



**City Council
Special Meeting
April 7, 2025 - 5:30 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 Special Meeting scheduled for Monday, April 7, 2025, at 5:30 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 number below or click the link:

Telephone: 253 205 0468

Toll Free: 888 475 4499

Zoom: <https://us06web.zoom.us/j/82267301254>

PLEDGE OF ALLEGIANCE

ROLL CALL

ANNOUNCEMENTS, MAYOR'S PROCLAMATIONS, AND PRESENTATIONS

- A. Spirit Fest Recognition Day
Mayor Backus to proclaim April 1, 2025 as "Spirit Fest Recognition Day" in the City of Auburn
- B. Arbor Day
Mayor Backus to proclaim April 16, 2025 as "Arbor Day" in the City of Auburn
- C. National Public Safety Telecommunicators Week
Mayor Backus to proclaim April 13, 2025, through April 16, 2025, as "National Public Safety Telecommunicators Week" in the City of Auburn

- D. Sexual Assault Awareness Month
Mayor Backus to proclaim April 2025 as "Sexual Assault Awareness Month" in the City of Auburn
- E. Sikh Heritage Month
Mayor Backus to proclaim April 2025 as "Sikh Heritage Month" in the City of Auburn

APPOINTMENTS

- A. Planning Commission
City Council to approve the appointment of Kirk Hiller to the Planning Commission for a three-year term expiring December 31, 2027.

(RECOMMENDED ACTION: Move to approve the appointment of Kirk Hiller to the Planning Commission for a three-year term expiring December 31, 2027.)

AUDIENCE PARTICIPATION

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

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.

- A. Council Rules of Procedure Ad Hoc Committee (Baldwin)

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 March 17, 2025, City Council Meeting
- B. Minutes from the March 24 and 31, 2025, Study Session Meetings
- C. Claims Vouchers (Thomas)
Claims voucher list dated March 26, 2025 which includes voucher numbers 479283 through voucher 479398, in the amount of \$6,300,440.62, nine electronic fund transfers in the amount of \$21,676.37, and two wire transfers in the amount of \$894,239.65
- D. Payroll Voucher (Thomas)
Payroll check numbers 539663 through 539665 in the amount of \$686,280.97, electronic deposit transmissions in the amount of \$2,839,244.09, for a grand total of \$3,525.525.06 for the period covering March 13, 2025 to April 2, 2025

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

ORDINANCES

- A. Ordinance No. 6972 (Krum)
An Ordinance amending Sections 16.06.020, 16.06.055 and 16.06.130 and adding Sections 16.06.085 and 16.06.095 of the Auburn City Code relating to the State Environmental Policy Act

(RECOMMENDED ACTION: Move to approve Ordinance No. 6972.)

- B. Ordinance No. 6976 (Krum)
An Ordinance amending the Comprehensive Zoning Map

(RECOMMENDED ACTION: Move to approve Ordinance No. 6976.)

RESOLUTIONS

- A. Resolution No. 5820 (Caillier)
A Resolution accepting a Grant Award from the Seattle Police Department on behalf of the Washington State Internet Crimes Against Children Task Force

(RECOMMENDED ACTION: Move to adopt Resolution No. 5820.)

EXECUTIVE SESSION

COUNCIL POSITION VACANCY

- A. Council to Select Candidates to Interview for Vacant Position (Council)

MAYOR AND COUNCILMEMBER REPORTS

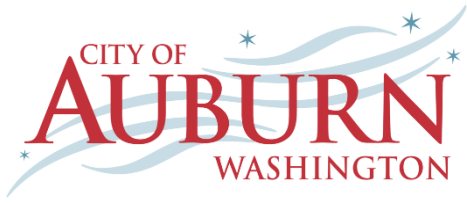
At this time the Mayor and City Council may report on significant items associated with their appointed positions on federal, state, regional and local organizations.

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 March 17, 2025, City Council Meeting

Meeting Date:

April 7, 2025

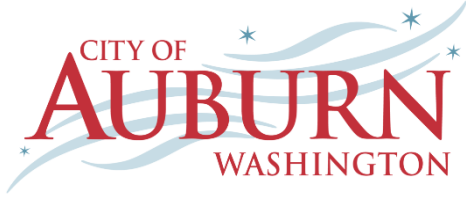
Department:

City Council

Attachments:

03-17-2025 Minutes

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



**City Council
Regular Meeting
March 17, 2025 - 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: Hanan Amer, Kate Baldwin, Clinton Taylor, Tracy Taylor, and Yolanda Trout-Manuel. Deputy Mayor Cheryl Rakes was excused.

Mayor Nancy Backus and the following staff members present included: Senior City Staff Attorney Taryn Jones, Chief of Police Mark Caillier, Director of Parks, Arts, and Recreation Julie Krueger, Director of Public Works Ingrid Gaub, Director of Community Development Jason Krum, and Deputy City Clerk Rebecca Wood-Pollock.

ANNOUNCEMENTS, MAYOR'S PROCLAMATIONS, AND PRESENTATIONS

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

AGENDA MODIFICATIONS

There were no modifications to the agenda.

AUDIENCE PARTICIPATION

Written Comments:

Robert Montague, Auburn

Robert shared concerns regarding an apartment complex in Auburn.

In-Person Comments:

Robert Montague, Auburn

Robert shared concerns regarding an apartment complex in Auburn.

Mark Celich, Auburn

Mark expressed concerns regarding harassment and cyberstalking.

CORRESPONDENCE

There was no correspondence for Council to review.

COUNCIL AD HOC COMMITTEE REPORTS

A. Council Rules of Procedure

Councilmember Baldwin, Chair of the Council Rules of Procedure Ad Hoc Committee, reported that the Committee has requested the other Councilmembers' input on updates to the Council Rules of Procedure, asking to forward their requests to the City Clerk's Office by the end of this week. The Committee plans to prepare the final version to bring back for Council Study Session.

CONSENT AGENDA

A. Minutes of the February 26, 2025, Special City Council Meeting

B. Minutes of the March 3, 2025, City Council Meeting

C. Claims Vouchers (Thomas)

Claims voucher list dated March 12, 2025 which includes voucher numbers 479150 through voucher 479195, voucher numbers 479197 through voucher 479282, in the amount of \$5,424,131.33, sixteen electronic fund transfers in the amount of \$4,205.19 and two wire transfers in the amount of \$867,393.84

D. Claims Vouchers (Thomas)

Claims voucher list dated March 12, 2025 which includes voucher numbers 479196, in the amount of \$12,500.00

- E. Payroll Voucher (Thomas)
Payroll check numbers 539659 through 539662 in the amount of \$84,466.42, electronic deposit transmissions in the amount of \$2,851,251.05, for a grand total of \$2,935,717.47 for the period covering February 27, 2025 to March 12, 2025

Councilmember Baldwin moved and Councilmember Amer seconded to approve the consent agenda.

MOTION CARRIED UNANIMOUSLY. 5-0

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

RESOLUTIONS

- A. Resolution No. 5814 (Krueger)
A Resolution surplussing and deaccessing the artworks entitled "Hawk" and "The Long Look"

Councilmember Baldwin moved and Councilmember Trout-Manuel seconded to adopt Resolution No. 5814.

MOTION CARRIED UNANIMOUSLY. 5-0

- B. Resolution No. 5816 (Gaub)
A Resolution authorizing the Mayor to execute an agreement with the other jurisdictions of the South County Area Transportation Board

Councilmember T. Taylor moved and Councilmember Amer seconded to adopt Resolution No. 5816.

MOTION CARRIED UNANIMOUSLY. 5-0

- C. Resolution No. 5817 (Thomas)
A Resolution authorizing the Mayor to execute an agreement between the City of Auburn and King County to implement the 2025 Waste Reduction and Recycling Grant Program and to accept and expend program grant funds

Councilmember Baldwin moved and Councilmember Amer seconded to adopt Resolution No. 5817.

MOTION CARRIED UNANIMOUSLY. 5-0

D. Resolution No. 5818 (Thomas)

A Resolution authorizing the Mayor to execute an agreement between the City of Auburn and Financial Consulting Solutions Group, Inc. to conduct a Comprehensive Rate Study for the water, sanitary sewer and storm drainage utilities

Councilmember Baldwin moved and Councilmember Trout-Manuel seconded to adopt Resolution No. 5818.

MOTION CARRIED UNANIMOUSLY. 5-0

MAYOR AND COUNCILMEMBER REPORTS

A. From the Council

Councilmember Baldwin reported that she attended Lobby Days in Olympia and the National League of Cities Congressional City Conference in Washington, D.C.

Councilmember Trout-Manuel shared that she supports Resolution No. 5818 and expressed the importance of water maintenance and the cost of water system replacements.

B. From the Mayor

Mayor Backus reported that she attended the National League of Cities Congressional City Conference in Washington, D.C., the Valley Regional Fire Authority (VRFA) Board of Governance meeting, the opening of Auburn Police Department's Citizen's Academy, the Sound Transit Executive Committee meeting, the Regional Policy Committee meeting, and discussed the King County Parks Levy.

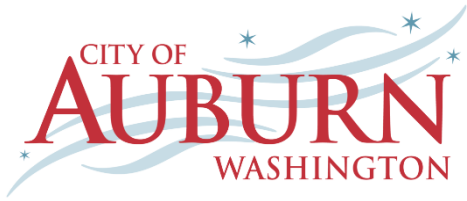
ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 7:26 p.m.

APPROVED this 7th day of April, 2025.

NANCY BACKUS, MAYOR

Rebecca Wood-Pollock, Deputy City Clerk



AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes from the March 24 and 31, 2025, Study Session Meetings

Meeting Date:

April 7, 2025

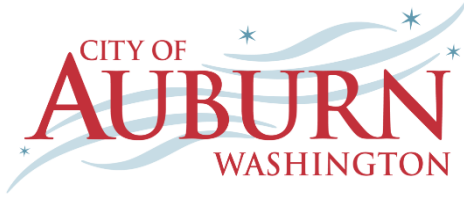
Department:

City Council

Attachments:

03-24-2025 Minutes, 03-31-2025
Minutes

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



**City Council
Study Session
PW & CD Special Focus Area
March 24, 2025 - 5:30 PM
City Hall Council Chambers**

MINUTES

CALL TO ORDER

Councilmember 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: Hanan Amer, Clinton Taylor, Tracy Taylor, and Yolanda Trout-Manuel. Councilmember Kate Baldwin attended the meeting virtually via Zoom and Deputy Mayor Cheryl Rakes was excused.

Mayor Nancy Backus and the following staff members present included: City Attorney Jason Whalen, Director of Public Works Ingrid Gaub, Director of Community Development Jason Krum, Director of Parks, Arts, and Recreation Julie Krueger, Senior Project Engineer Matt Larson, Senior Project Engineer Jeffrey Bender, Planning Services Manager Alexandria Teague, Senior Planner Dinah Reed, and Deputy City Clerk Hannah Scholl.

AGENDA MODIFICATIONS

There were no modifications to the agenda.

ANNOUNCEMENTS, REPORTS, AND PRESENTATIONS

There were no announcements, reports or presentations.

PUBLIC WORKS AND COMMUNITY DEVELOPMENT DISCUSSION ITEMS

- A. Capital Projects Status Report and Feature Capital Project (Gaub) (20 Minutes)

Engineer Larson provided Council with a presentation on the Capital Project Status Report, including the online interactive mapping tool, and the current status of projects: CP2317 2024 Neighborhood Improvements, CP2110 Auburn Avenue Regional Growth Access Improvements, CP2305 2023/2024 Neighborhood Traffic Calming Program, and CP2309 Citywide Uncontrolled Crossing Enhancements.

Engineer Bender provided Council with a presentation on the Featured Capital Project: CP1622 Auburn Way South - Hemlock to Poplar including project area, existing conditions, purpose, and project scope, budget and schedule.

Council discussed Capital Project CP1622 including funding, design, traffic impacts, and project area. They also discussed Capital Project CP2110 including the construction phase, road closures, and project timeline.

- B. Ordinance No. 6972 (Krum) (15 Minutes)

An Ordinance amending Sections 16.06.020, 16.06.055 and 16.06.130 and adding Sections 16.06.085 and 16.06.095 of the Auburn City Code relating to the State Environmental Policy Act

Planner Reed provided Council with a presentation on Ordinance No. 6972 including the background and purpose of the Washington State Environmental Policy Act (SEPA), and a summary of the Code changes.

- C. Ordinance No. 6976 (Krum) (5 Minutes)

An Ordinance amending the Comprehensive Zoning Map

Manager Teague provided Council with an overview of Ordinance No. 6976 including the Code corrections.

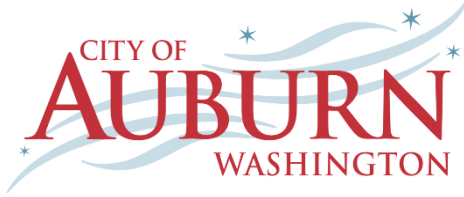
ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 6:07 p.m.

APPROVED this 7th day of April 2025.

CHERYL RAKES, DEPUTY MAYOR

Hannah Scholl, Deputy City Clerk



**City Council
Study Session
March 31, 2025 - 5:30 PM
City Hall Council Chambers**

MINUTES

CALL TO ORDER

Deputy Mayor Cheryl Rakes 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 Cheryl Rakes, Hanan Amer, Kate Baldwin, Clinton Taylor, Tracy Taylor, and Yolonda Trout-Manuel.

Mayor Nancy Backus and the following staff members present included: City Attorney Jason Whalen, Assistant Chief of Police Samuel Betz, Director of Human Resources and Risk Management Candis Martinson, 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.

AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Municipal Court Update (Martinson) (30 Minutes)

Director Martinson provided Council with a Municipal Court Update including costs for Probation Services and Municipal Court Services, the King County Case Waiting Study, and King County Cost Recovery Model. She shared that the County is allowing a new deadline to decide if the City will continue with King County for Municipal Court Services.

Council discussed the date the decision must be made on, the cost of the probation services, overhead charges, and budget impacts.

B. Proposed Changes to City Council Rules of Procedure

The Council Rules of Procedure Ad Hoc Committee consists of Councilmember Baldwin as Chair, Deputy Mayor Rakes, and Councilmember C. Taylor. Chair Baldwin provided a status update to the work done by the Ad Hoc Committee.

Council discussed the Ad Hoc Committee, the feedback from Councilmembers, and staff time.

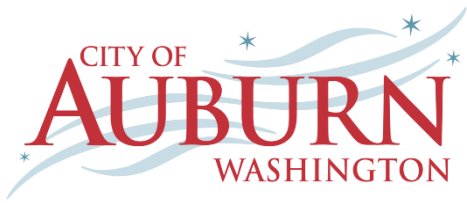
ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 5:52 p.m.

APPROVED this 7th day of April 2025.

CHERYL RAKES, DEPUTY MAYOR

Shawn Campbell, City Clerk



AGENDA BILL APPROVAL FORM

Agenda Subject:

Claims Vouchers (Thomas)

Claims voucher list dated March 26, 2025 which includes voucher numbers 479283 through voucher 479398, in the amount of \$6,300,440.62, nine electronic fund transfers in the amount of \$21,676.37, and two wire transfers in the amount of \$894,239.65

Meeting Date:

April 7, 2025

Department:

Finance

Attachments:

None

Budget Impact:**Administrative Recommendation:**

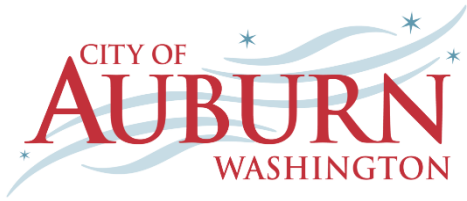
City Council to approve Claim Vouchers.

Background for Motion:**Background Summary:**

Claims voucher list dated March 26, 2025 which includes voucher numbers 479283 through voucher 479398, in the amount of \$6,300,440.62, nine electronic fund transfers in the amount of \$21,676.37, and two wire transfers in the amount of \$894,239.65.

Councilmember: Kate Baldwin

Staff: Jamie Thomas



AGENDA BILL APPROVAL FORM

Agenda Subject:

Payroll Voucher (Thomas)
Payroll check numbers 539663 through 539665 in the amount of \$686,280.97, electronic deposit transmissions in the amount of \$2,839,244.09, for a grand total of \$3,525.525.06 for the period covering March 13, 2025 to April 2, 2025

Meeting Date:

April 7, 2025

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

Department:

Finance

Attachments:

None

Budget Impact:**Administrative Recommendation:**

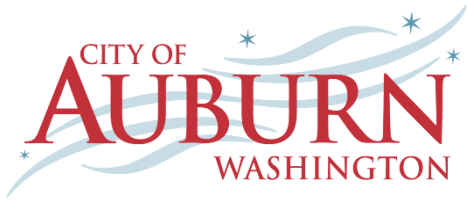
City Council to approve Payroll Vouchers.

Background for Motion:**Background Summary:**

Payroll check numbers 539663 through 539665 in the amount of \$686,280.97, electronic deposit transmissions in the amount of \$2,839,244.09, for a grand total of \$3,525.525.06 for the period covering March 13, 2025 to April 2, 2025.

Councilmember: Kate Baldwin

Staff: Jamie Thomas



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6972 (Krum)

An Ordinance amending Sections 16.06.020, 16.06.055 and 16.06.130 and adding Sections 16.06.085 and 16.06.095 of the Auburn City Code relating to the State Environmental Policy Act

Meeting Date:

April 7, 2025

(RECOMMENDED ACTION: Move to approve Ordinance No. 6972.)

Department:

Community Development

Attachments:

Ordinance No. 6972, Exhibit 1
Chapter 16.06 Environmental
Review Procedures Text
Amendments

Budget Impact:**Administrative Recommendation:**

City Council to approve Ordinance No. 6972.

Background for Motion:

This Ordinance would update Auburn City Code Chapter 16.06 Environment Review Procedures to adopt new thresholds for categorical exemptions for minor new construction which will streamline the permitting process for multi-family and middle housing development.

Background Summary:

The Washington State Legislature has recognized the need to reduce when the State Environmental Policy Act (SEPA) is utilized, and in response developed SEPA categorical exemptions to remove projects below a specified number of units from being required to undergo SEPA review. WAC 197-11-800 gives local jurisdictions the option to adopt new thresholds for SEPA exemptions for minor new construction which in turn helps to streamline the permitting process and lower costs to developers by allowing certain projects (particularly multiplex residential units) to be built without triggering a SEPA review.

The purpose of the text amendment is to amend Sections 16.06.020, 16.06.055 and 16.06.130 and add Sections 16.06.085 and 16.06.095 of the Auburn City Code to comply with Washington State's new SEPA exemption thresholds.

Staff presented the proposed changes to City Council at the Study Session meeting on March 24, 2025.

Councilmember: Tracy Taylor

Staff: Jason Krum

ORDINANCE NO. 6972

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING SECTIONS 16.06.020, 16.06.055 AND 16.06.130 AND ADDING SECTIONS 16.06.085 AND 16.06.095 OF THE AUBURN CITY CODE RELATING TO THE STATE ENVIRONMENTAL POLICY ACT

WHEREAS, the Washington State Legislature has developed State Environmental Policy Act (SEPA) categorical exemptions under WAC 197-11-800 to remove projects below a specified number of units from being required to go under SEPA review.

WHEREAS, WAC 197-11-800 gives local jurisdictions the option to adopt new thresholds for SEPA exemptions for minor new construction.

WHEREAS, in accordance with ACC 14.03.060 Legislative nonproject decisions made by the city council under its authority to establish policies and regulations are not classified as a “type” of project permit decision, to include amendments to the text.

WHEREAS, pursuant to Revised Code of Washington (RCW) 36.70A that a text amendment shall be amended with public participation.

WHEREAS, Pursuant to Revised Code of Washington (RCW) 36.70A, the draft SEPA code text amendments were transmitted to the Washington State Department of Commerce on February 5, 2025. The 60-day notice period ended March 7, 2025; and

WHEREAS, a Notice of Public Hearing (NOH) was issued on February 21, 2025. Pursuant to Chapter 18.68 ACC, the noticing for the Planning Commission public hearing was published in the Seattle Times on February 21, 2025, and the NOH was posted in three general public locations (City Hall, City Annex, and the City’s Public Land Use Notice webpage).

WHEREAS, the City of Auburn Planning Commission scheduled and held a public meeting on February 19, 2025 for the purposes of staff presentations and discussion on the various components of the text amendments; and

WHEREAS, the Planning Commission scheduled and held a public hearing on March 4, 2025, to receive public testimony on the proposed text amendments; and

WHEREAS, the Auburn City Council finds it appropriate and in the best interest of the City to adopt the SEPA text amendments to Chapter 16.06 ACC; and

WHEREAS, the Auburn City Council determines that the adoption of the Chapter 16.06 ACC text amendments meet the criteria set forth in the Auburn City Code and all other applicable legal criteria; and

WHEREAS, the Auburn City Council determines that the Chapter 16.06 ACC text amendments are consistent with WAC 197-11-800;

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

Section 1. Adoption of Chapter 16.06 ACC text amendments. The City of Auburn amended Sections 16.06.020, 16.06.055, 16.06.130, 16.06.085 and 16.06.095, set forth in Exhibit 1, is on file with the office of the City Clerk is adopted and is available for inspection therein.

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

Section 3. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application of it to any person

or circumstance, will not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

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

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Jason Whalen, City Attorney

Published: _____

Chapter 16.06

ENVIRONMENTAL REVIEW PROCEDURES

Sections:

- 16.06.010 Authority.
- 16.06.020 Adoption by reference.
- 16.06.030 Additional definitions.
- 16.06.040 Responsible official designated.
- 16.06.050 Timing of environmental review.
- 16.06.055 Categorical exemptions.
- 16.06.060 Determination of categorical exemption.
- 16.06.065 Environmentally sensitive areas.
- 16.06.070 Environmental checklist required.
- 16.06.080 Environmental impact statement.
- 16.06.085 ~~Planned Actions~~
- 16.06.090 Public notice.
- 16.06.095 ~~Optional Determination of Non-Significance (ODNS) Process~~
- 16.06.100 Internal circulation of environmental documents.
- 16.06.110 Timing of decision on nonexempt action.
- 16.06.120 Authority to condition or deny proposals.
- 16.06.130 Substantive authority.
- 16.06.200 City responsibilities as consulted agency.
- 16.06.210 Use of non-SEPA documents.
- 16.06.220 Environmental appeals.
- 16.06.230 Time limitation on appeals.
- 16.06.240 Fee to accompany notice of appeal.
- 16.06.250 Notice of hearing.
- 16.06.260 Hearing.
- 16.06.270 Testimony – Recording.
- 16.06.300 Substantial weight – Burden of proof.
- 16.06.310 Decision of the hearing examiner.
- 16.06.320 Dismissal of appeal.
- 16.06.330 City council review – Limitations for appeals.
- 16.06.340 Violation – Penalty.

Prior legislation: Ords. 4009, 4054, 4351, 4504, 4792.

16.06.010 Authority.

The ordinance codified in this chapter is adopted under the authority of the State Environmental Policy Act (SEPA), RCW 43.21C.120, and the SEPA Rules, WAC 197-11-904, including any amendments thereto. (Ord. 4840 § 1, 1996.)

16.06.020 Adoption by reference.

The following sections of Chapter 197-11 WAC, including any amendments thereto, are adopted by reference as if fully set forth herein:

WAC	
197-11-040	Definitions.
197-11-050	Lead agency.
197-11-055	Timing of the SEPA process.
197-11-060	Content of environmental review.
197-11-070	Limitations on actions during SEPA process.
197-11-080	Incomplete or unavailable information.
197-11-090	Supporting documents.
197-11-100	Information required of applicants.
197-11-164	Planned actions – Definition and criteria.
<u>197-11-172</u>	<u>Planned Actions – Project Review</u>
197-11-300	Purpose of this part.
197-11-305	Categorical exemptions.
197-11-310	Threshold determination required.
197-11-315	Environmental checklist.
197-11-330	Threshold determination process.
197-11-335	Additional information.
197-11-340	Determination of nonsignificance (DNS).
197-11-350	Mitigated DNS.
<u>197-11-355</u>	<u>Optional DNS process</u>
197-11-360	

	Determination of significance (DS)/ initiation of scoping.
197-11-390	Effect of threshold determination.
197-11-400	Purpose of EIS.
197-11-402	General requirements.
197-11-405	EIS types.
197-11-406	EIS timing.
197-11-408	Scoping.
197-11-410	Expanded scoping.
197-11-420	EIS preparation.
197-11-425	Style and size.
197-11-430	Format.
197-11-435	Cover letter or memo.
197-11-440	EIS contents.
197-11-442	Contents of EIS on nonproject proposals.
197-11-443	EIS contents when prior nonproject EIS.
197-11-444	Elements of the environment.
197-11-448	Relationship of EIS to other considerations.
197-11-450	Cost-benefit analysis.
197-11-455	Issuance of DEIS.
197-11-460	Issuance of FEIS.
197-11-500	Purpose of this part.
197-11-502	Inviting comment.
197-11-504	Availability and cost of environmental documents.
197-11-508	SEPA register.
197-11-510	Public notice.
197-11-535	Public hearings and meetings.
197-11-545	Effect of no comment.
197-11-550	Specificity of comments.
197-11-560	FEIS response to comments.
197-11-570	Consulted agency costs to assist lead agency.

197-11-600	When to use existing environmental documents.
197-11-610	Use of NEPA documents.
197-11-620	Supplemental environmental impact statement – Procedures.
197-11-625	Addenda – Procedures.
197-11-630	Adoption – Procedures.
197-11-635	Incorporation by reference – Procedures.
197-11-640	Combining documents.
197-11-650	Purpose of this part.
197-11-655	Implementation.
197-11-660	Substantive authority and mitigation.
197-11-680	Appeals.
197-11-700	Definitions.
197-11-702	Act.
197-11-704	Action.
197-11-706	Addendum.
197-11-708	Adoption.
197-11-710	Affected tribe.
197-11-712	Affecting.
197-11-714	Agency.
197-11-716	Applicant.
197-11-718	Built environment.
197-11-720	Categorical exemption.
197-11-722	Consolidated appeal.
197-11-724	Consulted agency.
197-11-726	Cost-benefit analysis.
197-11-728	County/city.
197-11-730	Decision maker.
197-11-732	Department.
197-11-734	Determination of nonsignificance (DNS).
197-11-736	Determination of significance (DS).
197-11-738	EIS.
197-11-740	Environment.

197-11-742	Environmental checklist.
197-11-744	Environmental document.
197-11-746	Environmental review.
197-11-748	Environmentally sensitive area.
197-11-750	Expanded scoping.
197-11-752	Impacts.
197-11-754	Incorporation by reference.
197-11-756	Lands covered by water.
197-11-758	Lead agency.
197-11-760	License.
197-11-762	Local agency.
197-11-764	Major action.
197-11-766	Mitigated DNS.
197-11-768	Mitigation.
197-11-770	Natural environment.
197-11-772	NEPA.
197-11-774	Nonproject.
197-11-776	Phased review.
197-11-778	Preparation.
197-11-780	Private project.
197-11-782	Probable.
197-11-784	Proposal.
197-11-786	Reasonable alternative.
197-11-788	Responsible official.
197-11-790	SEPA.
197-11-792	Scope.
197-11-793	Scoping.
197-11-794	Significant.
197-11-796	State agency.
197-11-797	Threshold determination.
197-11-799	Underlying governmental action.
197-11-800	Categorical exemptions.
197-11-880	Emergencies.
197-11-890	Petitioning DOE to change exemptions.

197-11-900	Purpose of this part.
197-11-902	Agency SEPA policies.
197-11-916	Application to ongoing actions.
197-11-920	Agencies with environmental expertise.
197-11-922	Lead agency rules.
197-11-924	Determining the lead agency.
197-11-926	Lead agency for governmental proposals.
197-11-928	Lead agency for public and private proposals.
197-11-930	Lead agency for private projects with one agency with jurisdiction.
197-11-932	Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city.
197-11-934	Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.
197-11-936	Lead agency for private projects requiring licenses from more than one state agency.
197-11-938	Lead agencies for specific proposals.
197-11-940	Transfer of lead agency status to a state agency.
197-11-942	Agreements on lead agency status.
197-11-944	Agreements on division of lead agency duties.
197-11-946	DOE resolution of lead agency disputes.
197-11-948	Assumption of lead agency status.
197-11-960	Environmental checklist.
197-11-965	Adoption notice.
197-11-970	Determination of nonsignificance (DNS).
197-11-980	Determination of significance and scoping notice (DS).

197-11-985	Notice of assumption of lead agency status.
197-11-990	Notice of action.

(Ord. 6382 § 1, 2011; Ord. 4840 § 1, 1996.)

16.06.030 Additional definitions.

In addition to those definitions contained within WAC 197-11-700 through 197-11-799, the following words and terms shall have the following meanings, unless the context indicates otherwise:

“Advisory body” means any body established by ordinance of the city council, whose responsibilities include the review of development proposals for the purpose of making recommendations to the city council.

“Aquifer recharge areas” means areas which recharge aquifers that are a source of drinking water vulnerable to contamination that would affect the portability of the water. These areas include: sole source aquifer recharge areas and wellhead protection areas designated pursuant to the Federal Safe Drinking Water Act; areas established for special protection pursuant to a ground water management program as described by Chapters 90.44, 90.48 and 90.54 RCW and Chapters 173-100 and 173-200 WAC; and any other area meeting the definition of “areas with a critical recharging effect on aquifers used for potable water” as described in Chapter 365-190 WAC and the Auburn comprehensive plan.

“Department” means any division, subdivision or organizational unit of the city established by ordinance, rules, or order.

“Development” means the rezoning of property, the subdivision of land, the construction of buildings, or any physical alteration of the land which is subject to city approval and to the requirements of SEPA.

“Fish and wildlife habitat conservation areas” means lands which are important for the maintenance of fish and wildlife species in suitable habitats within the natural geographic distribution of the species. These areas include: areas with which endangered, threatened and sensitive species have a primary association; habitats and species of local importance; waters of the state; waters planted with game fish; and any other area meeting the definition of “fish and wildlife habitat conservation areas” as described in Chapter 365-190 WAC and the Auburn comprehensive plan.

“Frequently flooded areas” means lands in the floodplain subject to a one percent or greater chance of flooding in any given year. These areas include: streams, rivers, lakes, wetlands and any other area meeting the definition of “frequently flooded areas” as described in Chapter 365-190 WAC and the Auburn comprehensive plan.

“Geologically hazardous areas” means areas that because of their susceptibility to erosion, sliding, earthquake or other geological events, are not suited to siting commercial, residential or industrial development consistent with public health or safety concerns. These areas include:

1. Erosion hazard areas: areas identified by the USDA Soil Conservation Service as having a severe rill and inter-rill erosion hazard;
2. Landslide hazard areas: areas potentially subject to landslides based on a combination of geologic, topographic and hydrologic factors;
3. Seismic hazard areas: areas subject to severe risk or damage as a result of earthquake induced ground shaking, slope failure, settlement, soil liquefaction or surface faulting;
4. Other geologic hazard areas: areas subject to volcanic activity and areas underlain by, adjacent to, or affected by mine workings; and
5. Any other area meeting the definition of “geologically hazardous areas” as described in Chapter 365-190 WAC and the Auburn comprehensive plan.

“Hearing examiner” means the city hearing examiner as established by Chapter 2.46 ACC.

“Ordinance” means an ordinance, resolution, or other procedure used by the city to adopt regulatory requirements.

“Project permit” or “project permit application” means any land use or environmental permit or license required from the city for a project action, including but not limited to building permits, subdivisions, planned unit developments, conditional uses, shoreline development permits, site plan review, permits or approvals required by critical area ordinances, site specific rezones authorized by the comprehensive plan or a special planning area plan or other subarea plan, but excluding the adoption or amendment of a comprehensive plan, or a special area plan, subarea plan, or development regulations except as otherwise specifically included in this chapter.

“Regulations” includes regulations referenced in this chapter as well as development regulations as defined in RCW 36.70A.030 of the Growth Management Act.

“Wetlands” means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds and landscape amenities. However, wetlands do include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands, if permitted and required by the county or city. Artificial wetlands created from nonwetland areas for purposes of

wildlife enhancement, education, aesthetic or similar reasons, when not part of a compensatory (required) mitigation project, are not included within the wetland definition.

“SEPA” means Chapter 43.21C RCW.

“SEPA rules” means Chapter 197-11 WAC adopted by the Department of Ecology. (Ord. 4840 § 1, 1996.)

16.06.040 Responsible official designated.

The director of the Auburn department of planning and development, or designee, shall be the SEPA responsible official for the city and shall carry out the duties and functions of the city when it is acting as the lead agency or as a consulted agency under SEPA and the SEPA rules. (Ord. 6287 § 2, 2010; Ord. 4840 § 1, 1996.)

16.06.050 Timing of environmental review.

When a project permit application is filed with the city of Auburn the city shall analyze the permit’s environmental impacts in one project review process as provided in the Auburn City Code, hereinafter referred to as “ACC,” Title 14. The environmental review shall be integrated with and be processed concurrently with the attendant project permit application. (Ord. 4840 § 1, 1996.)

16.06.055 Categorical exemptions.

A. The city of Auburn adopts by reference WAC 197-11-300 and 197-11-800. In addition, thereto, Auburn establishes the following exempt levels for minor new construction under WAC 197-11-800(1) based on local conditions:

1. For construction or location of single-unit residential dwelling units in WAC 197-11-800(1)(~~bd~~)(~~ii~~): 2030 dwelling units or less or 100 single-unit residential dwelling units where each is less than 1,500 square feet.
2. For construction or location of Multifamily residential units (Middle Housing, Apartments and Townhomes) in WAC 197-11-800(1)(d): 200 units or less.
23. For office, school, commercial, recreational, service or storage buildings in WAC 197-11-800(1)(~~bd~~)(~~iii~~): buildings of 12,00030,000 square feet or less and with associated parking facilities designed for 40-90 or less automobiles.

~~34.~~ For parking lots not associated with a structure in WAC 197-11-800(1)(~~b~~)(ivd): 490 or fewer automobile parking spaces.

~~45.~~ For fill orand excavations in WAC 197-11-800(1)(~~bd~~)(v): 5001,000 cubic yards or less.

B. Whenever the city establishes new exempt levels under this section, it shall send them to the Department of Ecology, Headquarters Office, Olympia, Washington under WAC 197-11-800(1)(c). (Ord. 5908 § 1, 2005; Ord. 5727 § 1, 2003.)

16.06.060 Determination of categorical exemption.

A. The city department which receives an application for a proposal, or initiates a proposal which is potentially subject to the environmental review requirements of SEPA, shall request the responsible official or the responsible official's designee to make the following determinations:

1. Whether the proposal is an "action" as defined by WAC 197-11-704; and
2. If the proposal is an "action," whether it is categorically exempt from the requirements of SEPA; and
3. If the proposal is a nonexempt action, whether appropriate environmental review of the project has been conducted or commenced.

B. The responsible official or the responsible official's designee shall be responsible for making the final decision required by this section.

C. The city recognizes that the list of categorical exemptions included in the SEPA rules cannot be relied upon as the final determination of when a proposed project, regardless of its environmental impact, must comply with SEPA and this chapter. Where the responsible official determines that a proposal has a reasonable likelihood of causing more than a moderate adverse impact on environmental quality, whether that impact is direct, indirect or cumulative, environmental review under SEPA shall be conducted.

D. It is recognized that a particular development or land use, although otherwise consistent with city regulations and policies, may create adverse impacts upon facilities, services, natural systems or the surrounding area when aggregated with the impacts of prior or reasonably anticipated future developments. The city shall evaluate such cumulative environmental impacts and make its environmental determinations and substantive decisions accordingly. (Ord. 4840 § 1, 1996.)

16.06.065 Environmentally sensitive areas.

A. The following areas of the environment are designated as environmentally sensitive areas pursuant to RCW 36.70A.060 and WAC 197-11-908:

1. Aquifer recharge areas;
2. Fish and wildlife habitat conservation areas;
3. Frequently flooded areas;
4. Geologically hazardous areas; and
5. Wetlands.

B. Within each of these environmentally sensitive areas, the responsible official shall implement city codes, ordinances, resolutions, plans and policies to conserve these areas and to preclude land uses and development which cause significant adverse impacts to these areas.

C. The city's "critical area maps" provides the general location of environmentally sensitive areas within the city and is adopted by this reference as if fully set forth in this chapter. Site specific studies will be needed to identify the precise location and to assess the characteristics of the environmentally sensitive area. Whenever there is evidence of an environmentally sensitive area located within or in proximity to a nonexempt action, the responsible official may require site specific studies to determine the location and characteristics of the environmentally sensitive area, and potential mitigating measures. (Ord. 4840 § 1, 1996.)

16.06.070 Environmental checklist required.

A. Whenever a department determines that a proposal is a nonexempt action for which appropriate environmental review has not been conducted or commenced, the department shall prepare or shall require the action proponent to prepare and submit an environmental checklist. Upon completion or receipt of a completed environmental checklist, the department shall immediately transmit the following to the responsible official or the responsible official's designee:

1. The original, signed copy of the environmental checklist; and
2. A copy of any completed application form in the department's possession relating to the proposal; and
3. A copy of any project description, conceptual plan or plot plan which may have been prepared or submitted; and
4. Any additional information in the department's possession touching upon the environmental impacts of the proposed action.

B. The environmental review process shall begin when an environmental checklist application is received by the responsible official. Incomplete applications shall be returned to the applicant for completion as directed by the responsible official as provided in ACC Title 14. Checklist applications include the completed environmental checklist form together with any site plans, studies or other information needed to adequately review the application.

C. A department initiating a nonexempt city action may request that the responsible official or the responsible official's designee assist the department in preparing the necessary environmental checklist.

D. The provisions of this section shall not apply when the responsible official and the proponent of a nonexempt action agree in writing that the proposal is likely to have significant adverse environmental impacts, and further agree that an environmental impact statement (EIS) will be prepared.

E. The responsible official may determine that the city will complete all or a part of an environmental checklist for a private proposal with its own staff, or may contract with one or more consultants to prepare or assist in preparation of a checklist, and may charge and collect fees from the applicant to cover costs incurred by the city in preparation of the checklist, if either of the following circumstances exist:

1. The city has technical information on a question or questions that is unavailable to the applicant; or
2. The applicant has provided inaccurate or incomplete information on previous proposals or on proposals currently under consideration.

F. If fees are to be collected, the applicant shall be advised of the estimated costs, and shall be required to secure payment of such costs prior to the actual preparation of all or part of the environmental checklist. (Ord. 4840 § 1, 1996.)

16.06.080 Environmental impact statement.

A. Whenever the responsible official has issued a determination of significance for a nonexempt action, it shall be the responsibility of the individual, corporation, agency or city department initiating or proposing the action to prepare a draft EIS and a final EIS under the supervision of the responsible official. The proposing individual, corporation, agency or department may contract with one or more consultants to prepare or assist in the preparation of an EIS, subject to the approval of the responsible official. Consultants shall be selected based on their expertise and knowledge related to the scoped environmental elements to be analyzed in the EIS documents. Regardless of who is involved in the preparation of an EIS, it is the EIS of the city and the responsible official shall be satisfied that it complies with this chapter, with SEPA and with the SEPA rules before it is issued.

B. The responsible official may determine that the city will complete all or a part of an EIS for a private proposal with its own staff, or may contract with one or more consultants to prepare or assist in preparation of

an EIS, and may charge and collect fees from the applicant to cover costs incurred by the city in preparation of the EIS, if one or more of the following circumstances exist:

1. The city has technical information on a question or questions that is unavailable to the applicant;
2. The applicant has provided inaccurate or incomplete information on previous proposals or on proposals currently under consideration;
3. The responsible official and the applicant agree that the city will be responsible for completing the EIS.

C. If fees are to be collected, the applicant shall be advised of estimated costs, and shall be required to secure payment of such costs prior to the actual preparation of the EIS.

D. Prior to the preparation of an EIS the applicant and the city shall enter into a written agreement that shall at a minimum contain who is to prepare the EIS, its estimated cost, and estimated time frame to complete the EIS process. (Ord. 4840 § 1, 1996.)

16.06.085 Planned Actions

A. The city of Auburn adopted by reference WAC 197-11-172.

16.06.090 Public notice.

A. Whenever public notice is required under the SEPA rules, the responsible official shall cause notice to be given in the following manner:

1. By posting the subject property in accordance with the applicable provisions of Chapter 1.27 ACC (site-specific proposals only).

B. Additional public notice may be provided for proposals having or potentially having unusually widespread, unique or significant adverse impacts, or for other proposals, at the discretion of the responsible official.

C. Where notice is required for a proposed action which has been proposed or initiated by a party other than the city or a city department, the cost of newspaper publication of such notice or notices shall be borne by the city with fees paid by the proponent or applicant. (Ord. 5811 § 4, 2003; Ord. 4840 § 1, 1996.)

16.06.095 Optional Determination of Non-Significance Process

A. Projects that are defined as Type II, Type III, and Type IV Decisions, per ACC 14.03.020 and ACC 14.03.030 & 030 respectively, in which a threshold determination under SEPA is required, may be processed under the Optional DNS process. This includes:

1.- Providing Notice of Application (NOA) in accordance with ACC 14.07

2. -Ensuring consistency with WAC 197-11-355 Optional DNS Process requirements

B. If the city as lead agency and has a reasonable basis for determining, significant adverse environmental impacts are unlikely, it may use a single integrated comment period to obtain comments on the Notice of Application and the threshold determination for the proposal. If this process is used, a second comment period will typically not be required at the time the DNS is issued.

C. If the lead agency uses the optional DNS process specified in subsection B of this section, the lead agency shall:

1. State on the first page of the Notice of Application that it expects to issue a DNS for the proposal, and that:

(a) The optional DNS process is being used;

(b) This may be the only opportunity to comment on the environmental impacts of the proposal;

(c) The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared; and

(d) A copy of the subsequent threshold determination for the specific proposal may be obtained upon request (in addition, the lead agency may choose to maintain a general mailing list for threshold determination distribution);

2. List in the Notice of Application the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected;

3. Comply with the requirements for a Notice of Application and public notice in ACC 14.07; and public notice in RCW 36.70B.110; and

4. Send the Notice of Application and environmental checklist to:

(a) Agencies with jurisdiction, the Department of Ecology, affected tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal; and

(b) Anyone requesting a copy of the environmental checklist for the specific proposal (in addition, the lead agency may choose to maintain a general mailing list for checklist distribution).

D. If the lead agency indicates on the Notice of Application that a DNS is likely, an agency with jurisdiction may assume lead agency status during the comment period on the notice of application (WAC 197-11-948.)

E. The responsible official shall consider timely comments on the Notice of Application and either:

1. Issue a DNS or mitigated DNS with no comment period using the procedures in subsection F of this section;

2. Issue a DNS or mitigated DNS with a comment period using the procedures in subsection F of this section, if the lead agency determines a comment period is necessary;

3. Issue a DS; or

4. Require additional information or studies prior to making a threshold determination.

F. If a DNS or mitigated DNS is issued under subsection (E)(1) of this section, the lead agency shall send a copy of the DNS or mitigated DNS to the WA State Department of Ecology, agencies with jurisdiction, those who commented, and anyone requesting a copy. A copy of the environmental checklist need not be recirculated.

16.06.100 Internal circulation of environmental documents.

Relevant environmental documents shall accompany proposals through existing city project review processes. The responsible official shall ensure that environmental documents are provided to decision makers in the following manner:

A. Where a nonelected city official is to make a final decision on a nonexempt action, the responsible official shall provide that deciding official with a copy of a determination of nonsignificance (DNS) or a final EIS upon issuance of the DNS or FEIS.

B. Where the planning commission or hearing examiner is to make a recommendation on a nonexempt action, the responsible official shall transmit to the advisory body a copy of one of the following:

1. Environmental checklist;
2. Determination of nonsignificance (DNS);
3. Draft environmental impact statement (DEIS);
4. Final environmental impact statement (FEIS).

Transmittal of the appropriate environmental document shall either precede or accompany transmittal of a staff report or staff recommendation on the proposal.

C. A final staff recommendation to the hearing examiner or city council on a nonexempt major action should normally be preceded by, or accompanied by, either a final DNS or an FEIS. (Ord. 6186 § 1, 2008; Ord. 4840 § 1, 1996.)

16.06.110 Timing of decision on nonexempt action.

A. For nonexempt actions, the procedural requirements of SEPA, the SEPA rules and this chapter shall be completed prior to the city's issuance of a license, permit or other approval, prior to the city committing to a particular course of action, or prior to the city making a decision that would either have adverse environmental impacts or limit the choice of reasonable alternatives.

B. A final decision on a nonexempt action for which a DNS has been issued or EIS has been required shall not be made until after expiration of the environmental appeal period if not appealed or, if appealed, shall not be made until the decision on the appeal becomes final. (Ord. 4840 § 1, 1996.)

16.06.120 Authority to condition or deny proposals.

A. The policies and goals set forth in and referenced by this chapter are supplementary to those in the existing authorization of the city.

B. The city may attach conditions to a permit or approval for a proposal so long as:

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1. Such conditions are necessary to mitigate probable significant adverse environmental impacts identified in environmental documents prepared pursuant to this chapter; and
 2. Such conditions are in writing; and
 3. The mitigation measures included in such conditions are reasonable and capable of being accomplished; and
 4. The city has considered whether other local, state, or federal mitigation measures applicable to the proposal are sufficient to mitigate the identified impacts; and
 5. Such conditions are based on one or more policies, plans, rules or regulations designated in ACC 16.06.130 as a basis for the exercise of substantive SEPA authority under RCW 43.21C.060, and cited in writing in the license, permit, ordinance or other decision document.

C. The city may deny a permit or approval for a proposal on the basis of SEPA so long as:

1. A finding is made that approving the proposal would result in probable significant adverse environmental impacts that are identified in a final EIS or final supplemental EIS prepared pursuant to this chapter; and
2. A finding is made that there are no reasonable mitigation measures capable of being accomplished that are sufficient to make the identified impact nonsignificant; and
3. The denial is based on one or more policies, plans, rules or regulations designated in ACC 16.06.130 as a basis for the exercise of substantive SEPA authority under RCW 43.21C.060, and cited in writing in the license, permit, ordinance or other decision document.

D. If the lead agency determines, after the initial review of a project, that a proposed action could not comply with adopted plans, policies, rules or regulations, and where the city has authority other than SEPA to deny the proposal, the project can be denied outright without making a threshold determination, and shall be cited in writing. Proposed actions which are subsequently modified, amended or deemed to be consistent with adopted plans, policies, rules or regulations shall not receive final approval until the proposed action is in full compliance with SEPA, the SEPA rules and this chapter.

E. Where the responsible official has issued a mitigated DNS, the decision maker shall not approve the associated proposal until:

1. The proponent has modified the proposal, either through modification of plans and other application materials or through a separate written instrument attached to the application, such that the mitigating measures of the mitigated DNS become part of the proposal; or
2. The decision maker has incorporated the mitigating measures of the mitigated DNS into the license, permit, ordinance or other approval, through conditions attached pursuant to this chapter; or

3. A combination of subdivisions 1 and 2 of this subsection.

F. Where mitigating measures are agreed to under subsection (E)(1) of this section, or imposed under subsection (E)(2) of this section, and where the proponent fails to implement such mitigating measures, the city shall have the authority to revoke any permit, license or other approval granted on the basis of such mitigating measures. (Ord. 4840 § 1, 1996.)

16.06.130 Substantive authority.

The city adopts by reference the following policies, plans, rules and regulations, as may be amended, as a basis for the exercise of substantive authority to approve, condition or deny proposed actions under RCW 43.21C.060 of SEPA:

- A. Auburn comprehensive plan and related reports and studies outlined in ~~Appendix B~~; all Appendices and Supplementary Reports
- B. Shoreline management master program;
- C. Auburn City Code;
- D. Auburn downtown plan;
- E. Auburn capital ~~improvements~~ facilities plan;
- F. ~~Six-year street plan~~ Auburn Transportation Program;
- G. Auburn Municipal Airport master plan;
- H. ~~Energy management plan.~~ (Ord. 4840 § 1, 1996.)

16.06.200 City responsibilities as consulted agency.

In carrying out the city's duties as a consulted agency, the responsible official shall request information from any department potentially affected by or having expertise on a proposal. Information timely received by the responsible official in response to such request shall be transmitted to the lead agency. The responsible official may transmit such information by forwarding copies of any department responses or by consolidating all department responses into a single city response. (Ord. 4840 § 1, 1996.)

16.06.210 Use of non-SEPA documents.

A. If determined by the responsible official, existing plans, regulations, rules, or other laws that provide a functionally equivalent analysis of the specific adverse impacts of a proposed project that has already occurred and is available or will occur before action is taken on a proposed project may be used to forego the environmental analysis required under this title. If non-SEPA documents are used the responsible official shall make appropriate findings and conclusions to support the use of such documents.

B. If determined by the responsible official, existing plans, regulations, rules, or other laws that adequately mitigate the projects specific adverse environmental impacts may be used, in lieu of SEPA mitigating conditions, as long as the project approval is explicitly conditioned on compliance with the requirements or mitigation measures so that the specific adverse environmental impacts are adequately mitigated. If non-SEPA documents are used, the responsible official shall make appropriate findings and conclusions to support the use of such mitigation and to ensure compliance with the requirements of the non-SEPA documents. (Ord. 4840 § 1, 1996.)

16.06.220 Environmental appeals.

Any person aggrieved of a final threshold determination of significance, final determination of nonsignificance, or inadequacy of a final EIS may file an appeal with the city hearing examiner. Appeal of intermediate steps under SEPA (e.g., lead agency determination, scoping, draft EIS adequacy) shall not be allowed. (Ord. 4840 § 1, 1996.)

16.06.230 Time limitation on appeals.

A written notice of appeal identifying the grounds for appeal must be filed with the city clerk, on forms provided by the city clerk, within 14 days of the date of mailing the final threshold determination of significance, final determination of nonsignificance or final EIS. The city shall extend the appeal period for an additional seven days for final mitigated determinations of nonsignificance and final EISs. (Ord. 4840 § 1, 1996.)

16.06.240 Fee to accompany notice of appeal.

An appeal fee as provided for in the city's adopted fee schedule shall accompany the written notice of appeal and be filed within the appeal period with the city clerk. No notice of appeal shall be accepted unless accompanied by full payment of the appeal fee. This fee shall be utilized to cover publication costs, mailing, and other costs directly associated with the appeal. (Ord. 6077 § 1, 2007; Ord. 4840 § 1, 1996.)

16.06.250 Notice of hearing.

A notice of appeal timely filed shall be transmitted by the city clerk to the hearing examiner and the SEPA responsible official. The hearing examiner shall determine the date, time, and place of a hearing to consider the appeal of final EISs, and shall notify the parties thereof. Other appeal hearings shall be scheduled in accordance with ACC 2.46.130. (Ord. 4840 § 1, 1996.)

16.06.260 Hearing.

A hearing upon an appeal shall be conducted by the hearing examiner and, where applicable, the appeal hearing shall be consolidated with any other hearing required on the related proposed action as required in ACC Title 14. (Ord. 4840 § 1, 1996.)

16.06.270 Testimony – Recording.

All testimony taken at any hearing shall be taken under oath. The hearing shall be recorded electronically. (Ord. 4840 § 1, 1996.)

16.06.300 Substantial weight – Burden of proof.

A threshold determination by the responsible official is entitled to substantial weight. The burden shall be on the appellant to establish that the determination is in error. (Ord. 4840 § 1, 1996.)

16.06.310 Decision of the hearing examiner.

A. Upon the basis of all of the information received in a hearing, and all information relied upon by the responsible official, the hearing examiner shall prepare a written decision, including findings of fact and conclusions.

B. The hearing examiner may sustain, sustain with conditions, reverse, or remand to the responsible official the threshold determination. (Ord. 4840 § 1, 1996.)

16.06.320 Dismissal of appeal.

The hearing examiner may summarily dismiss an appeal without hearing, when such appeal is determined by the hearing examiner to be without merit on its face, frivolous, or brought merely to impede a proposal or secure a delay. (Ord. 4840 § 1, 1996.)

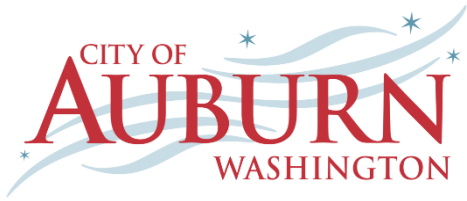
16.06.330 City council review – Limitations for appeals.

A. The decision of the hearing examiner on a threshold determination appeal may be appealed to the superior court in the county in which the subject property is located, which appeal shall be in accordance with the provisions of RCW 43.21C.060 and 43.21C.075. Any such appeal allowed by RCW 43.21C.060 and 43.21C.075 must be brought within the time limits specified in Chapter 2.46 ACC.

B. Such city council review shall be conducted on the record compiled by the hearing examiner, consistent with other applicable law. (Ord. 6442 § 11, 2012; Ord. 6186 § 2, 2008; Ord. 4840 § 1, 1996.)

16.06.340 Violation – Penalty.

Any violation of this chapter or of the standards, regulations or procedures adopted pursuant to this chapter shall be enforced pursuant to the provisions of Chapter 1.25 ACC. (Ord. 4840 § 1, 1996.)



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6976 (Krum)
An Ordinance amending the Comprehensive Zoning Map

Meeting Date:

April 7, 2025

(RECOMMENDED ACTION: Move to approve Ordinance No. 6976.)

Department:

Community Development

Attachments:

Ordinance No. 6976, Ordinance
No. 6976 - Exhibit A: Map
Amendment

Budget Impact:**Administrative Recommendation:**

City Council to approve Ordinance No. 6976.

Background for Motion:

This Ordinance will update the City's Comprehensive Zoning Map, correcting the zoning of six, privately owned parcels, misidentified as P-1, Public Use District to R-NM, Residential Neighborhood Mixed-Use.

Background Summary:

During the 2024 Periodic Update the Comprehensive Zoning Map and Comprehensive Land Use Map were revised to be consistent with the update to Title 18 Zoning. Both maps were completely revised to feature the new zoning labels for existing zones and the new R-NM, Neighborhood Mixed Use zoning district. In the updated maps, due to a mapping error, six privately owned parcels were misidentified as P-1, Public Use District. The land use designation of these parcels is Mixed-Use. The correct zoning for these parcels should be Neighborhood Mixed Use. The purpose of this zoning map amendment is to correct the display of these six parcels.

Staff presented the proposed changes to City Council at the Study Session meeting on March 24, 2025.

Councilmember: Tracy Taylor

Staff: Jason Krum

ORDINANCE NO. 6976

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
AUBURN, WASHINGTON, AMENDING THE
COMPREHENSIVE ZONING MAP**

WHEREAS, since 1986 the City of Auburn has maintained a Comprehensive Plan, periodically updated and reaffirmed by the City Council, that includes a Map establishing the location of the Comprehensive Plan Land Use Designations throughout the City;

WHEREAS, the City also maintains a “Zoning map,” labeled the “Comprehensive Zoning Map of the City of Auburn, Washington,” dated June 1, 1987, adopted by Ordinance No. 4230;

WHEREAS, the zoning map is adopted and made a part of the comprehensive zoning ordinance, with the most current amended copy serving as the official zoning map;

WHEREAS, the Comprehensive Plan Land Use Designations and Zoning Districts were updated under the periodic Comprehensive Plan Update completed under Ordinance No. 6960;

WHEREAS, as part of the periodic Comprehensive Plan Update, six parcels were (land use) designed as Mixed Use but erroneously identified as P-1, Public Use. The parcels were King County parcel numbers: 0004200010, 0004200020, 0004200027, 0004200011, 0004200028, and 0004200021;

WHEREAS, pursuant to the Land Use Element of the Comprehensive Plan, the P-1, Public Use zone implements the Public/Quasi-Public land use designation and R-NM Neighborhood Mixed-Use zone implements the Mixed-Use land use designation;

WHEREAS, it is the intent of the zoning districts to implement the Comprehensive Plan Land Use Designations and must be consistent with the future land use map;

WHEREAS, pursuant to ACC 18.68.030 an “Area-Wide Rezone” is a rezone initiated either by the city or by multiple property owners that applies to a significant number of properties, as determined by the director of community development and is processed as a legislative nonproject decision, consistent with ACC 14.03.060;

WHEREAS, pursuant to WAC 197-11-800(6)(c)(i)-(iii) a rezone is exempt if the project is in an urban growth area in a city or county planning under RCW 36.70A.040, the proposed rezone is consistent with and does not require an amendment to the comprehensive plan, and the applicable comprehensive plan was previously subjected to environmental review and analysis through an EIS under the requirements of this chapter prior to adoption and the EIS adequately addressed the environmental impacts of the rezone;

WHEREAS, pursuant to Chapter 36.70A RCW, a Final Environmental Impact Statement (FEIS) completed for the periodic Comprehensive Plan Update, and the City did not act upon the FEIS until November 8, 2024;

WHEREAS, pursuant to Commerce guidance a 60-day notice is not required for on site-specific rezones that does not include an amendment to the comprehensive plan; they are considered a project permit application and not a development regulation amendment even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city;

WHEREAS, it is the intent of this Ordinance to correct the erroneous zoning of the six parcels; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN,
WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Change the zoning district of King County parcel numbers: 0004200010, 0004200020, 0004200027, 0004200011, 0004200028, and 0004200021 from P-1, Public Use to R-NM Neighborhood Mixed-Use, as set forth in Exhibit "A".

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

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

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

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

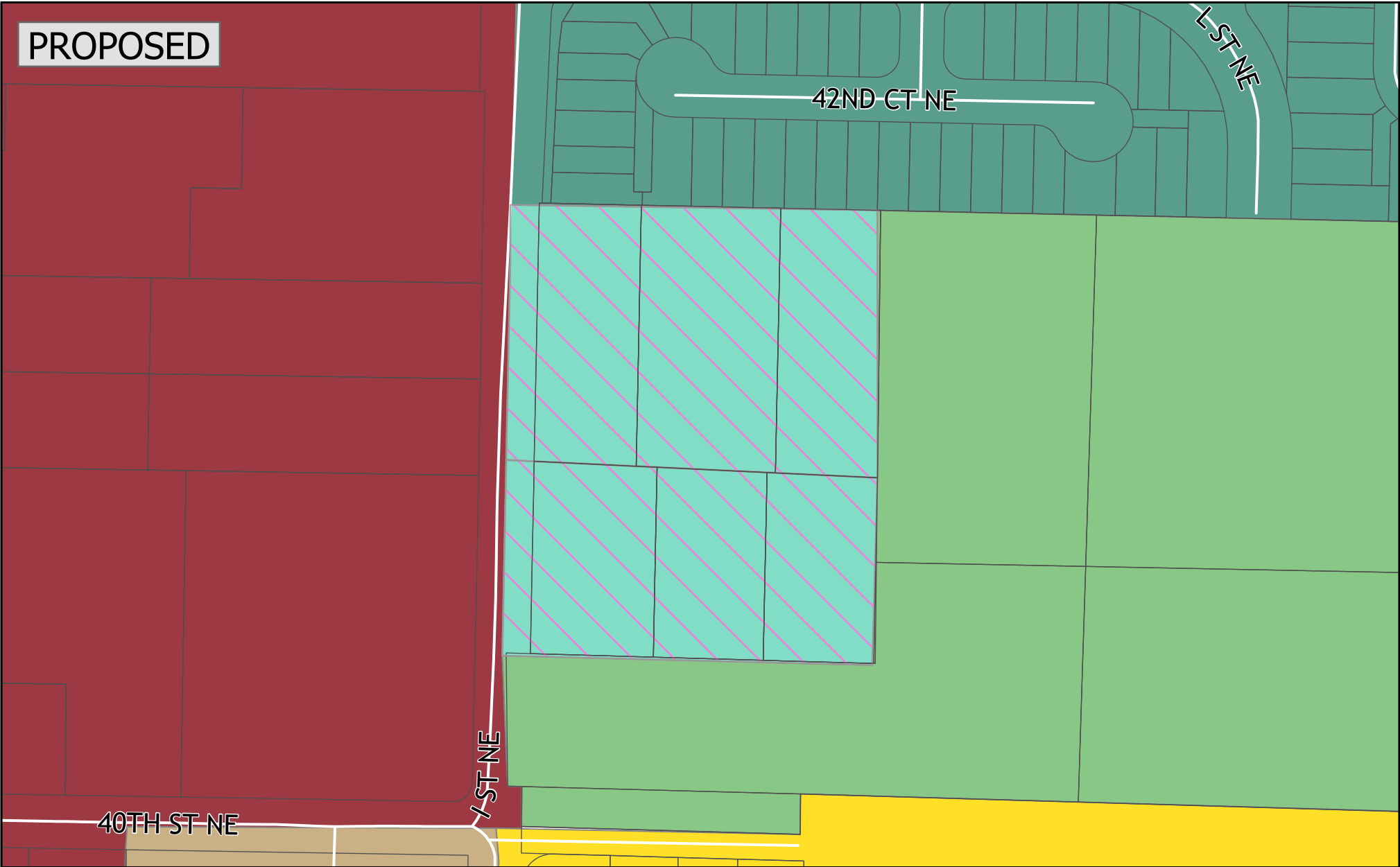
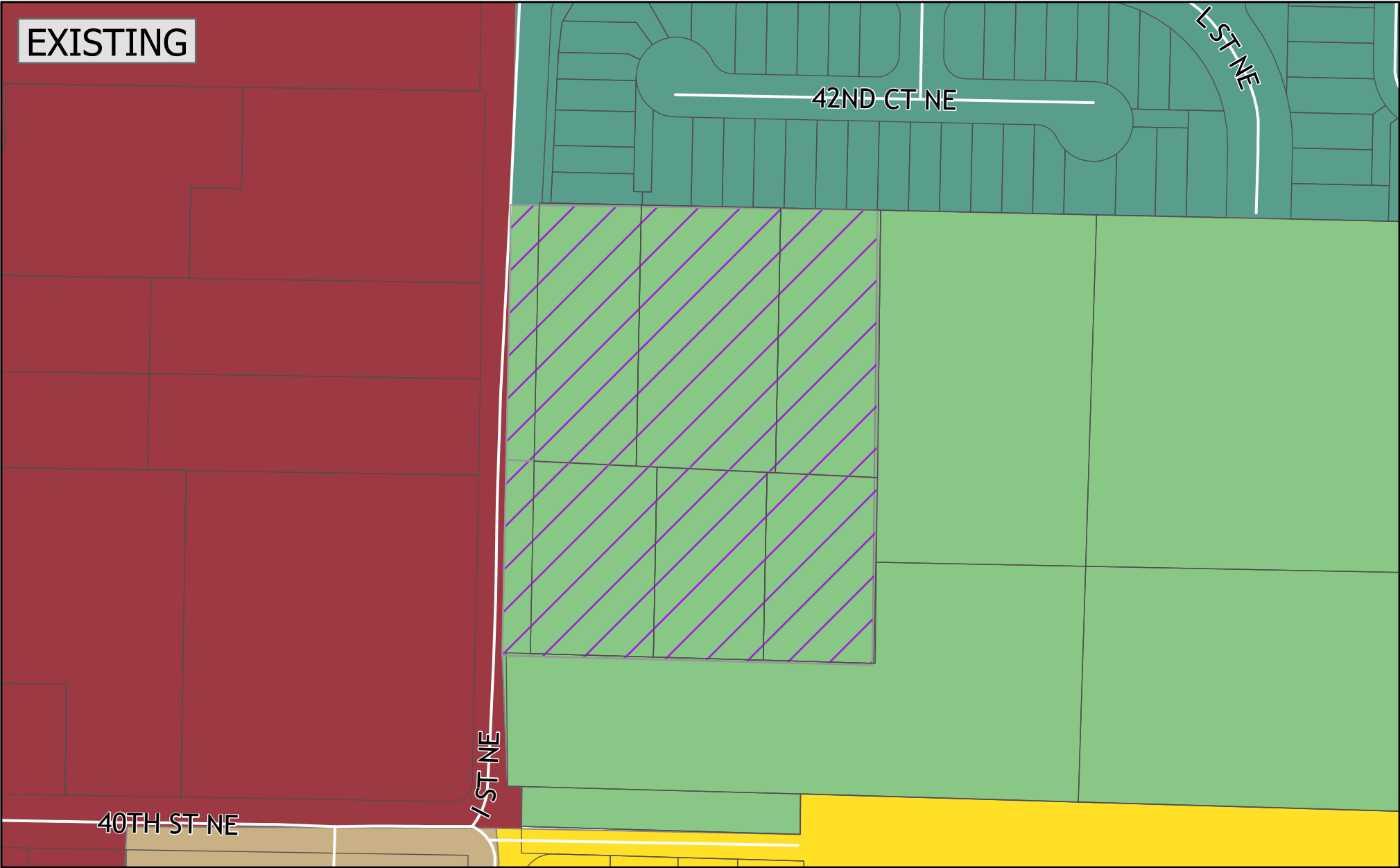
APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Jason Whalen, City Attorney

Published: _____

Proposed Zoning Amendment P-1 to R-NM Zone



P-1 Public Use

R-NM Neighborhood Mixed-Use

R-2 Residential Low

R-4 Residential High

C-2 Light Commercial

PUD Planned Unit Development District

Parcel Boundary

Existing Zoning

Proposed Zoning

0

100

200

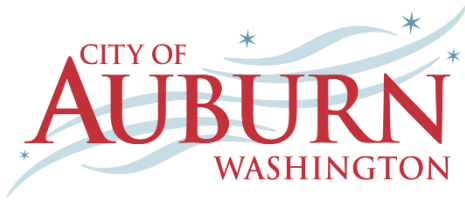
300

Feet

ORDINANCE NO. 6976

EXHIBIT A

Page 48 of 56



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5820 (Caillier)

A Resolution accepting a Grant Award from the Seattle Police Department on behalf of the Washington State Internet Crimes Against Children Task Force

Meeting Date:

April 7, 2025

(RECOMMENDED ACTION: Move to adopt Resolution No. 5820.)

Department:

Police

Attachments:

Resolution 5820, FY24 ICAC
Auburn PD MOU (25-00417) -
Legal apprvd

Budget Impact:**Administrative Recommendation:**

City Council to adopt Resolution No. 5820.

Background for Motion:

The Seattle Police Department is the lead agency for Washington State's Internet Crimes Against Children (ICAC) Task Force. The Auburn Police Department is a member of the ICAC Task Force and was awarded \$20,000 of the overall Federal Grant award provided to the Washington State ICAC Task Force.

Background Summary:

The Seattle Police Department is the lead agency for Washington State's Internet Crimes Against Children (ICAC) Task Force. The Auburn Police Department is a member of the ICAC Task Force and was awarded \$20,000 of the overall Federal Grant award provided to the Washington State ICAC Task Force. The funding is for actual costs incurred by the Auburn Police Department for ICAC case work overtime, travel/training related to ICAC, equipment, and software necessary for ICAC investigations.

Councilmember: Cheryl Rakes

Staff: Mark Caillier

RESOLUTION NO. 5820

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN,
WASHINGTON, ACCEPTING A GRANT AWARD FROM THE SEATTLE
POLICE DEPARTMENT ON BEHALF OF THE WASHINGTON STATE
INTERNET CRIMES AGAINST CHILDREN TASK FORCE

WHEREAS, the Seattle Police Department the lead agency and fiduciary for the
Washington State Internet Crimes Against Children (ICAC) Task Force; and

WHEREAS, the Washington State ICAC Task Force received a federal grant
award from the Department of Justice; and

WHEREAS, the Auburn Police Department is currently a member of the
Washington State ICAC Task Force, and the Auburn Police Department has been
allocated \$20,000 of the Federal grant award; and

WHEREAS, the grant award is for actual costs incurred by the Auburn Police
Department for ICAC case work overtime, travel/training related to ICAC, equipment, and
software necessary for ICAC investigations;

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

Section 1. The City of Auburn and Auburn Police Department are authorized to
accept the grant award of \$20,000, according to the terms and conditions set forth in the
Award Letter attached to this Resolution;

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

Section 3. This Resolution shall take effect and be in full force upon 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



MEMORANDUM OF UNDERSTANDING

**City of Auburn
Auburn Police Department
25 West Main Street
Auburn, WA 98001**

THIS AGREEMENT is made and entered into by and between the City of Seattle Police Department, hereinafter referred to as "SPD" and City of Auburn.

WHEREAS, The Seattle Police Department is the Lead Agency for Washington State's Internet Crimes Against Children (ICAC) Task Force;

WHEREAS, City of Auburn, is a member of the ICAC Task Force and requires funding to support its investigation and prosecution of ICAC crimes;

WHEREAS, The Seattle Police Department receives funding to support investigation and prosecution of ICAC crimes and wishes to share this funding with Task Force Members to further the mission of the Task Force;

NOW, THEREFORE, in consideration of the terms, conditions, covenants, and performance of the scope of work contained herein, or as attached and made a part hereof, the parties hereto agree as follows:

IT IS THEREFORE MUTUALLY AGREED THAT:

This agreement is to support City of Auburn's ICAC overtime, travel/training, equipment, and software necessary for ICAC investigations. Written pre-approval from SPD is required before incurring expenses.

In the event the MOU requires a change in scope or an increase in cost beyond the amount agreed to, the SPD and City of Auburn shall agree to any such changes in writing prior to the commencement of Services requiring the change in the scope or cost increase.

TERM OF AGREEMENT

This Agreement shall begin January 1, 2025 and terminates September 30, 2025. This agreement may be modified and continued, by amendment, for work beyond this date, by mutual agreement of the parties.

PAYMENT

SPD will pay City of Auburn for work covered in the Scope of Work for actual costs incurred by City of Auburn

The funding limit shall not exceed \$20,000 and shall reflect the Parties' best estimate of the cost of work to be accomplished under this Agreement. SPD shall not be obligated for any expenditure in excess of the funding limit unless prior written authorization is received. Actual amounts reimbursed under this Agreement shall be based on actual costs incurred by City of Auburn. In no event, shall any Party be paid for costs that are not documented pursuant to the requirements of this Agreement.

All requests for travel reimbursement will include receipts for all claimed travel expenses, with the exception of meals. The Recipient shall submit requests for reimbursement in accordance with the following restrictions:

- Lodging expenses shall not exceed the federal lodging rates.
- Travel expenses shall be the most economical rate available in Coach

- Meal expenses must be in accordance with the federal per diem rates.
- Ground travel expenses, only as necessary
- Parking expenses, only as necessary.

SPD will pay City of Auburn pursuant to the following provisions, unless otherwise agreed in writing:

1. City of Auburn shall submit to SPD an invoice for Services performed no later than thirty (30) calendar days following the month in which the Services were performed. Invoice shall include a summary of total costs billed to date. Any request for payment for work performed prior to the issuance of a notice to begin work, or work billed later than ninety (90) calendar days after its completion shall not be eligible for payment.
2. Unless otherwise directed, City of Auburn shall submit invoices and appropriate supporting materials to:
Seattle Police Department
Attn: Fiscal Office
PO Box 34986
Seattle, WA 98124-4986
spdap@seattle.gov
3. City of Auburn agrees to submit a final bill to SPD within thirty (30) calendar days after the end date of this Contract, and will label the invoice "FINAL BILL."
4. Funding Source:

FEDERAL AWARD INFORMATION		
GRANT AWARD TITLE: 16.543 - FY24 Washington State ICAC Task Force Program (FY24 ICAC)		
FEDERAL AWARD ID #	SUBRECIPIENT NAME UEI NUMBER	FUNDS OBLIGATED FOR THIS AGREEMENT
15PJDP-24-GK-04213-MECP	City of Auburn LT4FLVEW5U28	\$20,000
FEDERAL AWARD DATE	SUBAWARD PERIOD OF PERFORMANCE START DATE	SUBAWARD PERIOD OF PERFORMANCE END DATE
11/1/2024	01/01/2025	09/30/2025
TOTAL GRANT AWARD COMMITTED TO THIS ENTITY	SUBAWARD BUDGET PERIOD START DATE	SUBAWARD BUDGET PERIOD END DATE
\$20,000	01/01/2025	09/30/2025
TOTAL FEDERAL FUNDS OBLIGATED TO THIS ENTITY	RESEARCH & DEVELOPMENT	INDIRECT COST RATE
\$151,600 (includes above)	N	N
FEDERAL AWARDDING AGENCY	PASS-THROUGH ENTITY	PASS-THROUGH AWARDDING OFFICIAL
DOJ/OJP/OJJDP	Seattle Police Department (Seattle, City of) RGJ5CPK2YHK1	Brian G. Maxey brian.maxey@seattle.gov
AWARD PROJECT DESCRIPTION: The Seattle Police Department (SPD) has participated in the Federal ICAC Task Force Grant Program since 1998 and formed its Internet Crimes Against Children (ICAC) Task Force that same year. As the Lead Law Enforcement Agency in the State of Washington, SPD proactively and reactively investigates an ever-growing number of technology-facilitated crimes against children. Each year since the ICAC Task Force began, the SPD ICAC Commander has successfully coordinated the number of investigative partner agencies within Washington State which improves the overall task force's response to interdict, investigate and prosecute ICAC cases. As the lead agency for the Washington State ICAC, SPD will continue its long-standing partnership with the Western and Eastern U.S. Attorney's Office and their Project Safe Childhood Program, collaborate on multijurisdictional investigations to prosecute ICAC cases, and provide regional ICAC related training and technical assistance to all Washington State Task Force affiliates. The Task Force will work to:		

increase the number of both proactive and reactive investigations; increase the number of forensic examinations; increase the number of referrals received from other ICAC Task Forces and federal partners; increase the capabilities of the Washington State ICAC Task Force agencies in the investigation of technology-facilitated crimes against children; enhance the Washington State ICAC Task Force's effectiveness in preventing these types of offenses; and formalize law enforcement partnerships through written agreements.

INDEMNIFICATION AND HOLD HARMLESS

City of Auburn shall defend, indemnify, and hold SPD harmless from and against all claims, demands, losses, damages or costs, including but not limited to damages arising out of bodily injury or death to persons and damage to property, caused by or resulting from:

- The sole negligence or willful misconduct of City of Auburn, its officials, officers, employees, and agents;
- The concurrent negligence of City of Auburn, its officials, officers, employees, or agents but only to the extent of the negligence of City of Auburn, its officials, officers, employees, and agents;
- The negligent performance or non-performance of the contract by City of Auburn; and

The City of Auburn waives any immunity under Title 51 RCW to the extent it is required to indemnify, defend and hold harmless SPD and its officials, agents, and employees.

INSURANCE

The City of Auburn agrees that it will maintain premises operations and vehicle liability insurance in force with coverages and limits of liability typically maintained by consultants performing work of a scope and nature similar to that called for under this Agreement, but in no event less than the coverages and/or limits required by Washington state law. Such insurance shall include "The City of Seattle" as an additional insured for primary and non-contributory limits of liability. Workers compensation insurance shall also be maintained if required by Washington state law.

TERMINATION

Either party may terminate this Agreement without recourse by the other party upon written notice to terminate. Notice of termination shall be given by the party terminating this Agreement to the other, not fewer than fifteen (15) business days prior to the effective date of termination.

AGENCY CONTACTS

Contact between the Parties regarding Agreement administration will be between the representatives of each Party or their designee as follows:

City of Auburn	Seattle Police Department
Name: Sergeant Josh Matt	Name: Kelly Crouch
Phone: 253-261-5284	Phone: 206.386.9140
Email: jmatt@auburnwa.gov	Email: Kelly.crouch@seattle.gov

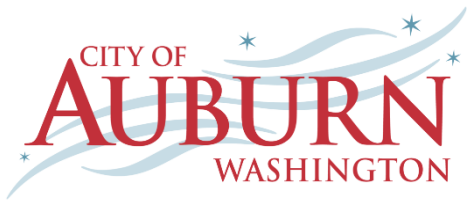
IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the latest day and year written below.

CITY OF AUBURN

SEATTLE POLICE DEPARTMENT

Name: Nancy Backus Date
Title: Mayor, City of Auburn

Brian G. Maxey Date
Chief Operating Officer



AGENDA BILL APPROVAL FORM

Agenda Subject:

Council to Select Candidates to Interview for Vacant Position (Council)

Meeting Date:

April 7, 2025

Department:

City Council

Attachments:

None

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

SECTION 13 COUNCIL POSITION VACANCY OR ABSENCE

13.1 If an unexpired Council position becomes vacant, the City Council has ninety (90) days from the occurrence of the vacancy to appoint, by majority vote of a quorum of the remaining members of the Council, a qualified person to fill the vacancy pursuant to State law. The Council may make such appointment at its next Regular Meeting, or at a Special Meeting called for that purpose. If the Council does not appoint a person within the ninety (90) day period, the County may appoint a qualified person to fill the vacancy as provided by RCW 42.12.070 and Council Rules 13.3 through 13.20.

13.6 In the event the City receives more than 10 completed applications, each City Councilmember will submit to the City Clerk an unranked list of the candidates the Councilmember wishes to move forward in the process. Each Councilmember's list should contain no more than 15 anonymized candidates. The City Clerk shall aggregate all Councilmembers lists into one unranked master list of the 10-15 candidates most commonly selected among the individual lists provided. The list shall be arranged in the anonymized order and shall only include the anonymized designation of the candidates. This aggregated list shall be provided to the Council during the executive session prior to the interview meeting. If less than 10 completed applications are received the Council will move forward with the above process with all applicants.

13.7 Immediately following the executive session, Council shall meet in public session to select which candidates to invite to participate in an interview at a future City Council meeting. The decision as to which applicants to interview will be based on the information contained in the application forms and Council's evaluation of the qualifications of the candidates. The decision as to which candidates will be interviewed will be at the sole discretion of the City Council.

Interviews for the selected candidates will take place at the April 14, 2025, Special City Council Meeting starting at 5:00 p.m.

Councilmember:

Staff: