. Correspondence

There was no correspondence for Council review.

III. COUNCIL COMMITTEE REPORTS

A. Municipal Services

Chair Peloza reported the Municipal Services Committee did not meet on December 23, 2013. The next regular meeting of the Municipal Services Committee is scheduled for January 13, 2014 at 3:30 p.m.

B. Planning & Community Development

Chair Holman reported the Planning and Community Development Committee last met on December 9, 2013. The Committee received the annual update from the Arts Commission. The Committee reviewed Resolution N. 5010, Ordinance No. 6488, Ordinance No. 6492, and Phase 2 City Hall remodel project. The next regular meeting of the Planning and Community Development Committee is scheduled for January 13, 2014 at 5:00 p.m.

C. Public Works

Chair Osborne reported the Public Works Committee met this afternoon at 3:30. The Committee reviewed Ordinance No. 6484 relating to the vacation of an alley and discussed arterial and collector pavement projects for 2014, speed cushions design standards, the capital project status report, significant infrastructure projects by other jurisdictions, the Committee's action tracking matrix, and traffic impact fees. The next regular meeting of the Public Works Committee is scheduled for January 21, 2014 at 3:30 p.m.

D. Finance

Chair Wales reported the Finance Committee met this evening at 5:00. The Committee reviewed and approved claims vouchers for 2013 in the amount of approximately \$1.9 million, 2014 claims vouchers in the amount of \$223,340.72, and payroll vouchers in the amount of approximately \$2.3 million. The Committee discussed Resolution No. 5021 related to golf course software, sales and use tax history and forecasts, and Ordinance No. 6492 related to the organization of City government. The next regular meeting of the Finance Committee is scheduled for January 21, 2014 at 5:00 p.m.

E. Les Gove Community Campus

Deputy Mayor Wagner reported the next regular meeting of the Les Gove Community Campus Committee is scheduled for January 22, 2014 at 5:00 p.m.

F. Council Operations Committee

Deputy Mayor Wagner reported the Council Operations Committee met in special session on January 2, 2014, in order to review Ordinance No. 6492 relating to organization of City administrative government, changes in meeting times for committees, and next steps for the Junior City Council. The next regular meeting of the Council Operations Committee is scheduled for February 3, 2014.

IV. CONSENT AGENDA

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

- A. Minutes of the December 16, 2013 regular meeting
- B. Claims Vouchers (Wales/Coleman)
2013 claims voucher numbers 426641 through 426848 in the amount of \$1,985,773.74 and dated January 6, 2014.

2014 claims voucher numbers 426849 through 426870 in the amount of \$223,340.72 and dated January 6, 2014.

- C. Payroll Vouchers (Wales/Coleman)
Payroll check numbers 534370 through 534406 in the amount of \$964,264.33 and electronic deposit transmissions in the amount of \$1,316,202.70 for a grand total of \$2,280,467.03 for the period covering December 12, 2013 to January 1, 2014.

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

The Consent Agenda includes minutes, claims and payroll vouchers.

MOTION CARRIED UNANIMOUSLY. 7-0

V. UNFINISHED BUSINESS

There was no unfinished business.

VI. NEW BUSINESS

There was no new business.

VII. ORDINANCES

- A. Ordinance No. 6484 (Osborne/Gaub)
An Ordinance of the City Council of the City of Auburn, Washington, vacating right-of-way of the alley between South Division Street and A Street SE, south of East Main Street, within the City of Auburn, Washington

Councilmember Osborne moved and Councilmember Pelozo seconded to introduce and adopt Ordinance No. 6484.

Ordinance No. 6484 was discussed during the public hearing this evening. The Ordinance will vacate right-of-way on the block referred to as the "Cavanaugh" block.

MOTION CARRIED UNANIMOUSLY. 7-0

- B. Ordinance No. 6492 (Wagner/Hursh)
An Ordinance of the City Council of the City of Auburn, Washington, amending Sections 2.03.040 and 2.03.090 of the Auburn City Code related to the organization of City administrative government

Deputy Mayor Wagner moved Councilmember Pelozo seconded to introduce and adopt Ordinance No. 6492.

Ordinance No. 6492 allows the Mayor more flexibility in designating positions in City government while still providing Council oversight.

MOTION CARRIED UNANIMOUSLY. 7-0

VIII. RESOLUTIONS

- A. Resolution No. 5024 (Pelozo/Hursh)
A Resolution of the City Council of the City of Auburn, Washington, confirming the determination of emergency for repairs to City property, and ratifying and confirming prior acts

Councilmember Pelozo moved and Councilmember Osborne seconded to adopt Resolution No. 5024.

Resolution No. 5024 provides for emergency repairs to City property located at 2840 Riverwalk Drive, which was damaged by vandals to

the extent it has created a life/safety issue.

MOTION CARRIED UNANIMOUSLY. 7-0

IX. REPORTS

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

A. From the Council

Councilmember DaCorsi reported he attended the Association of Washington Cities' training for newly elected officials and completed the Association of Washington Cities' training for effective local leadership. Councilmember DaCorsi also reported on his visit to the Auburn YMCA facility and orientation sessions with city staff.

Councilmember Wales announced that she has been selected as a member of the National League of Cities Human Development Committee, a voting member of the King County Board of Health, and a voting member, representing the small cities and towns, on the Pierce County Board of Health. Councilmember Wales reported she attended the City's Wellness Committee meeting. Councilmember Wales also spoke regarding the resources of the King County Board of Health and the assistance King County Health is providing to enrollees in the Affordable Care Act.

Councilmember Holman reported he attended the Auburn Area Chamber of Commerce Business Insider luncheon, where Dr. Kipp Herren, Superintendent of Auburn Schools, presented the State of the Schools. Councilmember Holman also reported on his attendance at the Sound Cities Association meeting and his appointment to the Seattle-King County Economic Development Commission, the National League of Cities Community and Economic Development Steering Committee, and the Puget Sound Regional Council Growth Management Committee.

Councilmember Pelosa reported on his attendance at the South County Area Transportation Board meeting, the Auburn Airport Advisory Board meeting, the Senior Center Christmas lunch program, and his appointment as Chair of the National League of Cities Energy, Environment and Natural Resources Committee.

Councilmember Osborne reported that he was selected as a voting member of the Regional Water Quality Committee and the Regional Transit Committee. Councilmember Osborne was also selected as a member of the steering committee for the National League of Cities Transportation, Infrastructure and Services Committee.

Councilmember Trout reported she attended the Association of Washington Cities' training for newly elected officials and orientation sessions provided by City staff.

B. From the Mayor

Mayor Backus reported on her participation in the Toys for Kids Program and distribution by the Auburn Food Bank and the Holy Family Church holiday basket distribution. Mayor Backus commended the Valley Regional Professional Fire Fighters Association, the Auburn Food Bank, and Holy Family Church for their service to the community during the holiday season. Mayor Backus reported she met with representatives of Sound Transit regarding partnering to find resolutions to the need for additional parking in downtown Auburn.

X. EXECUTIVE SESSION

At 8:49 p.m., Mayor Backus recessed the meeting for a five minute intermission and then to executive session for approximately 30 minutes in order to discuss pending/potential litigation pursuant to RCW 42.30.110(1) (i). Department Directors and staff required for the executive session were City Attorney Daniel B. Heid, Director of Administration Michael Hursh, Finance Director Shelley Coleman, Acting Director of Human Resources and Risk Management Rob Roscoe, and Acting City Engineer Ingrid Gaub. It was announced that Council action may occur following the executive session.

Mayor Backus reconvened the meeting at 9:17 p.m.

City Attorney Heid read the title of Resolution No. 5022:

Resolution No. 5022

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to negotiate and execute an agreement between the City of Auburn and the Washington State Department of Ecology for partial settlement of the ongoing litigation regarding the National Pollution Discharge Elimination System Phase II appeal

Councilmember Osborne moved and Councilmember Pelosa seconded to adopt Resolution No. 5022.

Resolution No. 5022 partially settles litigation the City has against the Washington State Department of Ecology.

MOTION CARRIED UNANIMOUSLY. 7-0

City Attorney Heid read the title of Resolution No. 5023:

Resolution No. 5023

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute a Release and Settlement Agreement between the City of Auburn and the Lehnertz Family LLC, for settlement and dismissal of the lawsuit filed in the King County Superior Court under Cause Number 13-2-03852-8 KNT

Councilmember Holman moved and Councilmember Wales seconded to adopt Resolution No. 5023.

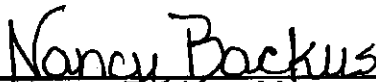
Resolution No. 5023 settles ongoing litigation with David Allen Davis and the Lehnertz Family Trust LLC.

MOTION CARRIED UNANIMOUSLY. 7-0

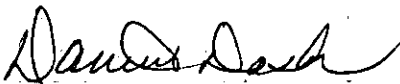
XI. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 9:20 p.m.

APPROVED THIS 21st day of January, 2014.



Nancy Backus, Mayor



Danielle Daskam, City Clerk