

**City Council
Regular Meeting
February 17, 2026 - 7:00 PM
City Hall Council Chambers**

AGENDA

CALL TO ORDER

LAND ACKNOWLEDGEMENT

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.

PUBLIC PARTICIPATION

- A. The Auburn City Council Meeting scheduled for Tuesday, February 17, 2026, 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/86876037390>

PLEDGE OF ALLEGIANCE

ROLL CALL

ANNOUNCEMENTS, MAYOR'S PROCLAMATIONS, AND PRESENTATIONS

- A. Black History Month
Mayor Backus to proclaim February 2026 as "Black History Month" in the City of Auburn

APPOINTMENTS

- A. Auburn Junior City Council
City Council to approve the appointment of Erica Chen, Giovanni Russo, and Hakima Abdikadir to Auburn Junior City Council for a two-year term expiring August 31, 2027

(RECOMMENDED ACTION: Move to approve the appointment of Erica Chen, Giovanni Russo, and Hakima Abdikadir to Auburn Junior City Council for a two-year term expiring August 31, 2027.)

- B. Business Improvement Area (BIA) Committee of Rate Payers
City Council to approve the appointment of Gabrielle Galloway to the Business Improvement Area (BIA) Committee of Rate Payers for a three-year term expiring December 31, 2028

(RECOMMENDED ACTION: Move to approve the appointment of Gabrielle Galloway to the Business Improvement Area (BIA) Committee of Rate Payers for a three-year term expiring December 31, 2028.)

AGENDA MODIFICATIONS

PUBLIC COMMENT

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

- A. 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 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 accommodation to be able to provide a remote oral comment by contacting the City Clerk's Office in person, by phone (253) 931-3039, or by email (publiccomment@auburnwa.gov).

CORRESPONDENCE

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 from the February 2, 2026, City Council Meeting
- B. Minutes from the February 9, 2026, Study Session Meeting
- C. Claims Vouchers (Thomas)
Claims voucher list dated February 11, 2026, which includes voucher numbers 482781 through voucher 482868, in the amount of \$5,706,207.92, twenty-one electronic fund transfers in the amount of \$36,764.61, and two wire transfers in the amount of \$610,987.68

- D. Payroll Vouchers (Thomas)
Payroll check numbers 539782 through 539789 in the amount of \$95,167.20, electronic deposit transmissions in the amount of \$3,081,073.18, for a grand total of \$3,176,240.38 for the period covering January 29, 2026, to February 11, 2026

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

UNFINISHED BUSINESS

NEW BUSINESS

ORDINANCES

- A. Ordinance No. 7012 (Thomas)
An Ordinance establishing the Local Sales and Use Tax Rate for Local Revitalization Financing for 2026

(RECOMMENDED ACTION: Move to approve Ordinance No. 7012.)

- B. Ordinance No. 7013 (Gaub)
An Ordinance providing for the acquisition by eminent domain of property located near or adjacent to R Street SE within the City of Auburn, Washington for roadway improvements and related upgrades for Project No. CP2308, R Street SE/21st St SE roundabout; declaring public use and necessity; and providing for severability and an effective date

(RECOMMENDED ACTION: Move to approve Ordinance No. 7013.)

RESOLUTIONS

- A. Resolution No. 5889 (Thomas)
A Resolution authorizing the Transfer of Funds for the purpose of making loans from the General Fund and/or the Cumulative Reserve Fund to Funds sustained by Grants, Fees, or Tax Credits between February 2026 and February 2029

(RECOMMENDED ACTION: Move to adopt Resolution No. 5889.)

- B. Resolution No. 5891 (Whalen)
A Resolution declaring City-Owned Real Property located at 15603 SE 174th Street, Renton, Washington as surplus and authorizing its disposal

(RECOMMENDED ACTION: Move to adopt Resolution No. 5891.)

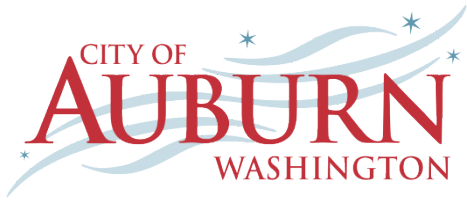
MAYOR AND COUNCILMEMBER REPORTS

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

ADJOURNMENT

Agendas and minutes are available to the public at the City Clerk's Office and on the City website (<http://www.auburnwa.gov>).



AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes from the February 2, 2026, City Council Meeting

Meeting Date:

February 17, 2026

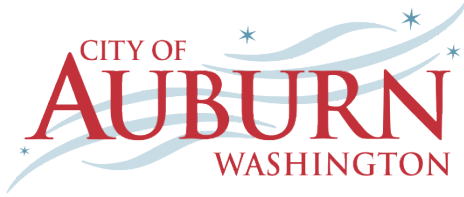
Department:

City Council

Attachments:

02-02-2026 Minutes

Budget Impact:**Administrative Recommendation:****Background for Motion:****Background Summary:****Councilmember:****Staff:**



**City Council
Regular Meeting
February 2, 2026 - 7:00 PM
City Hall Council Chambers**

MINUTES

CALL TO ORDER

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

LAND ACKNOWLEDGEMENT

Mayor Backus acknowledged the Federally Recognized Muckleshoot Indian Tribe as the ancestral keepers of the land we are gathered on today.

PUBLIC PARTICIPATION

The City Council Meeting was held in person and virtually.

PLEDGE OF ALLEGIANCE

Mayor Backus led those in attendance in the Pledge of Allegiance.

ROLL CALL

Councilmembers present: Deputy Mayor Tracy Taylor, Hanan Amer, Kate Baldwin, Brian Lott, Cheryl Rakes, Lisa Stirgus, and Clinton Taylor.

Mayor Nancy Backus and the following staff members present included: City Attorney Jason Whalen, Chief of Police Mark Caillier, Director of Public Works Ingrid Gaub, Director of Community Development Jason Krum, Director of Parks, Arts, and Recreation Julie Krueger, Director of Human Resources and Risk Management Candis Martinson, Assistant Director of Human Resources and Risk Management Aaron Barber, and City Clerk Shawn Campbell.

ANNOUNCEMENTS, MAYOR'S PROCLAMATIONS, AND PRESENTATIONS

There were no announcements, Mayor's proclamations, or presentations.

APPOINTMENTS

- A. Auburn Junior City Council
City Council to approve the appointment of Lanya Muhsen to the Auburn Junior City Council for a two-year term expiring August 31, 2027

Deputy Mayor T. Taylor moved and Councilmember Stirgus seconded to approve the appointment of Lanya Muhsen to the Auburn Junior City Council for a two-year term expiring August 31, 2027.

MOTION CARRIED UNANIMOUSLY. 7-0

AGENDA MODIFICATIONS

There were no modifications to the agenda.

PUBLIC COMMENT

Written Comments:

The City Clerk's Office received written comments from James DeLay and Julien Loh, which were forwarded to the Mayor and Council prior to the meeting.

In-Person Comments:

Cory Thompson, Rocky Salvador, Tim Gilmore, Ashley Sprecher, Ronnie Morgan, and Virginia Haugen provided comments.

CORRESPONDENCE

There was no correspondence for Council to review.

CONSENT AGENDA

- A. Minutes from the January 5, 2026, City Council Meeting
- B. Minutes from the January 12 and January 26, 2026, Study Session Meetings
- C. Claims Vouchers (Thomas)
Claims voucher list dated January 14, 2026 which includes voucher numbers 482452 through voucher 482579, in the amount of \$10,511,618.18, five electronic fund transfers in the amount of \$1,427.14 and two wire transfers in the amount of \$830,671.30
- D. Claims Vouchers (Thomas)
Claims voucher list dated January 20, 2026, which includes voucher numbers 482580 through voucher 482672, in the amount of \$3,054,604.53

- E. Claims Vouchers (Thomas)
Claims voucher list dated January 28, 2026 which includes voucher numbers 482673 through voucher 482780, in the amount of \$2,470,568.10, five electronic fund transfers in the amount of \$1,188.69 and four wire transfers in the amount of \$1,075,460.55
- F. Payroll Voucher (Thomas)
Payroll check numbers 539770 through 539776 in the amount of \$90,421.27, electronic deposit transmissions in the amount of \$3,267,301.30, also a special payroll for sick leave cash out, electronic deposit transmissions in the amount of \$18,069.34, for a grand total of \$3,375,861.91 for the period covering December 31, 2025 to January 14, 2026
- G. Payroll Voucher (Thomas)
Payroll check numbers 539777 through 539781 in the amount of \$841,433.44, electronic deposit transmissions in the amount of \$2,851,363.34, for a grand total of \$3,692,796.78 for the period covering January 15, 2026 to January 28, 2026

Deputy Mayor T. Taylor moved and Councilmember Amer seconded to approve the consent agenda.

MOTION CARRIED UNANIMOUSLY. 7-0

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

ORDINANCES

- A. Ordinance No. 7011 (Thomas)
An Ordinance amending Chapters 2.46 "Hearing Examiner"; 3.41 "Solid Waste Garbage Utility Tax"; 3.53 and 3.54 "Business and Occupation Tax and Square Footage Tax" and the corresponding "Administrative Codes"; 3.62 "Administrative Code for Certain City Taxes"; and 3.88 "Utility Services" of the Auburn City Code

Councilmember Amer moved and Councilmember Stirgus seconded to approve Ordinance No. 7011.

MOTION CARRIED UNANIMOUSLY. 7-0

RESOLUTIONS

A. Resolution No. 5863 (Krum)

A Resolution authorizing the Mayor to execute the King County-Cities Climate Collaboration (K4C) Interlocal Agreement, thereby making the City of Auburn a Partner City

Councilmember Baldwin moved and Councilmember Amer seconded to adopt Resolution No. 5863.

MOTION CARRIED UNANIMOUSLY. 7-0

B. Resolution No. 5881 (Gaub)

A Resolution authorizing the Mayor to execute agreements to accept Stormwater Capacity Grants from the Washington State Department of Ecology for implementing the National Pollutant Discharge Elimination System Municipal Stormwater Phase II permit requirements

Councilmember Baldwin moved and Deputy Mayor T. Taylor seconded to adopt Resolution No. 5881.

MOTION CARRIED UNANIMOUSLY. 7-0

C. Resolution No. 5882 (Gaub)

A Resolution authorizing the Mayor to grant an Easement to Puget Sound Energy for the purpose of installing Underground Gas Facilities for the AWOS, Beacon, & Emergency Generator Project (CP2335)

Councilmember Baldwin moved and Councilmember Amer seconded to adopt Resolution No. 5882.

MOTION CARRIED UNANIMOUSLY. 7-0

D. Resolution No. 5887 (Krueger)

A Resolution authorizing the Mayor to approve the conceptual design, fabricate, and install a Public Art Piece into the Auburn Downtown Park qualifying for the 1% for Art for the Theater and Park Design Project

Councilmember C. Taylor moved and Councilmember Rakes seconded to adopt Resolution No. 5887.

MOTION CARRIED UNANIMOUSLY. 7-0

- E. Resolution No. 5888 (Caillier)
A Resolution approving a Mutual Aid Interlocal Agreement between the City of Renton and the City of Auburn related to the 2026 FIFA World Cup

Councilmember Stirgus moved and Councilmember C. Taylor seconded to adopt Resolution No. 5888.

MOTION CARRIED UNANIMOUSLY. 7-0

- F. Resolution No. 5892 (Martinson)
A Resolution authorizing the Mayor to execute a Collective Bargaining Agreement between the City of Auburn and Teamsters Union Local No. 117 - Outside Unit for 2026-2028

Deputy Mayor T. Taylor moved and Councilmember Amer seconded to adopt Resolution No. 5892.

MOTION CARRIED UNANIMOUSLY. 7-0

CLOSED SESSION

Mayor Backus adjourned into a Closed Session per RCW 42.30.140(40)(b) to discuss a Collective Bargaining Agreement for 20 minutes at 7:34 p.m. Mayor Backus, Councilmembers, City Attorney Whalen, Director Martinson, and Assistant Director Barber were required to attend. There was anticipated action after the Closed Session.

Mayor Backus extended the Closed Session at 7:54 p.m. for 5 minutes.

Mayor Backus extended the Closed Session at 7:59 p.m. for 5 minutes.

Mayor Backus extended the Closed Session at 8:04 p.m. for 5 minutes.

Mayor Backus reconvened the meeting at 8:09 p.m. and Resolution No. 5892 was added to the agenda under Resolutions Item F.

MAYOR AND COUNCILMEMBER REPORTS

- A. From the Council

Councilmembers provided reports on the events that they attended.

- B. From the Mayor

Mayor Backus provided a report on the events she attended.

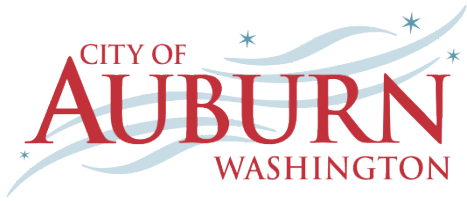
ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:25 p.m.

APPROVED this 17th day of February 2026.

NANCY BACKUS, MAYOR

Shawn Campbell, City Clerk



AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes from the February 9, 2026, Study Session Meeting

Meeting Date:

February 17, 2026

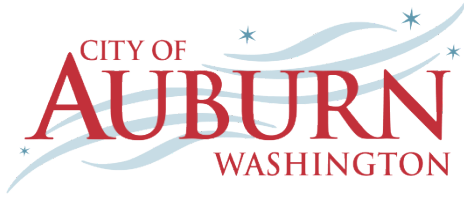
Department:

City Council

Attachments:

02-09-2026 Minutes

Budget Impact:**Administrative Recommendation:****Background for Motion:****Background Summary:****Councilmember:****Staff:**



**City Council
Study Session
Municipal Services SFA
February 9, 2026 - 5:30 PM
City Hall Council Chambers**

MINUTES

CALL TO ORDER

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

PUBLIC PARTICIPATION

The Study Session Meeting was held in person and virtually.

ROLL CALL

Councilmembers present: Deputy Mayor Tracy Taylor, Hanan Amer, Kate Baldwin, Brian Lott, Cheryl Rakes, Lisa Stirgus, and Clinton Taylor.

Mayor Nancy Backus and the following staff members present included: City Attorney Jason Whalen, Commander Brian Anderson, Director of Finance Jamie Thomas, and City Clerk Shawn Campbell.

AGENDA MODIFICATIONS

There were no modifications to the agenda.

ANNOUNCEMENTS, REPORTS, AND PRESENTATIONS

There were no announcements, reports, or presentations.

MUNICIPAL SERVICES DISCUSSION ITEMS

There were no Municipal Services Special Focus Area discussion items.

AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Ordinance No. 7012 (Thomas) (5 Minutes)

An Ordinance establishing the Local Sales and Use Tax Rate for Local Revitalization Financing for 2026

Director Thomas provided Council with an overview of Ordinance No. 7012, including a brief history on using Sales Tax for debt services.

Council discussed unanticipated shortfalls, payoff timeframes, and items the bond paid for.

B. Resolution No. 5889 (Thomas) (5 Minutes)

A Resolution authorizing the Transfer of Funds for the purpose of making loans from the General Fund and/or the Cumulative Reserve Fund to Funds sustained by Grants, Fees, or Tax Credits between February 2026 and February 2029

Director Thomas provided Council with an overview of Resolution No. 5889, including the reasons the City would need to make interfund loans and State requirements for making interfund loans.

Council discussed notifications to Council.

COUNCIL REPORTS

Deputy Mayor T. Taylor and Councilmembers Baldwin, Rakes, and Stirgus provided reports.

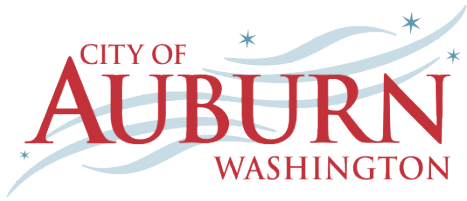
ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 5:46 p.m.

APPROVED this 17th day of February 2026.

TRACY TAYLOR, DEPUTY MAYOR

Shawn Campbell, City Clerk



AGENDA BILL APPROVAL FORM

Agenda Subject:

Claims Vouchers (Thomas)

Claims voucher list dated February 11, 2026, which includes voucher numbers 482781 through voucher 482868, in the amount of \$5,706,207.92, twenty-one electronic fund transfers in the amount of \$36,764.61, and two wire transfers in the amount of \$610,987.68

Meeting Date:

February 17, 2026

Department:

Finance

Attachments:

None

Budget Impact:**Administrative Recommendation:**

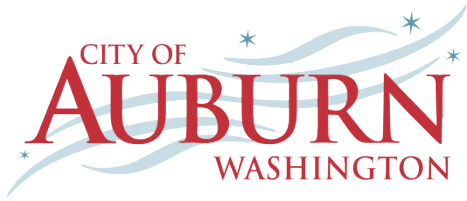
City Council to approve Claim Vouchers.

Background for Motion:**Background Summary:**

Claims voucher list dated February 11, 2026, which includes voucher numbers 482781 through voucher 482868, in the amount of \$5,706,207.92, twenty-one electronic fund transfers in the amount of \$36,764.61, and two wire transfers in the amount of \$610,987.68.

Councilmember: Hanan Amer

Staff: Jamie Thomas



AGENDA BILL APPROVAL FORM

Agenda Subject:

Payroll Vouchers (Thomas)
Payroll check numbers 539782 through 539789 in the amount of \$95,167.20, electronic deposit transmissions in the amount of \$3,081,073.18, for a grand total of \$3,176,240.38 for the period covering January 29, 2026, to February 11, 2026

Meeting Date:

February 17, 2026

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

Department:

Finance

Attachments:

None

Budget Impact:**Administrative Recommendation:**

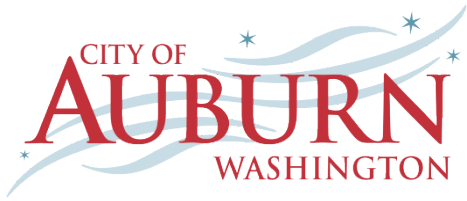
City Council to approve Payroll Vouchers.

Background for Motion:**Background Summary:**

Payroll check numbers 539782 through 539789 in the amount of \$95,167.20, electronic deposit transmissions in the amount of \$3,081,073.18, for a grand total of \$3,176,240.38 for the period covering January 29, 2026, to February 11, 2026.

Councilmember: Hanan Amer

Staff: Jamie Thomas



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 7012 (Thomas)
An Ordinance establishing the Local Sales and Use Tax Rate for Local Revitalization Financing for 2026

Meeting Date:

February 17, 2026

(RECOMMENDED ACTION: Move to approve Ordinance No. 7012.)

Department:

Finance

Attachments:

Ordinance No. 7012

Budget Impact:**Administrative Recommendation:**

City Council to approve Ordinance No. 7012.

Background for Motion:

Ordinance No. 7012 allows the City to leverage a portion of the State's Sales Tax collections, up to \$250,000, to be used for the City's debt service costs related to the 2009 Downtown Revitalization Area Capital Improvements.

Background Summary:

Ordinance No. 7012 levies a 0.014% Sales Tax Credit against the State Sales Tax for Local Revitalization Financing. Senate Bill 5045, authorizing the tax credit, was passed by the State Legislature during the 2009 regular session. The intent of the legislation was to provide financial assistance to cities, to assist with financing public improvements in an identified revitalization area to promote Community and Economic Development.

The City first applied for the use of Local Revitalization Financing on August 11, 2009, and the Department of Revenue approved the City's application on September 16, 2009, authorizing up to \$250,000 per year for the Local Revitalization Program (Promenade Capital Improvements).

In 2010, the City issued \$7.24 million in 2010 C/D Bonds for the purpose of funding Capital Improvements for the Promenade. In October 2020, the City refunded the remaining portion of these bonds by issuing the 2020B LTGO Bonds. The balance of the 2020B bonds at the end of 2025 was \$2.94 million. Funds from REET2 funds, combined with EDA grants and interest earnings, are used to pay the annual debt service costs of the Local Revitalization Project.

The tax credit is available to the City for up to 25 years. 2026 will be the seventeenth year that the City has asked the State for the tax credit. As provided by the State, in order for the City to continue receiving the Tax Credit, the City must request this each year by Ordinance. Based upon historical taxable retail sales, the above rate of 0.014% is estimated to generate \$250,000 for Local

Revitalization Funding during the State's fiscal year, July 1, 2026, to June 30, 2027.

Councilmember: Hanan Amer

Staff: Jamie Thomas

ORDINANCE NO. 7012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, ESTABLISHING THE LOCAL SALES AND USE TAX RATE FOR LOCAL REVITALIZATION FINANCING FOR 2026

WHEREAS, WHEREAS, The City of Auburn ("City") enacted Ordinance No. 6301 on April 19, 2010, which established a local sales and use tax as provided for in RCW 82.14.510; and,

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

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

WHEREAS, the Local Sales and Use Tax Rate is set at a rate to generate approximately \$250,000 between July 1, 2026 through June 30, 2027, for Local Revitalization Financing.

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

Section 1. The sales and use tax rate initially established in Section 3.2 of Ordinance No. 6301, and most recently amended by Ordinance No. 6968, is hereby amended to 0.014%, effective July 1, 2026.

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

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

Section 4. Corrections. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, Ordinance numbering, section/subsection numbers, and any references thereto.

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

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

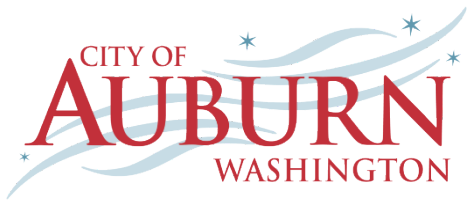
ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Jason Whalen, City Attorney

Published: _____



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 7013 (Gaub)

An Ordinance providing for the acquisition by eminent domain of property located near or adjacent to R Street SE within the City of Auburn, Washington for roadway improvements and related upgrades for Project No. CP2308, R Street SE/21st St SE roundabout; declaring public use and necessity; and providing for severability and an effective date

Meeting Date:

February 17, 2026

(RECOMMENDED ACTION: Move to approve Ordinance No. 7013.)

Department:

Public Works

Attachments:

Ordinance No. 7013, Vicinity
Map

Budget Impact:

Administrative Recommendation:

City Council to approve Ordinance No. 7013.

Background for Motion:

This Ordinance provides for acquisition of property rights for the R St SE/21st St SE Roundabout Project through condemnation from 2 properties. Needed property rights include rights-of-way and temporary easements from a portion of the subject properties.

Background Summary:

Ordinance No. 7013 was discussed at the January 26, 2026, City Council Study Session meeting. The City has presented offers and is negotiating acquisition of property rights needed for City Project CP2308 - R St SE/21st St SE Roundabout (Project). Ordinance No. 7013 declares public use and necessity regarding the Project and authorizes condemnation action for properties for which negotiations do not lead to agreement and closing. Property owners were given notice of the Ordinance in accordance with State law. Fair market offers and negotiations have taken place and are continuing with property owners in efforts to reach settlement. Condemnation would only be necessary should agreement and settlement stall or fail.

The project provides public benefit by providing infrastructure that reduces traffic congestion, provides convenient and comfortable non-motorized travel, and improves safety for all users.

The project will construct a single-lane roundabout, new roadway pavement, new pedestrian crossing with pedestrian-activated flashing beacons, a multi-use pathway for bikes and pedestrians, improve streetlighting, and upgrade the water system infrastructure.

Councilmember: Tracy Taylor

Staff: Ingrid Gaub

ORDINANCE NO. 7013

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, PROVIDING FOR THE ACQUISITION BY EMINENT DOMAIN OF PROPERTY LOCATED NEAR OR ADJACENT TO R STREET SE WITHIN THE CITY OF AUBURN, WASHINGTON FOR ROADWAY IMPROVEMENTS AND RELATED UPGRADES FOR PROJECT NO. CP2308, R STREET SE/21ST STREET SE ROUNDABOUT; DECLARING PUBLIC USE AND NECESSITY; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, efforts are being made to obtain property rights which need to be acquired in connection with the Project, including having the property appraised, as appropriate, and negotiating reasonable amounts of compensation to be paid for the property to be acquired; and

WHEREAS, the City of Auburn is a noncharter optional Municipal Code City incorporated and organized under Title 35A RCW, and authorized to acquire and/or appropriate title to lands and other real property through the exercise of eminent domain within and without its corporate limits for public purposes pursuant to Chapter 8.12 RCW; and

WHEREAS, in the interest of improving safety and traffic operations on R Street SE, the City of Auburn has identified a street improvement project, Project No. CP2308, R Street SE/21st Street SE Roundabout (the "Project"), in compliance with the goals set forth in the City's Comprehensive Plan; and

WHEREAS, the Project involves constructing a single-lane roundabout and other improvements to R Street SE to serve the public, for which the acquisition of certain real

property and/or real property rights is necessary for the completion of the public uses of the Project; and

WHEREAS, for this Project, the City determined that acquisition of certain specific rights and interests from the real properties and owners, identified in this paragraph, is necessary to accomplish and construct the Project, as follows:

Tax Parcel #	Owner Name	Situs Address
192105-9078	Dae & Jason, LLC	1539 21 st Street SE Auburn, WA 98002
192105-9177	Thomas C. Erath	1540 21 st Street SE Auburn, WA 98002

and;

WHEREAS, the real properties identified above are all located within the City of Auburn, Washington and are referred to in this Ordinance as the "Parcels," and those specific rights and interests needed by the City of Auburn for the Project, including both fee acquisition and temporary construction easement rights, are referred to in this Ordinance as the "Real Property Take"; and

WHEREAS, the legal definition of the Parcels, and the legal definition and survey drawings of the Real Property Take(s) needed from each of them, are set forth in Attachment 1 attached to and incorporated into this Ordinance by reference; and

WHEREAS, the City determined the fair market value of the Real Property Take with appraisal(s) as appropriate; and

WHEREAS, the City has, and will continue to, negotiate in good faith with the owners of the Parcels for the acquisition of the Real Property Take; and

WHEREAS, while this Ordinance authorizes condemnation, the City Council does hereby express its intent that negotiations continue in regard to the Real Property Take; and

WHEREAS, the City complied with the notice requirements set forth in RCW 8.25.290 by providing notice to the every property owner of record as indicated on the tax rolls of the county to the address provided on such tax rolls, for each property potentially subject to condemnation, at least fifteen days before the final action adopting this Ordinance, and through publication once per week for two consecutive weeks, prior to the passage of a motion adopting this Ordinance and authorizing condemnation as provided herein; and

WHEREAS, payment of just compensation and costs of litigation should be made from the City's Project funds or from such other monies that the City may have available or attain for the acquisition;

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

Section 1. Incorporation of Recitals. The recitals set forth above are hereby adopted and incorporated herein as if set forth in full.

Section 2. Public Use and Necessity Declared. The City Council of the City of Auburn finds and declares that: (i) the Project for roadway and other improvement purposes is a public use; (ii) the acquisition of the rights and interests in the Real Property Take legally described and depicted in Attachment 1 is necessary for the construction of

the Project; and (iii) the acquisition of the Real Property Take and the construction of the Project are in the best interests of the residents and taxpayers of the City of Auburn.

Section 3. Acquisition. The City Council of the City of Auburn authorizes the acquisition, condemnation and taking of the Real Property Take as legally described and depicted in Attachment 1 hereto. The City Council authorizes the acquisition of the Real Property Take under threat of condemnation or by initiation of legal action for condemnation to acquire the Real Property Take as necessary for the commencement and completion of the Project, subject to the making or paying of just compensation to the owner(s) thereof in the manner provided by law.

Section 4. Reservation of Rights. Nothing in this Ordinance limits the City in its identification and acquisition of property and property rights necessary for this public purpose. The City reserves the right to acquire additional or different properties as needed for the Project, and may adopt additional Ordinances in the future authorizing acquisition by eminent domain of properties not included in Attachment 1 herein but likewise necessary for the Project, which is a public use.

Section 5. Authority of Mayor. The Mayor, by and through her designees, is authorized to negotiate for the acquisition of property and property rights, initiate and prosecute such causes of actions and legal proceedings in the manner provided by law to condemn, take, damage and appropriate the Real Property Take, and take such other actions and implement such administrative procedures as may in her discretion be necessary to carry out the provisions of this Ordinance. In conducting said negotiations and initiating and prosecuting said condemnation proceedings, the Auburn City Attorney,

by and through his/her/their designees, are hereby authorized to enter into stipulations for the Real Property Take. Settlement of any actions by the Mayor shall be made only upon the recommendation of legal counsel.

Section 6. Compensation. The compensation to be paid to the owners of the Real Property Take acquired through this condemnation action shall be paid from the City's Project funds or from such other monies that the City may have available or attain for the acquisition.

Section 7. Severability. If any section, subsection, sentence, clause, phrase or work of this Ordinance should be held to be invalid or unconstitutional by a court or competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the constitutionality or validity of any other section, subsection, sentence, clause, phrase or word of this Ordinance, nor its application to other persons or circumstances.

Section 8. Corrections. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, Ordinance numbering, section/subsection numbers, and any references thereto.

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

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Jason Whalen, City Attorney

Published: _____

ATTACHMENT 1

Property Owners / Tax Parcels / Real Property Take

Property Owners: Dae & Jason, LLC

Tax Parcel: 192105-9078

EXHIBIT A

PARCEL LEGAL DESCRIPTION TAX PARCEL 192105-9078

That portion of Government Lot 11 in Section 19, Township 21 North, Range 5 East, W.M., and that portion of vacated Howard Road as vacated under City of Auburn Ordinance No. 2634 and recorded January 12, 1973 under Recording Number 7301120383 in King County, Washington, described as follows:

Commencing at a point on the North line of the South 30 feet of said Government Lot 11 which is 343.77 feet Westerly from the East line of said Government lot (said point being on the North margin of 21st Street S.E.);

Thence North 89°37'47" East along said North margin 152.72 feet to the true point of beginning;

Thence North 00°22'13" West 192.93 feet to a point which bears North 37°59'37" East from the point of commencing;

Thence North 37°59'37" East 6.81 feet to the Southwesterly margin of Howard Road;

Thence South 43°06'40" East along said Southwesterly margin 80.08 feet to a point of curvature of a curve concave to the Northeast, having a radius of 65 feet;

Thence Southeasterly along said curve being also the Southerly margin of relocated Howard Street a distance of 53.19 feet to a point of tangency;

Thence due East along said Southerly margin 25.92 feet to the Westerly margin of relocated "R" Street Southeast;

Thence due South along said Westerly margin 7.43 feet to a point of curvature of a curve concave to the East having a radius of 280 feet and a central angle of 19°48'23";

Thence Southerly along said curve and the said Westerly margin 96.78 feet to a point of reverse curvature of a curve concave to the Northwest having a radius of 12 feet;

Thence Southwesterly along said curve 22.92 feet to a point of tangency on said North margin of 21st Street Southeast;

Thence South 89°37'47" West along said North margin 136.40 feet to true point of beginning.

EXHIBIT B

LEGAL DESCRIPTION
FEE ACQUISITION
TAX PARCEL 192105-9078

THAT PORTION OF GOVERNMENT LOT 11, SECTION 19, TOWNSHIP 21 NORTH, RANGE 5 EAST, W.M., KING COUNTY, WASHINGTON, ALSO BEING A PORTION AS DEPICTED ON RECORD OF SURVEY RECORDED UNDER KING COUNTY RECORDING NUMBER 8701029001, SAID PORTION LYING SOUTHEASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 11 AS MONUMENTED BY CITY OF AUBURN MONUMENT 1010-001, A SURFACE 3 INCH DIAMETER BRASS DISK STAMPED WITH AN "X" AND "CITY OF AUBURN PUBLIC WORKS LS 52833" AT THE INTERSECTION OF 21ST STREET SE AND R STREET SE ;

THENCE ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT ALSO BEING THE MONUMENTED CENTERLINE OF 21ST STREET SE, NORTH 89° 36' 10" WEST A DISTANCE OF 103.62 FEET;

THENCE LEAVING SAID SOUTH LINE NORTH 00° 23' 50" EAST A DISTANCE OF 30.00 FEET TO THE NORTH RIGHT OF WAY MARGIN OF 21ST STREET SE AND THE POINT OF BEGINNING;

THENCE LEAVING SAID NORTH MARGIN NORTH 00° 18' 09" EAST A DISTANCE OF 1.54 FEET;

THENCE SOUTH 89° 41' 51" EAST A DISTANCE OF 10.62 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 33.50 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 26.63 FEET THROUGH A CENTRAL ANGLE OF 45° 32' 26";

THENCE NORTH 52° 57' 29" WEST A DISTANCE OF 2.03 FEET;

THENCE NORTH 37° 02' 31" EAST A DISTANCE OF 9.00 FEET;

THENCE SOUTH 52° 57' 29" EAST A DISTANCE OF 2.08 FEET TO A POINT OF CUSP OF A NON-TAGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 82.54 FEET THE RADIAL CENTER OF WHICH BEARS NORTH 58° 21' 06" WEST;

THENCE NORTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 32.74 FEET THROUGH A CENTRAL ANGLE OF 22° 43' 36" TO THE WESTERLY RIGHT OF WAY MARGIN OF R STREET SE AND THE TERMINUS OF THIS DESCRIBED LINE.

CONTAINING AN AREA OF 849 SQUARE FEET, MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS NORTH 89° 36' 10" WEST BEING THE MONUMENTED SOUTH LINE OF SAID GOVERNMENT LOT 11 AS DETERMINED FROM THE SOUTHEAST CORNER (COA MON 1010-001) TO THE SOUTHWEST CORNER (COA MON 1010-004).

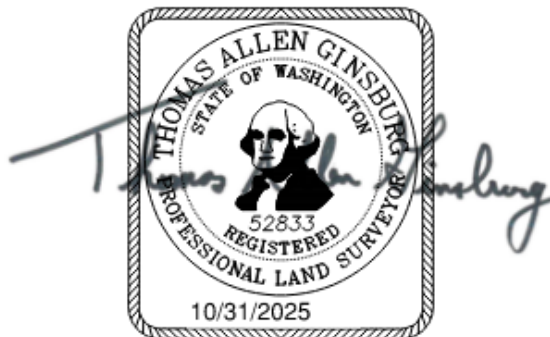


EXHIBIT C

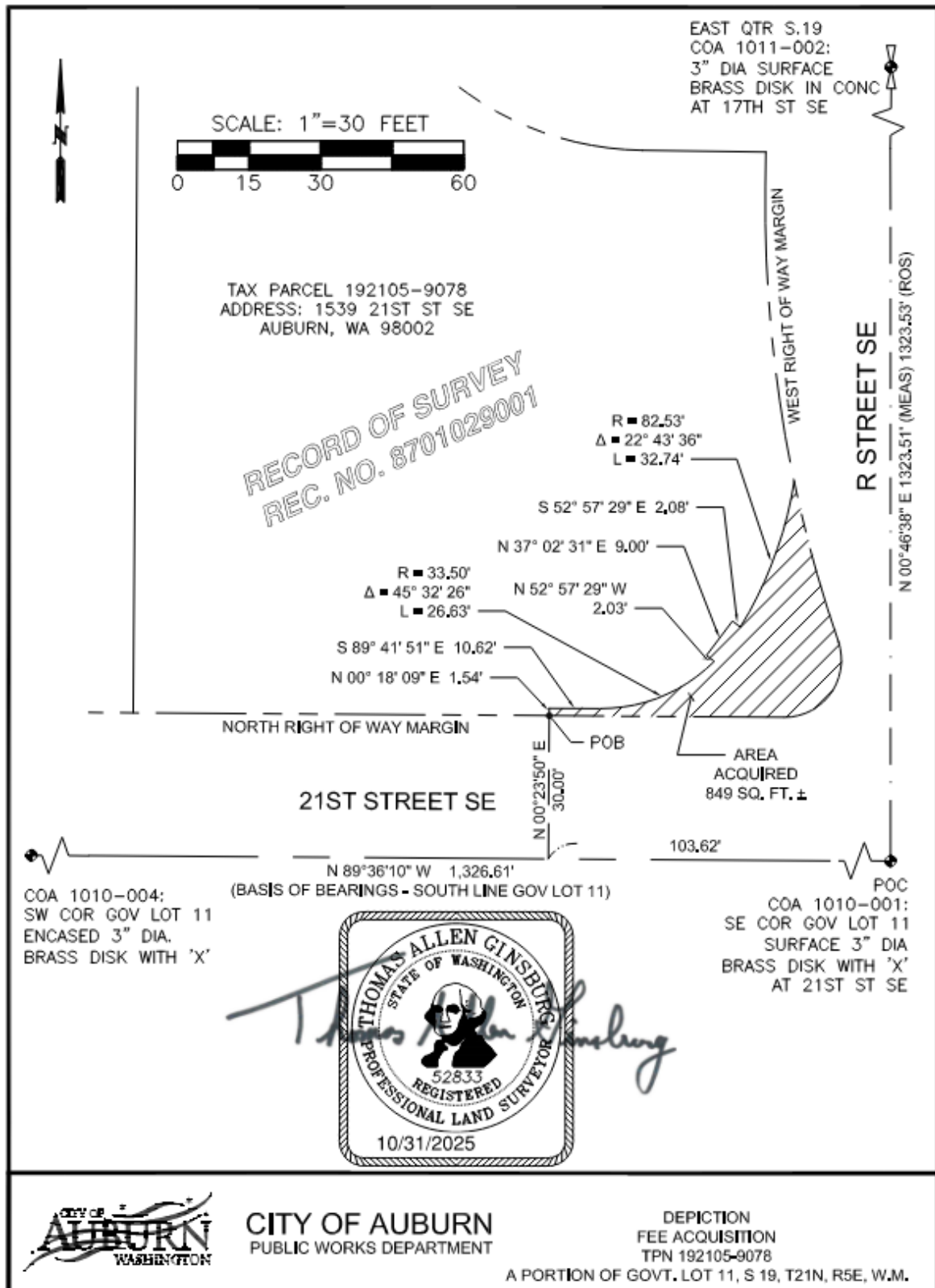


EXHIBIT D
LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT
TAX PARCEL 192105-9078

THAT PORTION OF GOVERNMENT LOT 11, SECTION 19, TOWNSHIP 21 NORTH, RANGE 5 EAST, W.M., KING COUNTY, WASHINGTON, ALSO BEING A PORTION AS DEPICTED ON RECORD OF SURVEY RECORDED UNDER KING COUNTY RECORDING NUMBER 8701029001, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 11 AS MONUMENTED BY CITY OF AUBURN MONUMENT 1010-001, A SURFACE 3 INCH DIAMETER BRASS DISK STAMPED WITH AN "X" AND "CITY OF AUBURN PUBLIC WORKS LS 52833" AT THE INTERSECTION OF 21ST STREET SE AND R STREET SE;

THENCE ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT ALSO BEING THE MONUMENTED CENTERLINE OF 21ST STREET SE, NORTH 89° 36' 10" WEST A DISTANCE OF 190.85 FEET;

THENCE LEAVING SAID SOUTH LINE NORTH 00° 23' 50" EAST A DISTANCE OF 30.00 FEET TO THE NORTH RIGHT OF WAY MARGIN OF 21ST STREET SE AND THE POINT OF BEGINNING;

THENCE LEAVING SAID NORTH MARGIN NORTH 00° 24' 25" EAST A DISTANCE OF 5.40 FEET;

THENCE SOUTH 89° 41' 51" EAST A DISTANCE OF 7.92 FEET

THENCE NORTH 00° 17' 45" EAST A DISTANCE OF 4.00 FEET;

THENCE SOUTH 89° 42' 15" EAST A DISTANCE OF 47.00 FEET;

THENCE SOUTH 00° 18' 09" WEST A DISTANCE OF 4.00 FEET;

THENCE SOUTH 89° 41' 51" EAST A DISTANCE OF 42.92 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 29.50 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 29.59 FEET THROUGH A CENTRAL ANGLE OF 57° 27' 41" TO THE BEGINNING OF A COMPOUND CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 78.54 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 45.43 FEET THROUGH A CENTRAL ANGLE OF 33° 08' 41";

THENCE NORTH 37° 56' 32" WEST A DISTANCE OF 15.69 FEET;

THENCE NORTH 00° 42' 14" EAST A DISTANCE OF 43.88 FEET TO THE SOUTH RIGHT OF WAY MARGIN OF HOWARD ROAD;

THENCE ALONG SAID SOUTH MARGIN SOUTH 89° 13' 22" EAST A DISTANCE OF 6.20 FEET TO THE WESTERLY RIGHT OF WAY MARGIN OF R STREET SOUTHEAST;

THENCE ALONG SAID WESTERLY MARGIN SOUTH 00° 46' 38" WEST A DISTANCE OF 7.43 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 280.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 62.04 FEET THROUGH A CENTRAL ANGLE OF 12° 41' 39" TO A POINT OF CUSP WITH A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 82.54 FEET THE RADIAL CENTER WHICH BEARS NORTH 81° 04' 41" WEST;

THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 32.74 FEET THROUGH A CENTRAL ANGLE OF 22° 43' 36";

THENCE NORTH 52° 57' 29" WEST A DISTANCE OF 2.08 FEET;

THENCE SOUTH 37° 02' 31" WEST A DISTANCE OF 9.00 FEET;

THENCE SOUTH 52° 57' 29" EAST A DISTANCE OF 2.03 FEET TO A POINT OF CUSP WITH A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 33.50 FEET THE RADIAL CENTER WHICH BEARS NORTH 45° 14' 18" WEST;

THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 26.63 FEET THROUGH A CENTRAL ANGLE OF 45° 32' 26";

THENCE NORTH 89° 41' 51" WEST A DISTANCE OF 10.62 FEET;

THENCE SOUTH 00° 18' 09" WEST A DISTANCE OF 1.54 FEET TO SAID NORTH MARGIN;

THENCE ALONG SAID NORTH MARGIN NORTH 89° 36' 10" WEST A DISTANCE OF 87.23 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINING AN AREA OF 1,330 SQUARE FEET, MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS EASEMENT IS NORTH 89° 36' 10" WEST BEING THE MONUMENTED SOUTH LINE OF SAID GOVERNMENT LOT 11 AS DETERMINED FROM THE SOUTHEAST CORNER (COA MON 1010-001) TO THE SOUTHWEST CORNER (COA MON 1010-004).

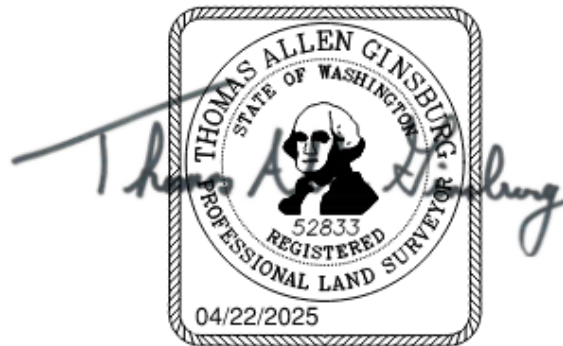
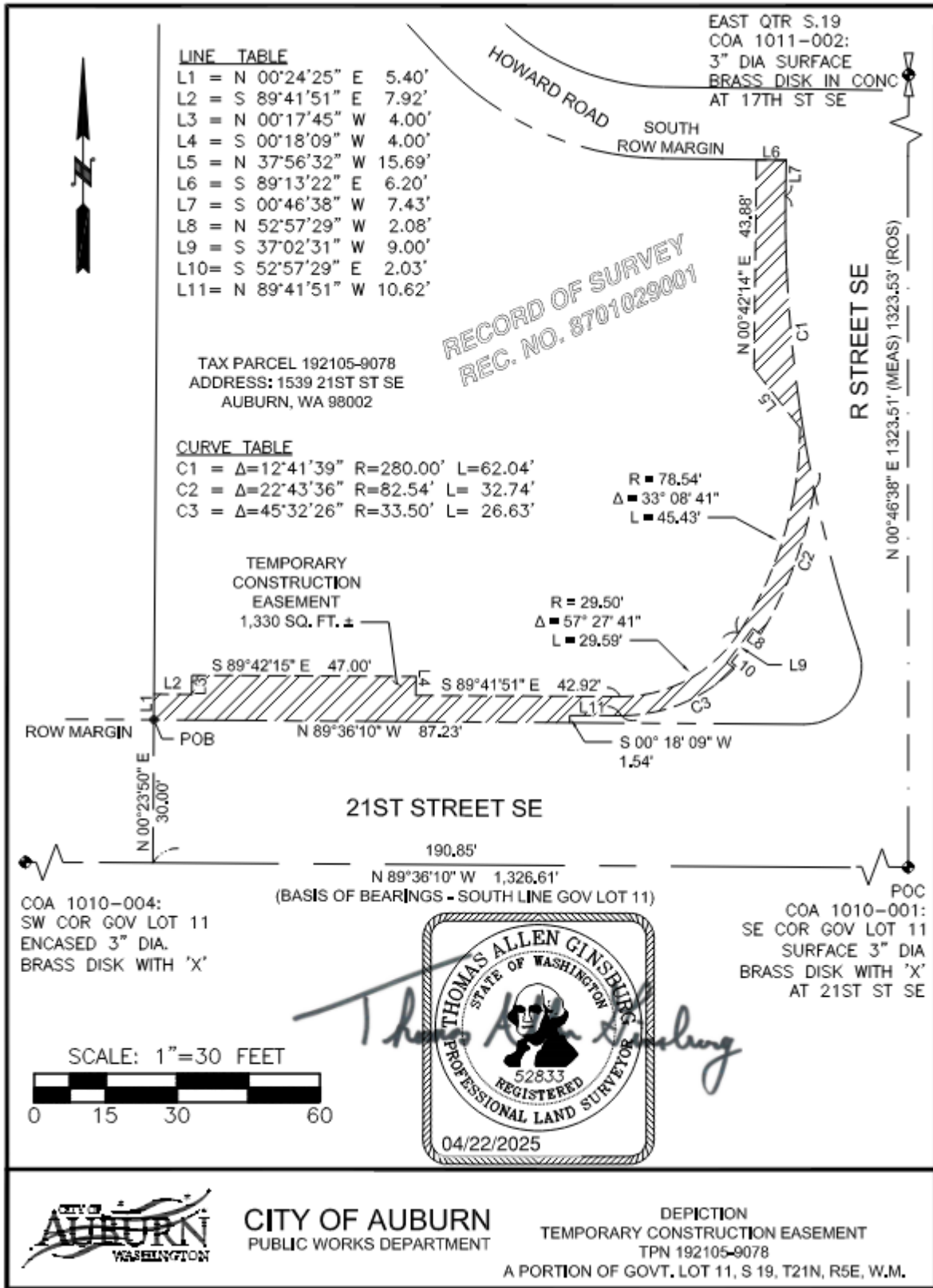


EXHIBIT E



Property Owners: Thomas C. Erath

Tax Parcel: 192105-9177

EXHIBIT A

PARCEL LEGAL DESCRIPTION TAX PARCEL 192105-9177

That portion of the Southeast ¼ of the Southeast ¼ of Section 19, Township 21 North, Range 5 East W.M., in King County, Washington, described as follows:

BEGINNING at the Northeast corner of said subdivision;
THENCE Westerly, along the Northerly line thereof, 264 feet;
THENCE Southerly, parallel to the Easterly line of said subdivision, 330 feet;
THENCE Easterly, parallel to the Northerly line of said subdivision, 264 feet to the Easterly line of said subdivision;
THENCE Northerly, along said Easterly line, 330 feet to the point of beginning;
EXCEPT the Northerly 30 feet thereof conveyed to King County for road by deed recorded under Recording No. 2540140;
EXCEPT the East 20 feet for street;
EXCEPT the Southerly 30 feet thereof conveyed to City of Auburn for road by deed recorded under Recording No. 4808689;
AND ALSO EXCEPT that portion conveyed to the City of Auburn by deed recorded under Recording No. 9211250275.

EXHIBIT B
LEGAL DESCRIPTION
FEE ACQUISITION
TAX PARCEL 192105-9177

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 21 NORTH, RANGE 5 EAST, W.M., KING COUNTY, WASHINGTON, SAID PORTION LYING NORTHERLY AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID SUBDIVISION AS MONUMENTED BY CITY OF AUBURN MONUMENT 1010-001, A SURFACE 3 INCH DIAMETER BRASS DISK STAMPED WITH AN "X" AND "CITY OF AUBURN PUBLIC WORKS LS 52833" AT THE INTERSECTION OF 21ST STREET SE AND R STREET SE ;

THENCE ALONG THE NORTH LINE THEREOF ALSO BEING THE MONUMENTED CENTERLINE OF 21ST STREET SE, NORTH 89° 36' 10" WEST A DISTANCE OF 187.89 FEET;

THENCE LEAVING SAID NORTH LINE SOUTH 00° 23' 50" WEST A DISTANCE OF 30.00 FEET TO THE SOUTH RIGHT OF WAY MARGIN OF 21ST STREET SE AND THE POINT OF BEGINNING;

THENCE LEAVING SAID SOUTH MARGIN SOUTH 00° 35' 51" WEST A DISTANCE OF 1.82 FEET;

THENCE SOUTH 80° 52' 48" EAST A DISTANCE OF 35.43 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 236.50 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 37.92 FEET THROUGH A CENTRAL ANGLE OF 9° 11' 14";

THENCE NORTH 89° 55' 58" EAST A DISTANCE OF 32.17 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 414.86 FEET THE RADIAL CENTER OF WHICH BEARS SOUTH 10° 49' 17" EAST;

THENCE NORTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 10.98 FEET THROUGH A CENTRAL ANGLE OF 1° 31' 01" TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 21.50 FEET THE RADIAL CENTER OF WHICH BEARS SOUTH 10° 30' 31" EAST ;

THENCE EASTERLY AND SOUTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 32.13 FEET THROUGH A CENTRAL ANGLE OF 85° 38' 10";

THENCE SOUTH 76° 40' 33" WEST A DISTANCE OF 5.51 FEET;

THENCE SOUTH 13° 19' 27" EAST A DISTANCE OF 11.48 FEET;

THENCE NORTH 76° 40' 33" EAST A DISTANCE OF 5.50 FEET;

THENCE SOUTH 13°19'27" EAST A DISTANCE OF 45.55 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 281.50 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 46.68 FEET THROUGH A CENTRAL ANGLE OF 9° 30' 06" TO THE WEST RIGHT OF WAY MARGIN OF R STREET SOUTHEAST AND THE TERMINUS OF THIS DESCRIBED LINE;

CONTAINING AN AREA OF 2,527 SQUARE FEET, MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS NORTH 89° 36' 10" WEST BEING THE MONUMENTED CENTERLINE OF 21ST STREET SOUTHEAST AS DETERMINED FROM THE INTERSECTION OF R STREET SOUTHEAST (COA MON 1010-001) TO THE INTERSECTION OF M STREET SE (COA MON 1010-004).



EXHIBIT C

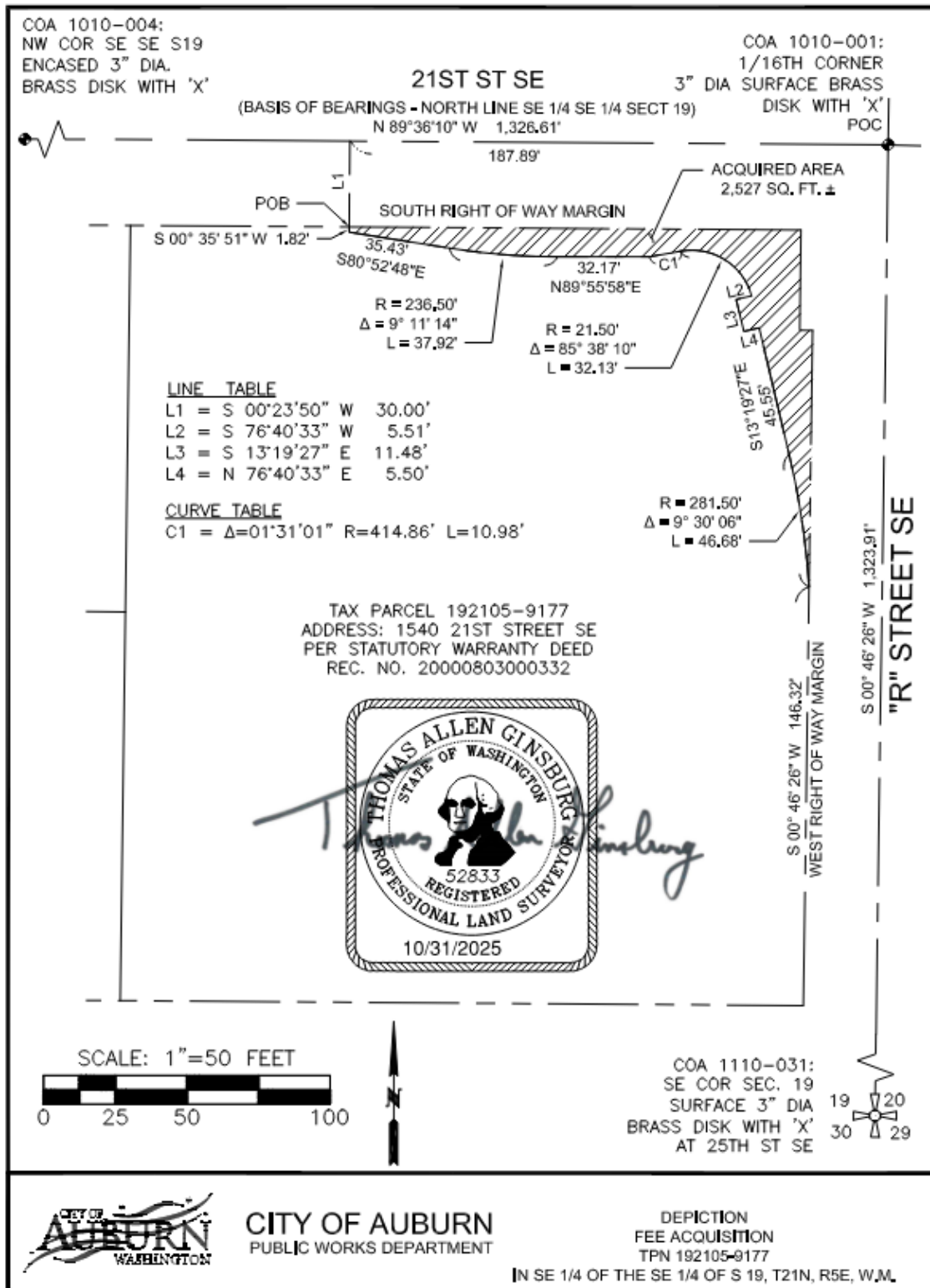


EXHIBIT D
TEMPORARY CONSTRUCTION EASEMENT
TAX PARCEL 192105-9177
LEGAL DESCRIPTION

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 21 NORTH, RANGE 5 EAST, W.M., KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SUBDIVISION AS MONUMENTED BY CITY OF AUBURN MONUMENT 1010-001, A SURFACE 3 INCH DIAMETER BRASS DISK STAMPED WITH AN "X" AND "CITY OF AUBURN PUBLIC WORKS LS 52833" AT THE INTERSECTION OF 21ST STREET SE AND R STREET SE ;

THENCE ALONG THE NORTH LINE THEREOF ALSO BEING THE MONUMENTED CENTERLINE OF 21ST STREET SE, NORTH 89° 36' 10" WEST A DISTANCE OF 187.89 FEET;

THENCE LEAVING SAID NORTH LINE SOUTH 00° 23' 50" WEST A DISTANCE OF 30.00 FEET TO THE SOUTH RIGHT OF WAY MARGIN OF 21ST STREET SE AND THE POINT OF BEGINNING;

THENCE LEAVING SAID SOUTH MARGIN SOUTH 00° 35' 51" WEST A DISTANCE OF 1.82 FEET;

THENCE SOUTH 80° 52' 48" EAST A DISTANCE OF 35.43 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 236.50 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 37.92 FEET THROUGH A CENTRAL ANGLE OF 9° 11' 14";

THENCE NORTH 89° 55' 58" EAST A DISTANCE OF 32.17 FEET TO THE BEGINNING OF NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 414.86 FEET THE RADIAL CENTER OF WHICH BEARS SOUTH 10° 49' 17" EAST;

THENCE NORTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 10.98 FEET THROUGH A CENTRAL ANGLE OF 1° 31' 01" TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 21.50 FEET THE RADIAL CENTER OF WHICH BEARS SOUTH 10° 30' 31" EAST ;

THENCE EASTERLY AND SOUTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 32.13 FEET THROUGH A CENTRAL ANGLE OF 85° 38' 10";

THENCE SOUTH 76° 40' 33" WEST A DISTANCE OF 5.51 FEET;

THENCE SOUTH 13° 19' 27" EAST A DISTANCE OF 11.48 FEET;

THENCE NORTH 76° 40' 33" EAST A DISTANCE OF 5.50 FEET;

THENCE SOUTH 13°19'27" EAST A DISTANCE OF 45.55 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 281.50 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 46.68 FEET THROUGH A CENTRAL ANGLE OF 9° 30' 06" TO THE WEST RIGHT OF WAY MARGIN OF R STREET SOUTHEAST;

THENCE LEAVING SAID WEST MARGIN NORTH 90° 00' 00" WEST A DISTANCE OF 3.01 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 278.50 FEET THE RADIAL CENTER OF WHICH BEARS SOUTH 86° 08' 10" WEST;

THENCE NORTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 45.98 FEET THROUGH A CENTRAL ANGLE OF 09° 27' 37";

THENCE NORTH 13° 19' 27" WEST A DISTANCE OF 16.57 FEET;

THENCE SOUTH 76° 40' 33" WEST A DISTANCE OF 6.13 FEET;

THENCE NORTH 13° 19' 27" WEST A DISTANCE OF 53.64 FEET;

THENCE SOUTH 89° 55' 58" WEST A DISTANCE OF 55.75 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 239.50 FEET;

THENCE WESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 10.40 FEET THROUGH A CENTRAL ANGLE OF 02° 29' 15";

THENCE SOUTH 00° 39' 54" WEST A DISTANCE OF 9.93 FEET;

THENCE NORTH 89° 20' 06" WEST A DISTANCE OF 20.32 FEET;

THENCE NORTH 00° 39' 54" EAST A DISTANCE OF 11.42 FEET;

THENCE NORTH 80° 52' 48" WEST A DISTANCE OF 33.34 FEET;

THENCE NORTH 89° 24' 09" WEST A DISTANCE OF 16.21 FEET;

THENCE NORTH 00° 35' 51" EAST A DISTANCE OF 5.04 FEET TO SAID SOUTH MARGIN;

THENCE ALONG SAID SOUTH MARGIN SOUTH 89° 36' 10" EAST A DISTANCE OF 14.58 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINING AN AREA OF 1,304 SQUARE FEET, MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS EASEMENT IS NORTH 89° 36' 10" WEST BEING THE MONUMENTED CENTERLINE OF 21ST STREET SOUTHEAST AS DETERMINED FROM THE INTERSECTION OF R STREET SOUTHEAST (COA MON 1010-001) TO THE INTERSECTION OF M STREET SE (COA MON 1010-004).

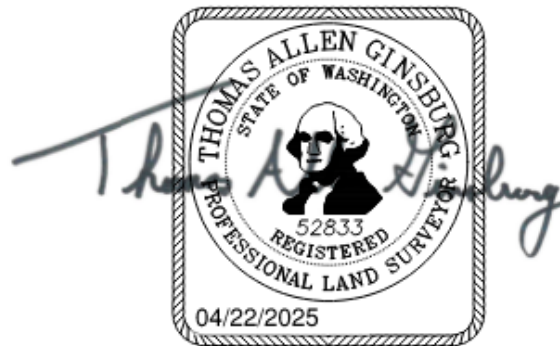
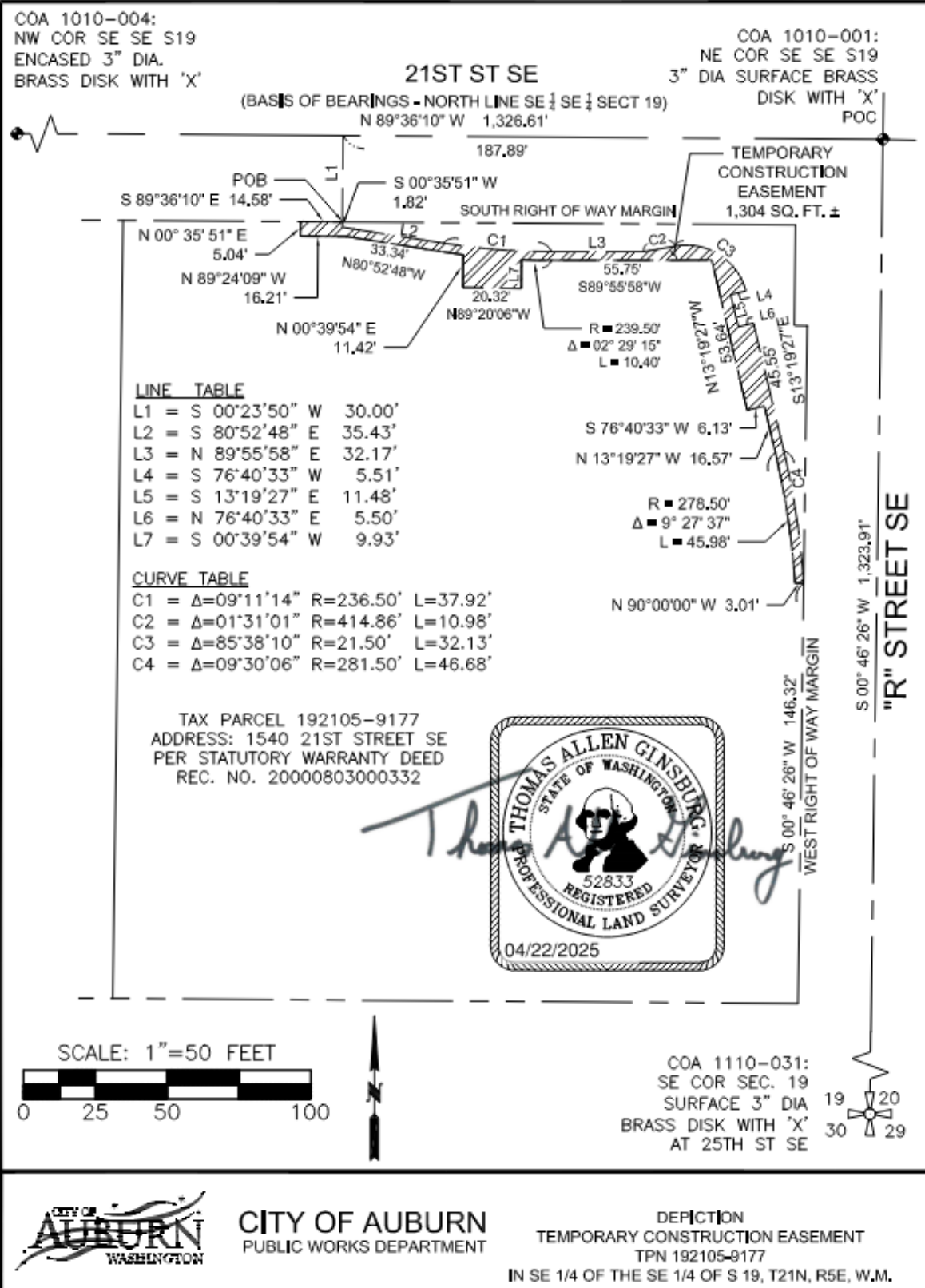


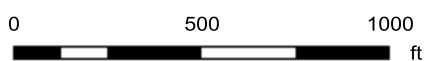
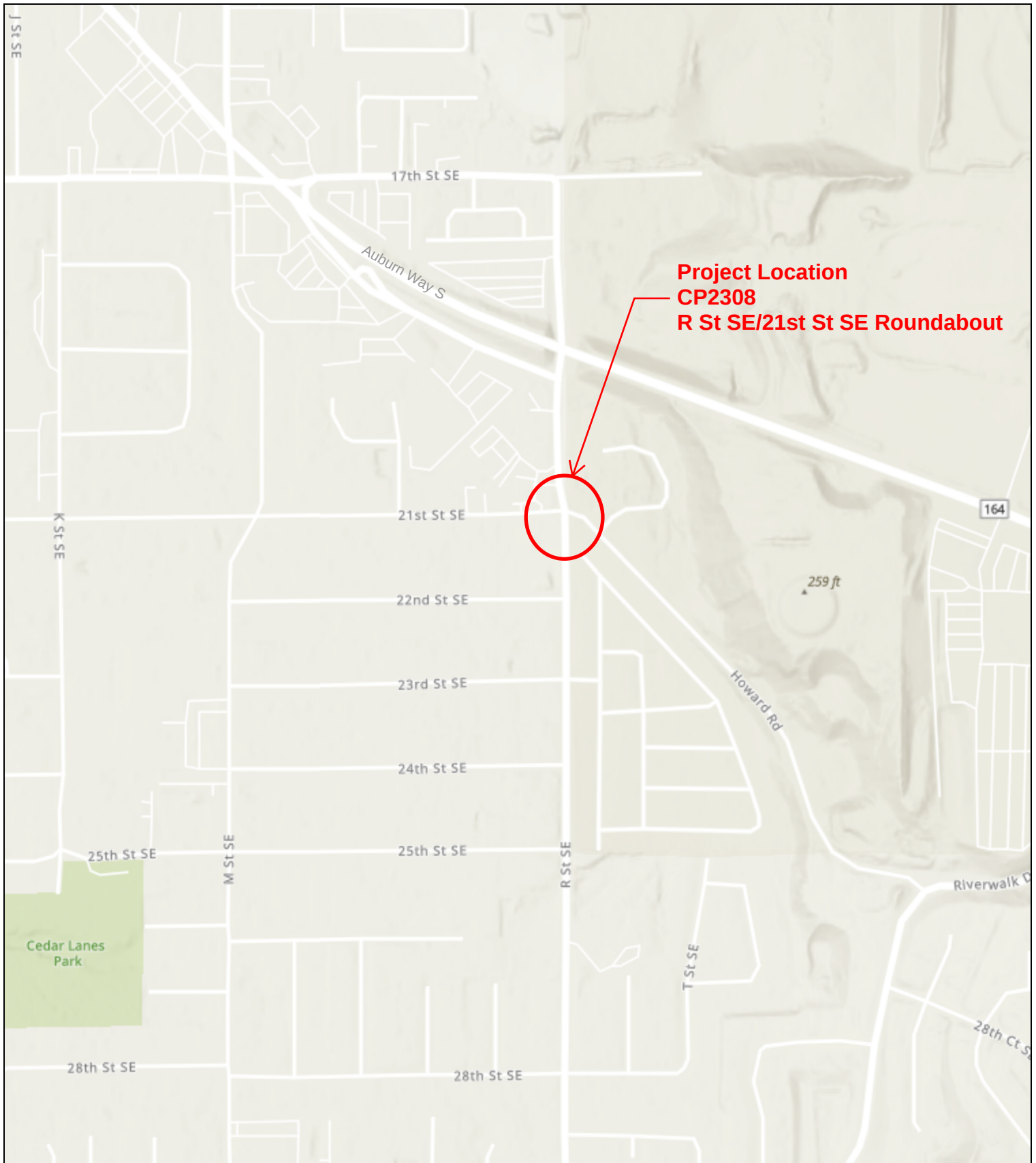
EXHIBIT E



R St SE & 21st St SE Roundabout Map

Printed On: 2/27/2023

Map created by City of Auburn eGIS

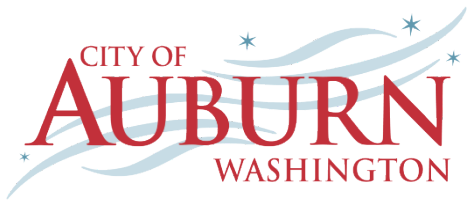


WGS84 Web Mercator (Auxiliary Sphere)

1: 9028



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:

Resolution No. 5889 (Thomas)

A Resolution authorizing the Transfer of Funds for the purpose of making loans from the General Fund and/or the Cumulative Reserve Fund to Funds sustained by Grants, Fees, or Tax Credits between February 2026 and February 2029

Meeting Date:

February 17, 2026

(RECOMMENDED ACTION: Move to adopt Resolution No. 5889.)

Department:

Finance

Attachments:

Resolution No. 5889

Budget Impact:**Administrative Recommendation:**

City Council to adopt Resolution No. 5889.

Background for Motion:

Resolution No. 5889 authorizes the City's Finance Department to prepare interfund loans from the General Fund or Cumulative Reserve to other funds when necessary for cash flow purposes. This authorization is effective for the period of February 2026 through February 2029.

Background Summary:

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

Council approval of Resolution No. 5889 will authorize the City's Finance Department to prepare interfund loans, if and when they may be needed. Many of the City's funds are supported by Grants, Fees, or Tax Credits and sometimes there is a delay in receiving timely cost reimbursement. In the event a fund needs additional cash flow, this Resolution will allow the Finance Department to initiate an unbudgeted transfer from the General Fund and/or the Cumulative Reserve Fund to the fund requiring temporary cash flow support. These transfers will only be allowed in the event:

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

Council authorization is requested to enable the aforementioned flexibility in managing the City's short-term funding needs. This Resolution is an extension of Resolution No. 5698, which expires February 2026. Like the previous legislation, this Resolution is effective for 3 years through February 2029, at which time its authority will lapse.

Councilmember: Hanan Amer

Staff: Jamie Thomas

RESOLUTION NO. 5889

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE TRANSFER OF FUNDS FOR THE PURPOSE OF MAKING LOANS FROM THE GENERAL FUND AND/OR THE CUMULATIVE RESERVE FUND TO FUNDS SUSTAINED BY GRANTS, FEES, OR TAX CREDITS BETWEEN FEBRUARY 2026 AND FEBRUARY 2029

WHEREAS, there may be insufficient funds available from time to time during the period February 2026 to February 2029 in a fund or funds supported by grants, fees, and/or tax credits to cover authorized expenditures prior to reimbursement from federal, state and local grant monies, which have been approved for allocation to the City and for which contracts have been executed, or the collection of user fees, or the receipt of tax credits from the State of Washington; and

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

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

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

Section 1. Purpose. During the time period February 2026 to February 2029, the Finance Director is authorized to transfer funds from the General Fund and/or the

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

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

Section 3. The City Clerk is authorized to make necessary corrections to this Resolution including, but not limited to, the correction of scrivener's/clerical errors, references, Resolution numbering, section/subsection numbers, and any references thereto.

Section 4. This Resolution will take effect and be in full force on passage and signatures.

Dated and Signed: _____

CITY OF AUBURN

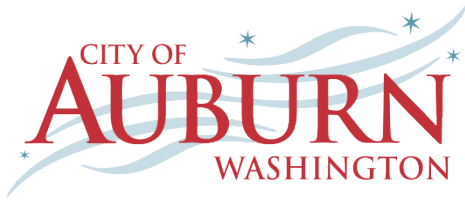
NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Jason Whalen, City Attorney



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5891 (Whalen)

A Resolution declaring City-Owned Real Property located at 15603 SE 174th Street, Renton, Washington as surplus and authorizing its disposal

Meeting Date:

February 17, 2026

(RECOMMENDED ACTION: Move to adopt Resolution No. 5891.)

Department:

Legal

Attachments:

Resolution No. 5891

Budget Impact:**Administrative Recommendation:**

City Council to adopt Resolution No. 5891.

Background for Motion:

State law restricts the permissible uses of property forfeited due to its involvement in the manufacture of controlled substances. Because the Auburn Police Department has no identified law enforcement need for the subject property that would fall within the uses authorized by State law, it is in the City's best interest to declare the property surplus and proceed with its disposal.

Background Summary:

On December 16, 2025, the Superior Court of the State of Washington for King County entered an order in Case No. 25-2-24961-1 KNT awarding residential property used in the manufacturing of marijuana, located in Renton at 15603 SE 174th Street, to the City of Auburn.

State Law restricts the permissible uses of forfeited property involved in the manufacturing of controlled substances. The Auburn Police Department has reviewed the subject property and has determined that it does not have an operational or programmatic need for the property that would be consistent with the uses authorized under State Law. Proceeds from the sale of the property will be placed into the City's drug forfeiture fund, for uses related to the expansion and improvement of controlled substances law enforcement, as is also required by State Law.

Councilmember: Hanan Amer

Staff: Jason Whalen

RESOLUTION NO. 5891

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DECLARING CITY-OWNED REAL PROPERTY LOCATED AT 15603 SE 174TH STREET, RENTON, WASHINGTON AS SURPLUS AND AUTHORIZING ITS DISPOSAL

WHEREAS, on December 16, 2025, the Superior Court of the State of Washington for King County, pursuant to RCW 69.50.505, entered an order in Case No. 25-2-24961-1 KNT awarding to the City of Auburn the real property described in Section 1 (the "Property"), upon a finding that the Property was used to facilitate the manufacture of marijuana; and

WHEREAS, State law restricts the use of such forfeited property, and the proceeds from the sale thereof, to activities furthering the expansion and improvement of controlled substances law enforcement; and

WHEREAS, the Auburn Police Department has no law enforcement use for the Property, and it is therefore in the public interest to declare the Property surplus and to sell the Property at its fair market value;

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

Section 1. That the real property legally described below is unneeded for law enforcement purposes and therefore declared to be surplus.

LOT 37, FAIRWOOD PARK DIVISION 8, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 85 OF PLATS, PAGES 77 THROUGH 84, INCLUSIVE, IN KING COUNTY, WASHINGTON

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

Street address: 15603 SE 174th Street, Renton, WA, King County Parcel Number 2473370370

Section 2. The Mayor is authorized to dispose of the property through an appropriate fair market sale, implement such administrative procedures as may be necessary to carry out the directives of the legislation, and to deposit any net proceeds from the disposal into the City's drug forfeiture fund.

Section 3. The City Clerk is authorized to make necessary corrections to this Resolution including, but not limited to, the correction of scrivener's/clerical errors, references, Resolution numbering, section/subsection numbers, and any references thereto.

Section 4. This Resolution will take effect and be in full force on passage and signatures.

Dated and Signed: _____

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Jason Whalen, City Attorney