



**City Council Meeting**  
**October 16, 2017 - 7:00 PM**  
**Auburn City Hall**  
**AGENDA**

[Watch the meeting LIVE!](#)

[Watch the meeting video](#)

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

**I. CALL TO ORDER**

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

**II. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS**

- A. Proclamation for Soroptimist International of Auburn  
Mayor Backus to proclaim October 2017 as Soroptimist International of Auburn's 70th Year Anniversary.
- B. Pierce Transit Update by Pierce Transit Commissioner Nancy Henderson
- C. Pierce County Prosecuting Attorney Update  
Mark Lindquist, Pierce County Prosecuting Attorney, to provide an update to the City Council on Public Safety

**III. APPOINTMENTS**

**IV. AGENDA MODIFICATIONS**

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

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

**VI. COUNCIL AD HOC COMMITTEE REPORTS**

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

**VII. CONSENT AGENDA**

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

A. **Minutes of the October 2, 2017 Regular Meeting\***

B. **Minutes of the June 13, 2016 and March 13, 2017 Study Sessions\***

C. **Claims Vouchers (Coleman)**

Claims voucher numbers 446017 through 446222 in the amount of \$7,060,417.47 and one wire transfer in the amount of \$445,040.68 and dated October 16, 2017.

D. **Payroll Vouchers (Coleman)**

Payroll check numbers 537545 through 537564 in the amount of \$235,812.26 and electronic deposit transmissions in the amount of \$1,909,901.87 for a grand total of \$2,145,714.13 for the period covering September 28, 2017, to October 11, 2017.

E. **Public Works Project No. CP1502\* (Snyder)**

City Council award Contract No. 17-20 to Road Construction Northwest, Inc. on their low bid of \$656,280.00 for Project No. CP1502, "A" Street SE and 37th Street SE Traffic Signal

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

VIII. **UNFINISHED BUSINESS**

A. **Resolution No. 5314\* (Hinman)**

A Resolution of the City Council of the City of Auburn, Washington, stating its intent to update and modify the provisions governing the Auburn Business Improvement Area, including the exemptions to the special assessment and setting a public hearing therefor

***(RECOMMENDED ACTION: City Council adopt Resolution No. 5314.)***

IX. **NEW BUSINESS**

X. **ORDINANCES**

A. **Ordinance No. 6660\* (Snyder)**

An Ordinance of the City Council of the City of Auburn, Washington, approving an areawide rezone for properties zoned Environmental Park to Light Industrial

***(RECOMMENDED ACTION: City Council adopt Ordinance No. 6660.)***

XI. **RESOLUTIONS**

A. **Resolution No. 5321\* (Snyder)**

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute an Interlocal Agreement with King County Metro for constructing reinforced sidewalk section for bus stop shelters along Auburn Way South as part of Auburn Way South Corridor Safety Improvements, Muckleshoot Plaza to Dogwood St SE

***(RECOMMENDED ACTION: City Council adopt Resolution No. 5321.)***

**B. Resolution No. 5322\* (Snyder)**

A Resolution of the City Council of the City of Auburn, Washington, recommending to the Sound Transit Board of Directors its preferred parking garage site in downtown Auburn for the Auburn Station Access Improvement Project and encouraging Sound Transit's serious consideration of unsolicited proposals for the construction of said site

***(RECOMMENDED ACTION: City Council adopt Resolution No. 5322.)***

**XII. MAYOR AND COUNCILMEMBER REPORTS**

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

**A. From the Council**

**B. From the Mayor**

**XIII. ADJOURNMENT**

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

\*Denotes attachments included in the agenda packet.



## AGENDA BILL APPROVAL FORM

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**Agenda Subject:**

Minutes of the October 2, 2017 Regular Meeting

**Date:**

October 10, 2017

**Department:**

Administration

**Attachments:**

[10-02-2017 Minutes](#)

**Budget Impact:**

\$0

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

**Meeting Date:** October 16, 2017

**Item Number:** CA.A



**CITY COUNCIL  
MEETING MINUTES**

**October 2, 2017 7:00 PM**

**I. CALL TO ORDER**

**A. Pledge of Allegiance**

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

**B. Roll Call**

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

Mayor Nancy Backus was in attendance, and the following department directors and staff members were present: Director of Administration Dana Hinman, Finance Director Shelley Coleman, Assistant City Attorney Doug Ruth, City Prosecutor Harry Boesche, Prosecutor Lorie Han, Domestic Violence Paralegal Gloria Cody, Police Chief Bob Lee, Innovation and Technology Director Paul Haugan, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Community Development and Public Works Director Kevin Snyder, Parks, Arts and Recreation Director Daryl Faber, Emergency Management Manager Jerry Thorson and Deputy City Clerk Shawn Campbell.

**II. ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS**

**A. Domestic Violence Awareness and Prevention Month**

Mayor Backus to proclaim October 2017 as "Domestic Violence Awareness and Prevention Month" in the city of Auburn

Mayor Backus read the proclamation declaring October 2017 as Domestic Violence Awareness and Prevention Month. She presented Liz Mills the 211 Director, Judy Roland from Soroptimist, City of Auburn Domestic Violence Paralegal Gloria Cody, City of

Auburn Prosecutor Lorie Han and City of Auburn Chief Prosecutor Harry Boesche the proclamation and thanked them for their dedication.

**B. National Cyber Security Awareness Month**

Mayor Backus to proclaim October 2017 as "National Cyber Security Awareness Month" in the city of Auburn

Mayor Backus read the proclamation declaring October 2017 as National Cyber Security Awareness Month.

Director Haugan accepted the proclamation and thanked Mayor Backus and Council for their support.

**C. Chamber Best of Awards**

Mayor Backus announced the winner of the Best of Auburn Award for Entertainment is the City of Auburn Parks Department. Director Faber thanked Mayor and Council for their support.

**III. APPOINTMENTS**

**A. Auburn Tourism Board**

City Council to confirm Ting Phonsanam to the Auburn Tourism Board, to fill an unexpired term, ending December 31, 2019.

See Lodging Tax Advisory Board Appointment.

**B. Lodging Tax Advisory Board Appointment**

City Council to confirm the appointment of Christian Faltenberger to the Lodging Tax Advisory Board, to fill an unexpired term, ending December 31, 2019.

Councilmember Holman moved and Councilmember Baggett seconded to confirm Ting Phonsanam to the Auburn Tourism Board, to fill an unexpired term, ending December 31, 2019 and Christian Faltenberger to the Lodging Tax Advisory Board, to fill an unexpired term, ending December 31, 2019.

MOTION CARRIED UNANIMOUSLY. 6-0

**IV. AGENDA MODIFICATIONS**

There was no change to the agenda.

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

**A. Public Hearings**

No public hearing was scheduled for this evening.

**B. Audience Participation**

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

Brent Carson 719 2<sup>nd</sup> Avenue, Seattle

Mr. Carson represents property owners with property in the EP Zone. His clients are in support of the rezone of the EP zone to M1.

Virginia Haugen, 2503 R Street SE, Auburn

Ms. Haugen expressed her concern for staff safety at City Hall, and wants to ensure the City is prepared with enough supplies for a large scale emergency.

**C. Correspondence**

There was no correspondence for Council review.

**VI. COUNCIL AD HOC COMMITTEE REPORTS**

Councilmember Baggett, chair of the Finance ad hoc committee that reviews claims and payroll vouchers, reported he and Councilmember Wagner reviewed the payroll vouchers and electronic deposits in the approximate amount of \$2.3 million and claims vouchers and wire transfers in the amount of approximately \$2.2 million for the periods September 14, 2017 to September 27, 2017 and October 2, 2017, respectively. The ad hoc committee recommends approval of the claims and payroll vouchers as described on the Consent Agenda.

**VII. CONSENT AGENDA**

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

**A. Minutes of the March 28, 2016, April 11, 2016 and May 9, 2016, Study Session Meetings****B. Minutes of the September 18, 2017 Regular City Council Meeting**

**C. Claims Vouchers**

Claims vouchers 445854 through 446016 in the amount of \$1,556,784.79 and two wire transfers in the amount of \$619,968.70 and dated October 2, 2017.

**D. Payroll Vouchers**

Payroll check numbers 537523 through 537544 in the amount of \$425,310.01, electronic deposit transmissions in the amount of \$1,881,743.95 for a grand total of \$2,307,053.96 for the period covering September 14, 2017 to September 27, 2017.

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

MOTION CARRIED UNANIMOUSLY. 6-0

**VIII. UNFINISHED BUSINESS**

There was no unfinished business.

**IX. NEW BUSINESS**

There was no new business.

**X. RESOLUTIONS**

**A. Resolution No. 5314**

A Resolution of the City Council of the City of Auburn, Washington, stating its intent to update and modify the provisions governing the Auburn Business Improvement Area, including the exemptions to the special assessment and setting a public hearing therefor

Deputy Mayor Wales moved and Councilmember Baggett seconded to approve Resolution No. 5314.

MOTION CARRIED UNANIMOUSLY. 6-0

**B. Resolution No. 5316**

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute an interlocal agreement between the City of Auburn and the Cities of Federal Way and Kent for mutual aid during emergencies

Deputy Mayor Wales moved and Councilmember Baggett seconded to approve Resolution No. 5316.



MOTION CARRIED UNANIMOUSLY. 6-0

**C. Resolution No. 5318**

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to accept federal grant funds to be administered through the Washington State Department of Transportation for the South 277th Street Preservation Project

Deputy Mayor Wales moved and Councilmember Pelozo seconded to approve Resolution No. 5318.

Councilmember Pelozo questioned the City's matching requirement for the grant. Assistant Director Gaub explained that the grant amount is 50% of the total project cost and the minimum match requirement is 13.5% of the total project cost. The City's matching fund is approximately \$662,380.00.

Councilmember Wagner asked for additional clarification on the grant process. Assistant Director Gaub explained that for this type of Federal Preservation Grant, the match required at the time the City applies for the grant is 50% of the estimated total project costs. Once the City is awarded the grant, the funding agreement is based on the federally required minimum match amount of 13.5%. Therefore, the agreement is executed with language indicating the minimum match of 13.5%, however, the actual planned match for the project is 50% of the estimated total project costs. This is a benefit to the City as we reimburse the federal grant funds at a higher rate, 86.5%, earlier in the project until the federal funds are exhausted. Should a project be completed under the original estimate, the City uses less of its funds and expends all of the federal funds.

MOTION CARRIED UNANIMOUSLY. 6-0

**XI. MAYOR AND COUNCILMEMBER REPORTS**

**A. From the Council**

Deputy Mayor Wales stated she is sending thoughts and prayers to Las Vegas. She reported the Junior City Council met this evening and Mary Riel was elected Chair and Diego Izqueirido was elected Vice Chair.

Councilmember Wagner reported he attended the Puyallup River Watershed Council meeting.

Councilmember Holman noted the Police Department has draped their badges with a black ribbon for police officers killed in Las Vegas.

Councilmember Baggett reported he attended the Blue Ribbon Committee meeting at the Kent Public Health building.

Councilmember Trout-Manuel stated her heart goes out to police and first responders in tragic times.

Councilmember Pelosa reported he attended the South County Area Transportation Board meeting and the Metropolitan Water Quality Advisory Committee meeting.

**B. From the Mayor**

Mayor Backus thanked the Valley Regional Fire Fighters who were in New York last week for a Steven Sower Climb the Tower 5K. Mayor Backus reported she attended the 1977 Auburn High Class Reunion, the White River Buddhist Temple session on community and compassion, the groundbreaking for the Allenmore Hospital and the stand-up comedy fundraiser for Valley Cities Behavioral Health.

Mayor Backus reported she received a phone call from Valley Regional Fire Authority Administrator Eric Robinson. He explained that Valley Regional Firefighter Dean McAuley was in Las Vegas at the Mandalay Bay concert during the mass shooting. He helped rescue people from the crowd and then assisted at a local hospital. She thanked all first responders for their dedication.

**XII. ADJOURNMENT**

There being no further business to come before the Council, the meeting adjourned at 7:57 p.m.

APPROVED THE 16th DAY OF OCTOBER, 2017.

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NANCY BACKUS, MAYOR

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Shawn Campbell, Deputy City Clerk

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Internet: <http://www.auburnwa.gov>





## AGENDA BILL APPROVAL FORM

**Agenda Subject:**

Minutes of the June 13, 2016 and March 13, 2017 Study Sessions

**Date:**

October 4, 2017

**Department:**

Administration

**Attachments:**

[6-13-2016 Study Session minutes](#)  
[Minutes](#)

**Budget Impact:**

\$0

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

**Meeting Date:** October 16, 2017

**Item Number:** CA.B



**City Council Study Session**  
**June 13, 2016 - 5:30 PM**  
**Auburn City Hall**  
**MINUTES**

**I. CALL TO ORDER**

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

**A. Roll Call**

Councilmembers present: Deputy Mayor Wales, Bob Baggett, Claude DaCorsi, John Holman, Bill Peloza, Yolanda Trout-Manuel. Councilmember Rich Wagner arrived at 5:47 p.m. Mayor Backus and Councilmember Holman left the meeting at 5:35 p.m.

Mayor Nancy Backus and the following Department Directors and staff members present include: City Attorney Daniel B. Heid, Police Commander Mark Caillier, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Assistant Director of Community Development Services Jeff Tate, Development Services Manager Jason Krum, Senior Planner Thaniel Gouk, Sewer Utilities Manager Bob Elwell, Utilities Engineering Manager Lisa Tobin, Director of Administration Dana Hinman, Human Services Program Coordinator Emily Pearson and City Clerk Danielle Daskam.

**II. Announcements, Reports, and Presentations**

Councilmember Holman announced that today is the 125th birthday of City of Auburn. The City was incorporated on this date.

**III. AGENDA MODIFICATIONS**

Resolution No. 5242 is added as item "H" to Agenda Items for Council Discussion.

**IV. AGENDA ITEMS FOR COUNCIL DISCUSSION**

**A. Resolution No. 5235 (20 Minute Presentation/10 Minutes Q&A)**

Assistant Director Tate provided Council with a presentation on Resolution No. 5235 regarding abatement authority for various properties that have had code enforcement action. He noted that all costs will be paid by the City up front and a lien will be placed on the property for recouping the costs when the property sells. The department has sufficient funds in the abatement budget to cover

the costs of all of the abatements.

Councilmember DaCorsi asked if the City has a mechanism to take care of these properties faster and in a more permanent fashion. Assistant Director Tate explained some of these properties have ongoing action. The City has various options including fines and penalties.

Councilmember Baggett asked if the City expects a home owners association (HOA) to take care of properties within its boundaries. Assistant Director Tate explained they work with the HOA's but an HOA is able to enforce City penalties. The City encourages HOA's to continue to enforce their rules along side those of the City.

Councilmember Peloza asked if the City is able to include administrative time in the lien. Assistant Director Tate stated the administrative time is not included in the lien unless they City has had to file a lawsuit. There are other fines the City can impose on the property.

Deputy Mayor Wales requested Code Enforcement consider creating options on how to move these types of things forward without Council action.

B. Ordinance No. 6600 (10 Minute Presentation/10 Minute Q&A) (Snyder)

Ordinance No. 6600 provides amendments and the creation of new sections to Title 18. It repeals Section 18.31.230 of Auburn City Code and provides for the amortization of setback requirements, relating to zoning and land use code provisions for animals.

Senior Planner Gouk presented proposed Ordinance No. 6600 relating to the keeping of animals on residential properties within the city.

The Planning Commission provided a list recommendations to update the City Code including regulations for bee keeping, clarification for keeping domestic fowl, amending the current definition of household pets, adding definitions for medium domestic animals, modifying the definition for large domestic animals, clarifying the zoning codes for keeping of animals, setbacks for structures and increasing the number of small domestic animals from four to five.

Councilmember Peloza stated he is not in favor of increasing the number of small domestic animals from 4 to 5.

Councilmember DaCorsi asked if there had been complaints regarding the limit of four domestic animals.

Deputy Mayor Wales asked about the requirements for West Hill. Senior Planner Gouk explained that when that area was annexed, there were pre-existing setbacks and requirements that will not be changed with this proposed ordinance.

Council discussed their preference of four or five animals.

C. 1st Quarter 2016 Financial Report (10 Minute Presentation/5 Minute Q&A) (Coleman)

Director Coleman presented Council with the First Quarter Financial Report. The revenues have come in approximately \$500,000.00 over budget. Community and Human Services have exceeded their budget with a one time payment to the City of Renton for joint Human Services.

Director Coleman highlighted the general fund sales tax revenue. This year the City is up over 2%. This is a concern since previously the sales tax revenue was much higher. The development fee and permit fee revenues are slowing.

The City is doing something different with the utility and internal service funds. The City has created a sub fund to save funds for future capital projects.

Councilmember Holman noted retail sales tax and telephone tax is down.

Deputy Mayor Wales stated that the City is spending 1/60th of the budget on Human Services. She questioned the \$60,000 payment to the City of Renton. Human Services Coordinator Pearson explained the City of Auburn has several contracts with the City of Renton and other Southeast King County cities for Human Services. Some of the contracts are administered at each jurisdiction. Deputy Mayor Wales requested a more detailed description of human services funding.

D. Council Retreat Goals - Affordable Housing (5 Minute Presentation/10 Minute Q&A) (Hinman)

Director Hinman explained to Council the City's most successful program that helps with affordable housing is the housing repair program. She shared a code enforcement video from the SAFER (Safe Auburn for Every Resident) program regarding affordable housing.

Councilmember DaCorsi questioned the number of vacant properties in the City and pursuing the financial institutions to return the housing to the inventory of housing stock. Director Snyder



explained that level of engagement would require more staff and time. The City does not have right of access to properties. The City would need to take a more aggressive approach to vacant properties in the City.

- E. Payback Agreements Overview and Review of the Pending Ordinance No. 6602 Bert Warm Sewer Payback Agreement (10 Minute Presentation/10 Minute Q&A) (Snyder)

Sewer Utility Engineer Elwell and Utilities Engineering Manager Tobin presented Council with the payback agreement process. They reviewed Bert Warm payback agreement that was approved by Ordinance No. 6602. The total project costs is \$32,510.41 for a cost to the single family residence of \$7,067.48 and to the duplex unit of \$11,307.97.

In response to a question from Councilmember Wagner, Sewer Utility Engineer Elwell explained the cost is divided between the properties that receive benefit for the improvement.

Deputy Mayor Wales questioned the fairness of the developer having to pay for other properties when they may not be paid back for a very long time.

- F. Ordinance No. 6601 (10 Minute Presentation/10 Minute Q&A) (Snyder)  
Amendments to Title 15 adopting the 2015 International Building Code, Washington State Amendments, and local building code amendments

Development Services Manager Krum presented Ordinance No. 6601 regarding adopting the 2015 International Building Code (IBC). The ordinance will adopt 2015 IBC effective July 1, 2016. Most of the amendments are housekeeping, clarification and minor changes.

Manager Krum highlighted three of the more substantive changes including allowing for a total refund of permit fees in certain circumstances; allowing different fire suppression systems in some cases, and simplifying a homeowners addressing change.

Councilmember Wagner asked about requirements for building in flood zones. Manager Krum stated staff is working with Environmental Services to create material standards and construction standards for flood zones.

- G. Capital Project Status Report and Feature Capital Project (20 Minute Presentation/10 Minute Q&A) (Sweeting)

Capital Project Manager Vondrak and Project Engineer Larson presented the Capital Project Status update to Council. The Capital Projects group is managing 43 active projects totaling \$82 million.

By the end of 2016 they estimate the team will have completed a total of \$38 million worth of projects.

Engineer Larson highlighted CP1218 the Auburn Way South Safety Improvement Project. This project is anticipated to increase vehicular and pedestrian safety and congestion relief. It is anticipated the project will be advertised in August 2016 and begin construction in late September or early October with construction being complete summer of 2017. The schedule is dependent on right-of-way acquisitions. The total estimated project cost is \$4,772,504.00. The City anticipates a federal grant of \$2.3 million, a WSDOT grant of \$436,674.00 and City funds of \$1.4 million with a shortfall of \$610,038.00 that the department is seeking additional funding to fill.

Councilmember Wagner stated he is concerned about worker safety with the landscaped medians. Engineer Larson stated landscaped medians are part of low impact development to reduce surface water impacts.

Councilmember DaCorsi requested a spreadsheet of alternative funding to meet the project shortfall.

- H. Resolution No. 5242  
A Resolution of the City Council of the City of Auburn, Washington, expressing its concerns relating to the recent oil train derailment and fire in Mosier, Oregon

Councilmember Pelozo recommended adopting a resolution supporting Mosier, OR. The City of Auburn sits next to similar railroad lines.

## V. **ADJOURNMENT**

There being no further business to come before the Council, the meeting adjourned at 8:06 p.m.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
LARGO WALES, DEPUTY MAYOR

\_\_\_\_\_  
Dani Daskam, City Clerk.



**CITY COUNCIL STUDY SESSION AND  
SPECIAL FOCUS AREA  
MARCH 13, 2017 – 5:30 PM  
Auburn City Hall  
MINUTES**

**I. CALL TO ORDER**

Deputy Mayor Wales called the meeting to order at 5:31 and found no quorum. The call to order was paused for approximately ten minutes to allow a fourth Councilmember to arrive to create a quorum. Deputy Mayor Wales called the meeting to order at 5:45 p.m.

**A. Roll Call**

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

Mayor Nancy Backus and the following department directors and staff members were present: Innovation and Technology Director Paul Haugan, Police Chief Bob Lee, City Attorney Daniel B. Heid, Finance Director Shelley Coleman, Community Development and Public Works Director Kevin Snyder, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Utilities Engineering Manager Lisa Tobin, Chief City Prosecutor Harry Boesche, Police Detective Jon Postawa, Director of Administration Dana Hinman, and City Clerk Danielle Daskam.

**II. ANNOUNCEMENT, REPORTS AND PRESENTATIONS**

There was no announcement.

**III. AGENDA ITEMS FOR COUNCIL DISCUSSION**

**A. IT Digital Parity Update**

Innovation and Technology Director Haugan presented the first quarter update on digital parity using a PowerPoint presentation. Director Haugan recalled the Council set a goal to increase internet access to achieve digital parity by 80 percent by the year 2020. Director Haugan spoke about the expansion of wireless access points in south Auburn and along Auburn Way North. IT staff are

working on a complete update of internal IT practices and procedures. Major progress has been made in expanding fiber optics to Lea Hill, which brings high speed fiber optic connection to the Police Lea Hill substation. This will also allow the extension of Access Auburn to the Lea Hill area. The City's fiber optic network is now ready for regional extension to support the Community Connectivity Consortium. Director Haugan noted the expansion of fiber optics was achieved through private-public partnership with the help of Legal staff and Community Development and Public Works staff. The fiber optic expansion cost estimate was originally \$1.5 million but was achieved at no cost to the City through private-public partnership.

**B. City Slogan**

Deputy Mayor Wales reported this discussion item was generated by Councilmembers. She indicated that there has been discussion over the years that the current slogan doesn't reflect what's really happening in Auburn.

There was consensus the slogan needs to be changed. Councilmember DaCorsi cautioned that rebranding is expensive. Councilmember Baggett expressed concern with the cost of a new slogan and how it would be implemented.

Mayor Backus stated city slogans are waning, and a slogan is used for a campaign or a specific purpose. Deputy Mayor Wales agreed.

Councilmember Baggett suggested creating a committee for any change to the slogan.

Deputy Mayor Wales suggested not having a slogan. She stated the current slogan has worked well for the City's parks and arts programs.

Councilmember Baggett questioned the economic development aspect of a slogan.

Councilmember Baggett agreed to gather further information on other cities' slogans and bring the information to a future Council study session.

**C. City Committee and Board Appointments**

Deputy Mayor Wales acknowledged City Attorney Heid's handout of Boards and Commissions and appointment provisions.

Councilmember Wagner suggested amending the code provisions so that all Boards and Commissions have similar verbiage and language.

City Attorney Heid stated the Civil Service Commission, Planning Commission and the Lodging Tax Advisory Committee (LTAC) language is taken from state statutes. Many of the other Boards and Commissions are unique to Auburn.

Councilmember Wagner questioned the term “serve at the pleasure of the Council” in some of the Board and Commission provisions. City Attorney Heid stated the verbiage for the LTAC is taken from the state statute.

Deputy Mayor Wales suggested clarification on minimum membership requirements for appointees and a limit to the number of Boards and Commissions an individual can serve on.

Deputy Mayor Wales suggested the Council review appointments at study sessions. Mayor Backus stated sometimes it is difficult to recruit individuals for volunteer Boards and Commissions, and open debate of committee and board volunteers at study sessions may reduce the pool of appointees. Councilmember Baggett questioned debating the qualifications of appointees in public, since the information is made available to Councilmembers prior to confirmation.

Councilmember DaCorsi stated he would like input from the three other Councilmembers who are not in attendance this evening. He suggested the City make it a simple enough process to volunteer while at the same time ensure the best and most qualified are appointed to the Boards and Commissions.

Deputy Mayor Wales suggested referring this item to the next study session.

Deputy Mayor Wales expressed concern with conflicts of interest.

**D. Airport Management Services Contract**

Community Development and Public Works Director Snyder presented the Airport Management Services Contract along with Assistant Director of Engineering Services/City Engineer Gaub and Jamelle Garcia, principal of Airport Management Group LLC.

Director Snyder provided a brief update on the progress of the contract negotiations.

Director Snyder reported staff and Airport Management Group are close to finalizing the contract with the issue of prevailing wages the only item not settled.

Mr. Garcia assured the Council that both sides are working diligently to finalize the contract. He stated the prevailing wage provision is a concern due to reporting requirements, fees, and increased wages.

Assistant Director Gaub explained other changes in the contract clarify responsibility.

Director Snyder stated it is anticipated the contract will be settled this week and available for Council consideration at the next regular meeting.

Councilmember Baggett brought up recent emergency repairs to a hangar. Councilmember Baggett requested assurance that the new contract provides for periodic inspections of the facility.

Director Snyder stated Airport Management Group routinely inspects the facility and brought the hangar beam issue to the City's attention. A more intensive inspection process will be built into the airport business practices.

Councilmember Wagner suggested a glossary for the contract. Councilmember Wagner also recommended adding a provision that would allow Airport Management Group to bring forward suggested capital improvements.

Councilmember DaCorsi suggested the City utilize a position of a Comprehensive Needs Assessment Analyst for facilities.

Councilmembers discussed the potential for a longer term contract for airport management services rather than the two year agreement proposed. Director Snyder stated staff and Airport Advisory Board members agreed it is a good practice to periodically request for proposals for airport management services. There has been no issue with the provision of services by Airport Management Group.

**E. Regional Water Supply Discussion**

Utilities Engineering Manager Tobin led the presentation on the regional water supply discussion.

In October 2015, staff discussed with the City Council two options for meeting future water supply demands and for providing redundant supplies when existing supplies are out of service for maintenance and rehabilitation. These options fall into two categories: 1) investing in Auburn-owned supplies; or 2) purchasing additional regional water supply from Tacoma Public Utilities and the Cascade Water Alliance.

Under the terms of the 2013 agreement with Cascade Water Alliance, the City must notify Cascade Water Alliance by June 30, 2017, if it intends to purchase additional regional water supply in addition to the regional water supply that Auburn has already purchased from Cascade and Tacoma.

Staff is meeting with Cascade Water Alliance in late March to discuss the water supply option, and is seeking the City Council's affirmation of its previous decision to invest in Auburn-owned sources rather than purchase additional regional water supply.

There was no objection to staff's recommendation to invest in Auburn-owned water sources rather than purchase additional regional water.

**IV. HEALTH AND HUMAN SERVICES DISCUSSION ITEMS****A. Domestic Violence Enforcement and Prosecution Report**

Police Detective Jon Postawa and Chief Prosecutor Harry Boesche presented a report on domestic violence enforcement and prosecution. Detective Postawa processes the majority of the domestic violence felony cases along with one other detective.

Domestic violence is any crime against a family or household member. It is the Police Department's policy to document any incident where a crime is suspected and verbal domestic disputes where probable cause cannot be established.

Detective Postawa reviewed the domestic violence statistics for the last four years in Auburn. There are roughly 2,000 domestic violence cases in the city each year; approximately half are verbal only. Cases are typically generated by Patrol after being dispatched to a call for service. Misdemeanor cases to the City

Prosecutor. Felony cases go to the major crimes detectives and are then filed with the county.

Detective Postawa stated that in most of his felony cases, he can see a progression of the violence from a verbal argument, to a misdemeanor case, and then a felony incident. Detective Postawa referenced a Washington State Institute for Public Policy 2015 study which found that a history of domestic violence is the greatest predictor of future violent crime, not just future domestic violence. Additionally, an aggressive, proactive approach to domestic violence can reduce all violent crime. Domestic violence perpetrators are more likely to be violent toward others in the community, especially towards law enforcement. Detective Postawa discussed the difficulty in predicting domestic violence and the tools police can use in assessing overall risk.

In order to ensure results with a conviction and protection of victims, it takes collaboration among police, the prosecutor's office, advocates, the courts and the community.

Risk assessments on all criminal domestic violence cases assist victims and domestic violence prevention advocates, identifies offenders who need higher bail, conditions of release and appropriate supervision for the courts.

Chief Prosecutor Boesche reported the prosecutor's office currently has three prosecutors and a fourth will be added in April. The Legal Department also consists of three paralegals that assist the prosecutors.

The City's Prosecutor's Office prosecutes misdemeanors, gross misdemeanors and contested infractions that occur in Auburn city limits (King or Pierce County). By agreement with the Muckleshoot Indian Tribe, the prosecutor's office also prosecutes offenses that occur at the casino and bingo hall. Cases are heard by King County District Court.

City prosecutors are in court every day. The Prosecutor's Office receives 60-100 cases for prosecution per week (not counting infractions, which are usually 75-100 per month). The prosecutors handle 3,000 to 3,500 criminal cases per year and attend 8,000 to 10,000 criminal case hearings per year.

As stated earlier, domestic violence is virtually any crime committed between family or household members. Domestic violence can



include assault, theft, property damage, trespassing, harassment/threats, stalking, breaking a no contact order and other crimes. Penalties differ from other crimes and can include domestic violence treatment, no contact orders, anger management, and other treatment.

Chief Prosecutor Boesche explained that once police arrest and jail a domestic violence suspect, the police report is sent to the Prosecutor's Office for review and charging. Since the person is in jail, the prosecutor must decide whether to proceed with the case within the next court day after arrest. If the suspect is not arrested at the time of the incident, the report is sent to the prosecutor for review. A decision on charging is made in the order the reports are received. The prosecutors have up to one year from the incident date to charge a misdemeanor and up to two years from the incident date to charge a gross misdemeanor.

In response to a question from Deputy Mayor Wales, Chief Prosecutor Boesche explained, if a no contact order is entered, a domestic violence suspect has five days to surrender any firearms or file a declaration of non-surrenderance.

Chief Prosecutor Boesche advised the prosecutors rotate domestic violence prosecution responsibility among the prosecutors. Each prosecutor focuses on domestic violence cases for four months during a year. During their rotation, the prosecutor makes domestic violence their primary focus, but remains part of the prosecution team to perform other needed tasks. Likewise, the other prosecutors are also available and able to prosecute DV cases as needed. A case will follow a prosecutor until its disposition.

The City Prosecutor's Office received 687 DV cases in 2014 (338 declined); 774 DV cases in 2015 (249 declined); and 731 DV cases in 2016 (251 declined).

Barriers to domestic violence include: witness/victim refuses to cooperate, witness/victims cannot be located, witness/victim dishonors a subpoena to attend trial, witness with credibility issues, lack of evidence, and questionable/retaliatory motive.

#### **V. OTHER DISCUSSION**

Deputy Mayor Wales suggested continuation of discussion on the topics of City Slogan and City Committee and Board Appointments for the next study session.

**VI. NEW BUSINESS**

There was no new business.

**VII. MATRIX**

Deputy Mayor Wales requested that Special Focus Area chairs submit items for the matrix.

**VIII. ADJOURNMENT**

There being no further discussion, the meeting adjourned at 8:20 p.m.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
LARGO WALES, DEPUTY MAYOR

\_\_\_\_\_  
Danielle Daskam, City Clerk





## AGENDA BILL APPROVAL FORM

**Agenda Subject:**

Claims Vouchers

**Date:**

October 11, 2017

**Department:**

Finance

**Attachments:**

No Attachments Available

**Budget Impact:**

\$0

**Administrative Recommendation:**

City Council approve the claims vouchers.

**Background Summary:**

Claims voucher numbers 446017 through 446222 in the amount of \$7,060,417.47 and one wire transfer in the amount of \$445,040.68 and dated October 16, 2017.

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

Coleman

**Meeting Date:** October 16, 2017

**Item Number:** CA.C



## AGENDA BILL APPROVAL FORM

**Agenda Subject:**

Payroll Vouchers

**Date:**

October 11, 2017

**Department:**

Finance

**Attachments:**

No Attachments Available

**Budget Impact:**

\$0

**Administrative Recommendation:**

City Council approve payroll vouchers.

**Background Summary:**

Payroll check numbers 537545 through 537564 in the amount of \$235,812.26 and electronic deposit transmissions in the amount of \$1,909,901.87 for a grand total of \$2,145,714.13 for the period covering September 28, 2017, to October 11, 2017.

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

Coleman

**Meeting Date:** October 16, 2017

**Item Number:** CA.D



## AGENDA BILL APPROVAL FORM

**Agenda Subject:**

Public Works Project No. CP1502

**Date:**

October 10, 2017

**Department:**

CD & PW

**Attachments:**

[Budget Status Sheet](#)

[Bid Tab Summary](#)

[Vicinity Map](#)

**Budget Impact:**

\$80,702.00

**Administrative Recommendation:**

City Council award Contract No. 17-20 to Road Construction Northwest, Inc. on their low bid of \$656,280.00 for Project No. CP1502, A Street SE and 37th Street SE Traffic Signal.

**Background Summary:**

The City received 4 responsive bids and the low bid was approximately 7% below the engineer's estimate. Staff has performed reference checks and other verifications to determine that Road Construction Northwest, Inc. meets the responsible bidding criteria and recommends award.

The "A" Street SE and 37th Street SE Traffic Signal project (Project) consists of improving safety at the intersection of "A" Street SE and 37th Street SE by installing a complete traffic signal, widening the roadway to accommodate a U-turn for future access management, upgrading street lighting, and installing ADA complaint curb ramps.

Construction is expected to begin in November 2017 and be completed by July 2018.

**Budget Considerations:**

Although the bids were lower than expected, a project increase of \$80,702.00 within the 102 Arterial Streets Fund will be necessary to fund this project. The needed funds are available from traffic mitigation fees and the transfer of funds is anticipated with Budget Amendment #3.

**Reviewed by Council Committees:**

**Councilmember:**

**Staff:**

Snyder

**Meeting Date:** October 16, 2017

**Item Number:** CA.E

## BUDGET STATUS SHEET

<b>Project No:</b> CP1502	<b>Project Title:</b> 37th St SE and A ST SE Traffic Signal
<b>Project Manager:</b> Luis Barba	

Initiation Date: February 23, 2016  
 Advertisement Date: September 14, 2017  
 Award Date: \_\_\_\_\_

☐ Project Update  
☐ Permission to Advertise  
☒ Contract Award  
☐ Change Order Approval  
☐ Contract Final Acceptance

Date: October 05, 2017

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

### Funds Budgeted (Funds Available)

Funding	Prior Years	2015 (Actual)	2016 (Actual)	2017	Future (2018)	Total
102 Fund - Federal Grant		8,295	95,115	688,850		792,260
102 Fund - Unrestricted		1,933	41,091	99,220		142,244
<b>Total</b>	<b>0</b>	<b>10,228</b>	<b>136,206</b>	<b>788,070</b>		<b>934,504</b>

### Estimated Cost (Funds Needed)

Activity	Prior Years	2015 (Actual)	2016 (Actual)	2017	Future (2018)	Total
Pre-Design Engineering - City Costs		9,873	1,952			11,825
Design Engineering - City Costs		356	25,048	14,000		39,403
Design Engineering - Consultant Costs			108,497	41,506		150,003
Design Engineering-Other			710	1,400		2,110
Property Acquisition				19,585		19,585
ROW Property Acquisition - Consultant Costs				12,000		12,000
ROW- City Cost				14,000		14,000
ROW- Other				2,000		2,000
Construction Contract Bid				356,280	300,000	656,280
Authorized Construction Contract Contingency					60,000	60,000
Construction Engineering - City Costs				15,000	15,000	30,000
Construction Engineering - Consultant Costs				5,000	5,000	10,000
Construction Engineering - Testing				4,000	4,000	8,000
<b>Total</b>	<b>0</b>	<b>10,228</b>	<b>136,206</b>	<b>484,771</b>	<b>384,000</b>	<b>1,015,206</b>

### 102 Arterial Street Budget Status

	Prior Years	2015 (Actual)	2016 (Actual)	2017	Future (2018)	Total
*102 Funds Budgeted ( )	0	(10,228)	(136,206)	(788,070)	0	(934,504)
102 Funds Needed	0	10,228	136,206	484,771	384,000	1,015,206
<b>*102 Fund Project Contingency ( )</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(303,299)</b>	<b>0</b>	<b>0</b>
<b>102 Funds Required</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>384,000</b>	<b>80,702</b>

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



**BID TABULATION  
BID TOTALS SUMMARY**

**Project Name:** CP1502, A St SE & 37th St SE Traffic Signal Improvements, Contract 17-20

Prepared by: City of Auburn

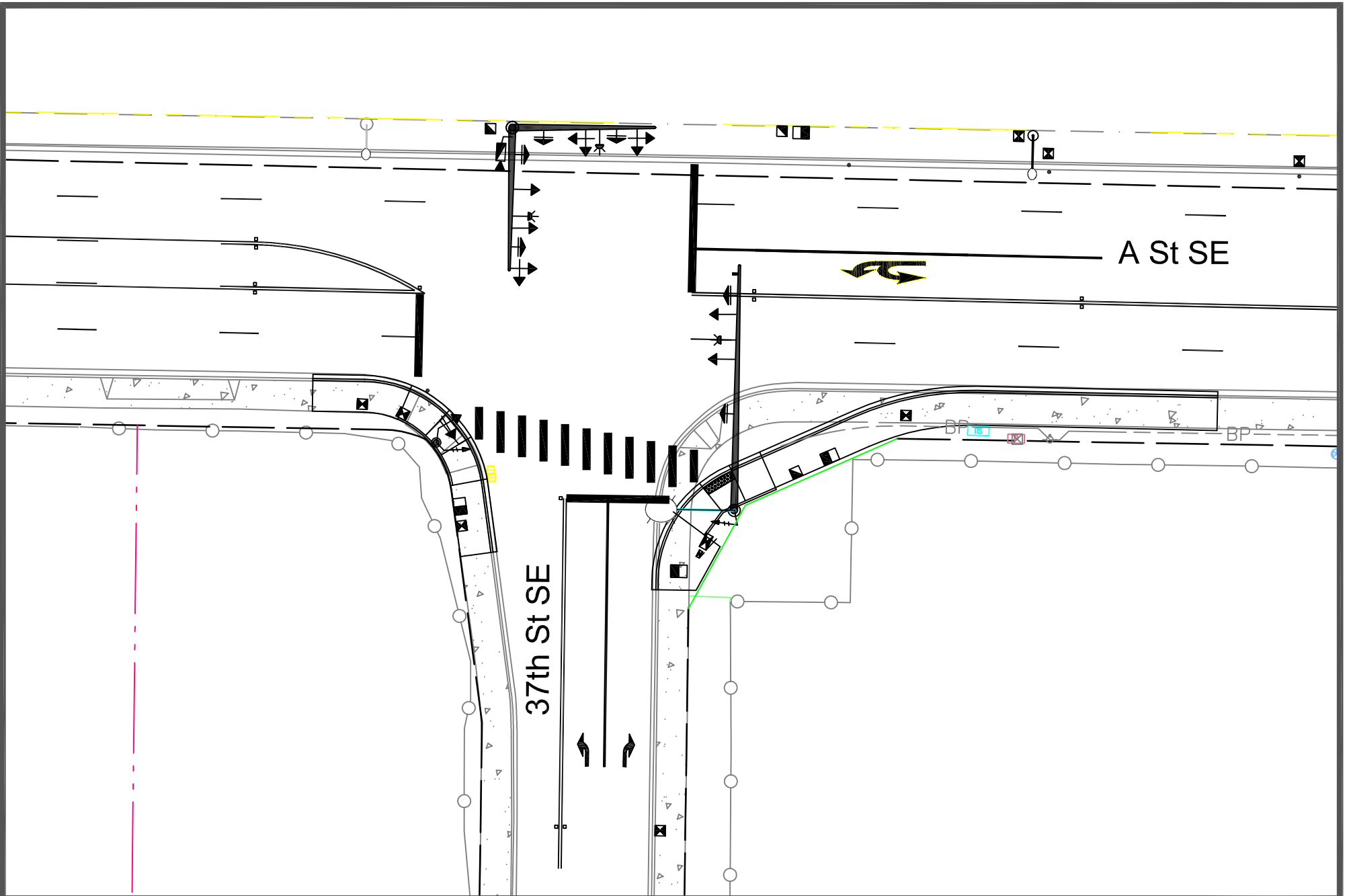
Bid Date: 10/5/17

<b>ENGINEER'S ESTIMATE:</b>		<b>\$ 708,300.00</b>		
AVERAGE BASIC BID AMOUNT:	\$	698,606.71		
BASIC BID SPREAD AMOUNT:	\$	121,885.00	Basic BID Amount	Spread \$
<b>LOW BIDDER:</b>	<b>Road Construction NW, Inc.</b>	<b>\$ 656,280.00</b>	<b>-\$52,020.00</b>	<b>-7.34%</b>
Second Bidder:	Titan Earthwork, LLC	\$ 661,206.83	-\$47,093.17	-6.65%

**Basic BID (No Tax Applicable)**

Road Construction NW, Inc.	\$	<b>656,280.00</b>
Titan Earthwork, LLC	\$	<b>661,206.83</b>
R W Scott Construction	\$	<b>698,775.00</b>
Northwest Cascade, Inc.	\$	<b>778,165.00</b>

**NOTE:** An evaluation of whether a bidder is responsible or non-responsible was only made for the low bidder. This does not indicate, one way or the other, how other bidders would be considered if they were the low bidder.





## AGENDA BILL APPROVAL FORM

**Agenda Subject:**

Resolution No. 5314

**Date:**

October 10, 2017

**Department:**

Administration

**Attachments:**

[Res 5314](#)

**Budget Impact:**

\$0

**Administrative Recommendation:**

City Council adopt Resolution No. 5314.

**Background Summary:**

Resolution No. 5314 sets the date of the public hearing for Ordinance No. 6658 for modification to the City's BIA special assessment for November 6, 2017, at 7:00 pm. In 1988 the City Council established a Business Improvement Area (BIA) for downtown Auburn. The purpose of the BIA is to generate economic activity by, among other things, providing security for public spaces and sponsoring public events in the downtown area. To accomplish these purposes, a special assessment is levied against businesses in the BIA. The 1988 Ordinance also created exemptions from the special assessments. Since that time, the Ordinance and its exemptions, have become outdated; resulting in years of inactivity. Recently, business owners in the downtown area have begun efforts to revitalize the BIA. To that end, modifications of the provisions of the BIA are needed. The proposed Ordinance No. 6658 would create a Chapter within the City Code for the BIA and modify the exemptions to the BIA special assessment. Revised Code of Washington 35.87A.140 requires a public hearing for any modification. This Resolution will set a public hearing for consideration of Ordinance No. 6658 to update BIA provisions, including the exemptions to the special assessment.

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

Hinman

**Meeting Date:** October 16, 2017

**Item Number:** UB.A



## **RESOLUTION NO. 5 3 1 4**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, STATING ITS INTENT TO UPDATE AND MODIFY THE PROVISIONS GOVERNING THE AUBURN BUSINESS IMPROVEMENT AREA, INCLUDING THE EXEMPTIONS TO THE SPECIAL ASSESSMENT AND SETTING A PUBLIC HEARING THEREFOR.

WHEREAS, the Auburn City Council adopted Ordinance No. 4293 in 1988, after publishing notice of the Council's intent in Resolution 1866 and holding a public hearing on July 5, 1988; and

WHEREAS, Ordinance No. 4293 established a Business Improvement Area (BIA), and levied special assessments on certain businesses within the geographic boundary of the BIA; and

WHEREAS, Ordinance No. 4293 established a Committee of Rate Payers, made up of representatives of businesses within the geographic boundary of the BIA, for the purpose of developing recommendations to the City Council for the use of funds generated by the special assessment; and

WHEREAS, the City Council modified Ordinance No. 4293 in 2007, upon the recommendation of the Committee of Rate Payers, through Ordinance No. 6097, to make the rate of special assessment uniform amongst all assessed businesses; and

WHEREAS, the Committee of Rate Payers has reviewed the status of the BIA and recommended certain modifications to better facilitate economic development within downtown Auburn, including the modification of existing

exemptions to the special assessments levied within the geographic boundary of the BIA; and

WHEREAS, Revised Code of Washington 35.87A.140 requires the City Council to adopt a resolution of intention to change a BIA special assessment, and hold a public hearing on the matter.

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

**Section 1. Statement of Intent to Modify BIA Special Assessment.**

That it is the intent of the City Council to modify the exemptions to the BIA special assessment to address itinerant businesses, home occupations, large-scale nonprofit organizations, and nested businesses.

**Section 2. Setting for Hearing on Modification of BIA Special Assessment.**

That a hearing on the modification of the BIA special assessment is hereby set for 7:00 p.m. on the 6th day of November, 2017, with all persons wishing to speak to the modification at the public hearing being invited to attend.

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

**Section 4. Effective date.** This Resolution shall take effect and be in force upon passage and signatures thereon.

DATED and SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF AUBURN**

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NANCY BACKUS, MAYOR

ATTEST:

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Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Held, City Attorney



## AGENDA BILL APPROVAL FORM

**Agenda Subject:**

Ordinance No. 6660

**Date:**

October 10, 2017

**Department:**

Planning and Development

**Attachments:**

[Agenda Bill - Ordinance 6660](#)

[Memo to Council - Ordinance 6660](#)

[Ord 6660](#)

[Item 3 - Ordinance 6660 - Exhibit A - Rezone](#)

[Map](#)

**Budget Impact:**

\$0

**Administrative Recommendation:**

City Council adopt Ordinance No. 6660, approving the Planning Commission's recommendation to rezone the EP zone to M-1 zone.

**Background Summary:****Reviewed by Council Committees:**

Planning And Community Development

**Councilmember:****Staff:**

Snyder

**Meeting Date:** October 16, 2017

**Item Number:** ORD.A





## AGENDA BILL APPROVAL FORM

<b>Agenda Subject:</b> Ordinance No. 6660 – An Area-Wide Rezone that changes a significant portion of the EP zone to the M-1 zone.		<b>Date:</b> October 10, 2017
<b>Department:</b> Community Development & Public Works Dept.	<b>Attachments:</b> Ordinance No. 6660 Ordinance No. 6660 Exhibit 1 Map	<b>Budget Impact:</b> (none)
<b>Administrative Recommendation:</b> City Council to approve the Planning Commission's recommendation to rezone the EP zone to M-1 zone.		
<b>Summary:</b>  <p>On September 6, 2017 the Planning Commission held a public hearing, deliberated and voted to forward a recommendation to City Council to approve an area-wide rezone that changes the zoning designation of all properties zoned to Environmental Park (EP) to Light Industrial (M-1). Ordinance No. 6660, approving the Planning Commission's recommendation, has been prepared for consideration by City Council.</p> <p>The Planning Commission's recommendation to adopt Ordinance No. 6660 was first presented to City Council during the September 25, 2017 study session. City Council requested that the item be continued for additional discussion during the October 9, 2017 study session. Both study session discussions focused on the available options ranging from adopting the Planning Commission's recommendation to remanding the matter back to the Planning Commission to a partial adoption and partial remand. Of particular note, City Council discussed whether the failure of the EP zone was due to the lack of development incentives that had originally been intended to be created and implemented and whether it was appropriate to accept the recommendation or to develop the incentives that were never created. In an effort to facilitate Council's discussion staff prepared 4 motion options for Council consideration. The 4 motions were designed around the varying opinions and thoughts that were expressed during the September 25, 2017 study session. During the October 9, 2017 study session there appeared to be a reasonable level of comfort to utilize motion #1 along with legislative direction requesting that staff and the Planning Commission work on incentives that apply to this area of the City. Under cover of this agenda bill are the 4 motion options and an updated version of Ordinance 6660 that includes a recital that declares City Council's intent to establish legislation as part of the 2018 Comprehensive Plan amendment cycle for the creation of incentives.</p>		
<b>Background:</b>  <p>The staff report provided to the Planning Commission and included as Attachment 3 of this packet provides the detailed background that led to the Planning Commission's recommendation. Of particular note are the following items:</p> <ul style="list-style-type: none"> <li>• The EP zone was created under Ordinance 6036 by City Council action on August 7, 2006.</li> <li>• From its inception, and in spite of its name, the EP zone has always been an industrial land use designation.</li> <li>• Relative to the M-1 and M-2 zoning designations, development and investment in the M-1 and M-2 zones has far outpaced activity in the EP zone.</li> <li>• There are approximately 270 acres of land currently zoned EP. Of that, approximately 112 acres include the Auburn Environmental Park (AEP).</li> <li>• On March 7, 2014 several interested parties (landowners, a realtor, and an attorney) provided a presentation to City Council's Planning and Community Development Committee (PCDC) urging the City to revisit the viability of the EP zone.</li> <li>• On December 14, 2015 City Council took action to adopt the City's new Comprehensive Plan under Ordinance 6584. The new Comprehensive Plan eliminated the EP zone as one of the implementing zoning designations within the Light Industrial land use classification.</li> <li>• Because the EP zone is no longer listed as an implementing zone within the Comprehensive Plan, the zone is inconsistent with the Plan and therefore inconsistent with the Growth</li> </ul>		

**Management Act.**

- Most existing land uses, developments, and businesses located within the EP zone do not conform to the criteria and list of allowed uses within the EP zone.
- The portion of the EP zone that is comprised of the AEP is not proposed to be rezoned to M-1. Despite the AEP being zoned EP, the 2015 Comprehensive Plan changed this area to the Open Space land use designation. A separate ordinance will be presented to City Council which proposes to change the zoning of the AEP from EP to an open space zoning designation. This is why Ordinance No. 6660 does not include a rezone to the AEP.

**Request:**

Schedule Ordinance No. 6660 for action by City Council on October 16, 2017

Attached to this agenda bill are the following:

1. Motion Options
2. Ordinance No. 6660
3. Ordinance No. 6660 Exhibit 1 – Zoning Map

**Action:**

Council Approval: ☐ Yes ☐ No Call for Public Hearing \_\_\_\_/\_\_\_\_/\_\_\_\_

Referred to \_\_\_\_\_ Until \_\_\_\_/\_\_\_\_/\_\_\_\_

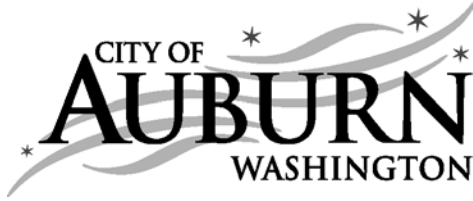
Tabled \_\_\_\_\_ Until \_\_\_\_/\_\_\_\_/\_\_\_\_

**Reviewed by Departments & Divisions:**

- |   |  |
|---|--|
| <input type="checkbox"/> Building             | <input type="checkbox"/> M&O                 |
| <input type="checkbox"/> Cemetery             | <input type="checkbox"/> Mayor               |
| <input type="checkbox"/> Finance              | <input type="checkbox"/> Parks               |
| <input type="checkbox"/> Fire                 | <input checked="" type="checkbox"/> Planning |
| <input type="checkbox"/> Legal                | <input type="checkbox"/> Police              |
| <input type="checkbox"/> Public Works         | <input type="checkbox"/> Human Resources     |
| <input type="checkbox"/> Information Services | <input type="checkbox"/> Surveying           |

**Staff:** Snyder

**Meeting Date:** October 16, 2017



## Memorandum

**To:** City Council Members

**From:** Jeff Tate, Assistant Director of Community Development

**CC:** Mayor Nancy Backus

**Date:** October 10, 2017

**Re:** Ordinance 6660 – Planning Commission Recommendation  
Follow Up From September 25, 2017 Study Session Discussion

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### **EXAMPLE MOTIONS**

The four options outlined below are intended to assist City Council during the discussion once Ordinance 6660 reaches Council floor for action. Because voting does not occur during Study Session the below motions are provided only as a tool to help Councilmembers facilitate a discussion and a vote. Councilmembers should not view the below motions as the only options and should feel free to develop their own motion that best reflects their individual opinion.

#### **Motion Option #1**

*I move that City Council adopt the Planning Commission's recommendation to adopt of Ordinance Number 6660.*

Effect: Adopting Ordinance Number 6660 authorizes the full area wide rezone that changes all areas of the Environmental Park (EP) Zone to Light Industrial (M-1) except for the city owned Auburn Environmental Park (The AEP has an open space/park designation).

What Happens Next: After a second, Council votes. If approved, it passes and becomes effective within about a week.

#### **Motion Option #2**

*I move that City Council remand Ordinance Number 6660 back to the Planning Commission for further consideration.*

Effect: A full remand requires staff to schedule additional public meetings and hearings on this matter. Since the Planning Commission has already deliberated on this matter, Council will need to provide direction to staff and the Planning Commission regarding the areas that need additional consideration. If this motion receives a second, there should be Council discussion prior to the call for a vote regarding the areas that need further focus and consideration.

What Happens Next: A favorable vote on this motion will likely necessitate additional work by staff followed by at least one Planning Commission public meeting and one Planning Commission public

hearing. Following Planning Commission deliberations and a vote, this matter would find its way back to City Council. Depending upon the nature of Council's direction, the earliest a Planning Commission public meeting would be held is December and the earliest a Planning Commission public hearing would be held is January. This means that the earliest that this matter would be back before City Council is February. However, this assumes relatively simple direction by City Council. More complicated direction by City Council will result in a longer timeframe.

### **Motion Option #3**

*I move that City Council accept the Planning Commission's recommendation to adopt Ordinance Number 6660 for only the geographic area defined as (insert area description – e.g. those properties located south of Main Street) and to remand back to the Planning Commission for further reconsideration that area defined as (insert area description – e.g. those properties located north of Main Street).*

Effect: A portion of the recommendation is approved and a portion is sent back to Planning Commission. The portion that is approved will go into effect within about a week. The portion that is remanded will be sent back to Planning Commission for additional work. For the portion that is remanded back to Planning Commission, City Council will need to provide direction regarding areas that need additional consideration. This direction should be provided as part of the Council's discussion after this motion receives a second and before the call for the vote.

What Happens Next: A favorable vote on this motion will likely necessitate additional work by staff followed by at least one Planning Commission public meeting and one Planning Commission public hearing. Following Planning Commission deliberations and a vote, this matter would find its way back to City Council. Depending upon the nature of Council's direction, the earliest a Planning Commission public meeting would be held is December and the earliest a Planning Commission public hearing would be held is January. This means that the earliest that this matter would be back before City Council is February. However, this assumes relatively simple direction by City Council. More complicated direction by City Council will result in a longer timeframe.

### **Motion Option #4**

*I move that City Council schedule its own public hearing on Ordinance Number 6660.*

Effect: In lieu of Options #2 and #3 above, City Council is not obligated to rely upon the Planning Commission's recommendation. If there is a desire to consider modifying the recommendation contained within Ordinance Number 6660 City Council has the authority to schedule and hold its own public hearing rather than remanding it back to the Planning Commission. At the close of the City Council public hearing City Council can deliberate and vote on a modified, preferred series of amendments.

What Happens Next: A favorable vote on this motion would result in the scheduling of a City Council public hearing that could occur as soon as November. City Council deliberation and action can occur during the same evening. The timing for scheduling a City Council public hearing is most heavily influenced by the level of direction provided to City staff for any supplemental information, mapping exercise, and/or code drafting that would need to occur prior to the hearing and/or if City Council prefers to evaluate the work product during a Study Session prior to the public hearing.

**ORDINANCE NO. 6 6 6 0**

**AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF AUBURN, WASHINGTON, APPROVING  
AN AREAWIDE REZONE FOR PROPERTIES  
ZONED ENVIRONMENTAL PARK TO LIGHT  
INDUSTRIAL**

WHEREAS, on August 7, 2006 the Auburn City Council approved Ordinance No. 6036 which created a new industrial designation called the Environmental Park (EP) zone; and

WHEREAS, since the inception of this zoning designation there has been very little private sector investment into the privately owned properties within the EP zone; and

WHEREAS, in contrast, there has been substantial investment in the nearby M-1 and M-2 industrial zoning designations; and

WHEREAS, there are approximately 270 acres of land zoned as EP, of which, 112 acres are comprised of the city owned Auburn Environmental Park, and the remaining 158 acres held in private ownership; and

WHEREAS, on December 14, 2015 the Auburn City Council approved Ordinance No. 6584 which amended the City's Comprehensive Plan by removing the EP zone as one of the implementing industrial land use designations; and

WHEREAS, staff introduced the area wide rezone proposal, under City file number ZOA17-0005, to the City's Planning Commission on August 8, 2017; and

WHEREAS, the Planning Commission noticed and held a public hearing on the draft area wide rezone on September 6, 2017. Notice of the public

hearing was provided to all affected property owners by direct mail and published in the August 17, 2017 Seattle Times; and

WHEREAS, public testimony was provided during the public hearing in support of approving the area wide rezone. The City's Planning Commission deliberated on the matter and voted to make a recommendation to City Council to approve the area wide rezone; and

WHEREAS, the Auburn City Council finds that a contributing factor to the success or failure of the EP Zone is at least partially based on the lack of incentives that were intended to be developed when the zone was created; and

WHEREAS, while the lack of incentives should not further delay owners of EP Zoned property from realizing the level of economic opportunity shared by owners of the M-1 zone, it is City Council's continued intention to work towards developing incentives that will encourage activity and investment in this portion of the City; and

WHEREAS, City Council seeks to add policy and regulatory incentives as part of the staff prepared, and Planning Commission reviewed, 2018 Comprehensive Plan annual amendment cycle.

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

**Section 1.** Approval. The City Council ("Council") adopts and approves the rezone of approximately 158 acres of privately owned Environmental Park (EP) zoned land to Light Industrial (M-1) zoning. The property is identified in Exhibit "A" attached hereto and incorporate herein.

**Section 2.** Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

**Section 3.** Recording. Upon passage, approval and publication of this ordinance as provided by law, the City Clerk of the City of Auburn shall cause this ordinance to be recorded in the office of the King County Auditor.

**Section 4.** Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

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

Dated and Signed this \_\_\_\_ day of \_\_\_\_\_, 2017.


CITY OF AUBURN

\_\_\_\_\_  
NANCY BACKUS, MAYOR

ATTEST:

\_\_\_\_\_  
Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

  
Daniel B. Heid, City Attorney



## Area Rezoned from EP Zone to M-1 Zone

Printed Date: 7/13/2017

Map Created by City of Auburn eGIS  
Imagery Date: May 2015

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.

### Legend

☐ Parcels

### Notes

Type any additional notes- delete text to leave blank

### Scale

1 in = 640.3 ft

1: 7,684



1,280.7 0 640.3 1,280.7 Feet

NAD\_1983\_StatePlane\_Washington\_North\_FIPS\_4601\_Feet





## AGENDA BILL APPROVAL FORM

**Agenda Subject:**

Resolution No. 5321

**Date:**

October 10, 2017

**Department:**

CD & PW

**Attachments:**

[Res 5321](#)

[Exhibit A](#)

**Budget Impact:**

\$0

**Administrative Recommendation:**

City Council adopt Resolution No. 5321.

**Background Summary:**

Resolution No. 5321 authorizes the Mayor to negotiate and execute an Interlocal Agreement with King County (KC) Metro to construct reinforced sidewalk sections for future bus stop shelters along Auburn Way South, between Muckleshoot Plaza and Dogwood Street SE.

KC Metro has existing bus stops and shelters that are being relocated as part of the Auburn Way South Corridor Safety Improvements (Muckleshoot Plaza to Dogwood Street SE) project and they would like to install bus stop shelters at the new bus stop locations. It is more cost effective and efficient to have the City's contractor install the reinforced concrete sidewalk sections that are needed to install the shelters. KC Metro will be responsible for furnishing and installing the shelters after the reinforced sidewalk sections are constructed.

KC Metro will provide funds up to \$24,015.00 for this work.

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

Snyder

**Meeting Date:** October 16, 2017

**Item Number:** RES.A

**RESOLUTION NO. 5 3 2 1**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH KING COUNTY METRO FOR CONSTRUCTING REINFORCED SIDEWALK SECTION FOR BUS STOP SHELTERS ALONG AUBURN WAY SOUTH AS PART OF AUBURN WAY SOUTH CORRIDOR SAFETY IMPROVEMENTS, MUCKLESHOOT PLAZA TO DOGWOOD ST SE

WHEREAS, both the City and King County Metro share a common community interest in providing new corridor improvements on Auburn Way South between Muckleshoot Plaza and Dogwood Street SE; and

WHEREAS, the need for the corridor improvements on Auburn Way South is recognized in Auburn's adopted Transportation improvement Program; and

WHEREAS, King County Metro has requested for the City to construct new foundations for future bus stop shelters along the Auburn Way South Corridor as part of the Auburn Way South Corridor Safety Improvements project (Project); and

WHEREAS, it is more cost effective and efficient to have the City's Contractor for the Project construct the bus stop shelter foundations; and

WHEREAS, King County Metro and the City of Auburn are authorized to enter into this Agreement under the authority of their respective enabling

legislation and under the authority of Chapter 39.34 RCW, the Interlocal Cooperation Act; and

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

**Section 1.** That the Mayor is hereby authorized to accept reimbursement monies from King County Metro for the costs the City incurs, for constructing reinforced sidewalk sections for bus stop shelters as part of Auburn Way South Corridor Safety Improvements, Muckleshoot Plaza to Dogwood Street SE. In addition, the Mayor is hereby authorized to execute an Interlocal Agreement between the City and the King County Metro in substantial conformity with the agreement attached hereto, marked as Exhibit A and incorporated herein by this reference.

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

**Section 3.** That this Resolution shall take effect and be in full force upon passage and signatures hereon.

Dated and Signed this \_\_\_\_ day of \_\_\_\_\_, 2017.

-----  
Resolution No. 5321  
October 9, 2017  
Page 2



CITY OF AUBURN

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NANCY BACKUS  
MAYOR

ATTEST:

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Danielle E. Daskam,  
City Clerk

APPROVED AS TO FORM:



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Daniel B. Heid,  
City Attorney

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Resolution No. 5321  
October 9, 2017  
Page 3

**INTERLOCAL AGREEMENT BETWEEN KING COUNTY AND THE CITY OF  
AUBURN FOR FUNDING AND CONSTRUCTION OF REINFORCED SIDEWALK  
SECTIONS FOR BUS SHELTERS  
ON AUBURN WAY SOUTH**

THIS BUS STOP IMPROVEMENTS FUNDING AND CONSTRUCTION AGREEMENT (the “Agreement”) is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2017, by and between the City of Auburn, a municipal corporation of the State of Washington (the “City”), and King County, a home rule charter county of the State of Washington, acting through its Department of Transportation, Metro Transit Division (the “County”), either of which entities may be referred to hereinafter individually as “Party” or collectively as the “Parties.”

WHEREAS, the City has undertaken a project to construct road improvements along Auburn Way South (SR164) from Muckleshoot Plaza to Dogwood St SE.

WHEREAS, it is the Parties’ desire that transit service continue to be provided on Auburn Avenue South; and

WHEREAS, the County has determined it would be in the public interest to enter into an agreement with the City to arrange for certain sections of sidewalk to be constructed by the City to support bus shelters, as further specified herein, to provide transit access and other transit amenities, and to meet the Americans with Disabilities Act (“ADA”) guidelines; and

WHEREAS, the County is willing to reimburse the City an amount not to exceed \$24,015.00 towards funding the improvements;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein, the sufficiency of which is acknowledged, the Parties hereto agree as follows:

**1. City Responsibilities**

- 1.1 The City will be responsible for construction of the reinforced sidewalk sections, identified in Section 1.4 of this Agreement, as further detailed in Attachment A: D103–Standard Shelter Footing Plans, Sections and Details, and D111–Internal Solar Shelter Lighting Electrical Details which is incorporated herein by this reference (the “Bus Stop Improvements”).
- 1.2 The City will be responsible for the administration of any contracts it enters into for the performance of its responsibilities under this Agreement. The City will provide the County with a construction schedule and meet a Project completion date of December 31, 2017. Prior to issuance of acceptance of any contractor’s work, the City will notify the County and provide the County with the opportunity to inspect and comment on the Bus

## Exhibit A

Stop Improvements included in the Project. However, neither the County's comments nor the County's inspection of City-led improvements under this Agreement will relieve the City of its responsibility for said improvements.

- 1.3 The City will notify the County Construction Inspector, Paul Miller, at 206-263-1370, for framing inspection of each reinforced sidewalk section two (2) working days prior to pouring concrete. At the time of inspection, the reinforced sidewalk should be framed, presented with supporting re-bar, conduit and electrical copper grounding. The conduit location should be located in the right-rear corner of each reinforced sidewalk section.
- 1.4 The City will construct five (5) reinforced sidewalk sections at the locations of the bus stops identified with particularity in this Subsection 1.4. The five (5) bus stop locations that are affected by this project and the planned improvements are as follows:

### Bus Stop Identification and Approximate Location:

Stop ID	Dir	On Street		Cross St	Improvement
58537	EB	Auburn Way S	Farside	Muckleshoot Plaza	B21 Shelter Footing
58538	WB	Auburn Way S	Farside	Riverwalk Dr SE	B21 Shelter Footing
58539	EB	Auburn Way S	Farside	Riverwalk Dr SE	B21 Shelter Footing
58780	WB	Auburn Way S	Farside	Dogwood St SE	B21 Shelter Footing
58790	EB	Auburn Way S	Farside	Dogwood St SE	B21 Shelter Footing

## 2. County Responsibilities

- 2.1 Upon notification for inspection of reinforced sidewalk section, and subsequent inspection, the County will notify the City in writing of a positive inspection and approval of concrete pour. If at the time of inspection, the reinforced sidewalk sections are not prepared correctly, the County will instruct the City of the changes needed and will request an additional inspection if needed.
- 2.2 Upon notification by the City of the completion of all five reinforced sidewalk sections, the County will inspect the improvements. If the County finds that any work does not meet the terms of this Agreement, or any specifications or terms established hereunder, the County will prepare a punch list of such items and submit it to the City. Work that does not comply with the agreed upon specifications and terms will be corrected by the City at no cost to the County. Notice of acceptance will not constitute acceptance of any unauthorized or defective work or material. The County retains all rights hereunder and at law to require the City to remove, repair, replace, or dispose of any unauthorized or defective work or to recover damages for any such work or material.

BUS STOP IMPROVEMENTS FUNDING AND CONSTRUCTION AGREEMENT

Between King County and the City of Auburn

Page 2 of 6

## Exhibit A

- 2.3 Upon notification by the City of completion of the Project, and notification by the City that the bus stop signs, paint, shelters and other amenities are ready for installation, the County will install said bus stop signs, paint and other amenities. The County may choose to install a shelter frame on the recently constructed reinforced sidewalk section at some of the five (5) bus stop locations:

### 3. Payment

- 3.1 The County will reimburse the City an amount not to exceed \$24,014.00 for completion of the Bus Stop Improvements as specified in this Agreement, without prior approval from the County.

City's Contractor Bid for Shelter Footings Construction	\$ 20,013.00
15% Contingency & Construction Management Costs	\$ 4,002.00
<hr/>	
Project Agreement #24 – Not to Exceed w/o prior written approval from County	\$ 24,015.00

- 3.2 The City will invoice the County (in writing) upon completion of the tasks identified in Section 1.4, by sending the invoice with a copy of the City's Contractor's final billing for this work, to the County Project Contact at the address as shown in Section 8.2. The County will make payment to the City within thirty (30) working days of receipt of an invoice for work determined to be performed in accordance with the terms of the Agreement.

### 4. Ownership and Maintenance

- 4.1 Unless otherwise agreed to by the Parties, the City will own and maintain all reinforced sidewalk sections constructed by the City as part of this Project. The County will own and maintain all of the transit amenities installed after the completion of this Project.

### 5. Legal Relations

- 5.1 It is understood that this Agreement is solely for the benefit of the Parties hereto and gives no right to any other person or entity. No joint venture, agent-principal relationship or partnership is formed as a result of this Agreement. No employees or agents of one Party or any of its contractors or subcontractors shall be deemed, or represent themselves to be, employees or agents of the other Party.
- 5.2 Each Party shall defend, indemnify, and hold harmless the other Party and all of its officials, employees, principals, and agents from all claims, demands, suits, actions and



## Exhibit A

liability of any kind, including injuries to persons or damage to property, that arise out of, are connected with, or are due to any negligent acts or omissions of the indemnifying Party and/or its contractors, officials, employees, agents and representatives in performing work under this Agreement. Each Party specifically assumes potential liability for actions brought by its own employees against the other Party and for that purpose only each Party specifically waives, as to the other Party only, any immunity under the Industrial Insurance Act, Title 51 RCW, and the Parties acknowledge that this waiver was the subject of mutual negotiation. The provisions of this section shall survive the expiration or earlier termination of this Agreement.

- 5.3 The City and the County shall comply and shall ensure that their contractors, if any, comply with all federal, state and local laws, regulations, and ordinances applicable to work and services to be performed under this Agreement.
- 5.4 In the event any Party incurs attorney's fees, costs or other legal expenses to enforce provisions of this Agreement against the other Party, each Party shall be responsible to pay all its own fees, costs and expenses.
- 5.5 This Agreement shall be interpreted in accordance with the laws of the State of Washington in effect on the date of execution of this Agreement. The Superior Court of King County, Washington, situated in Seattle, shall have exclusive jurisdiction and venue over any legal action arising under this Agreement.
- 5.6 The provisions of this Section shall survive any expiration or termination of this Agreement.

### **6. Records and Audit**

During the progress of the design and construction of all improvements covered by this Agreement and for a period no less than six (6) years from the date of completion of all improvements, records and accounts pertaining to the work of this Agreement and accounting therefore are to be kept available for inspection and audit by representatives of the Parties. Copies of the records shall be furnished upon request.

### **7. Agreement Duration and Termination**

- 7.1 This Agreement shall take effect upon execution by both Parties and shall expire December 31<sup>st</sup>, 2017, unless extended by mutual agreement of the Parties or unless terminated in accordance with the provisions of this Section.
- 7.2 Either Party may terminate this Agreement in the event that other party materially breaches this Agreement. Written notice of such termination must be given via certified

## Exhibit A

mail by the Party terminating this Agreement to the other Party not less than fourteen (14) days prior to the effective date of termination.

- 7.3 Either Party may terminate for its convenience and without cause by providing written notice to the other Party not less than thirty (30) days prior to the effective date of termination provided that if the County terminates this agreement for its convenience, it shall compensate the city for its actual costs through the effective date of termination..
- 7.4 Failure by either Party to require full and timely performance of any provision of the Agreement at any time shall not waive or reduce the right of either Party to insist upon complete and timely performance of such provisions or any other provision thereafter.

### 8. Identification of Party Contacts

- 8.1 The City and the County will both appoint a Project Manager to represent the interests of their respective agencies. The two Project Managers will work collaboratively to implement this Agreement.
- 8.2 All official communication concerning this Agreement should be directed to the following Project Contacts:

Matthew Larson, P.E.  
Project Engineer  
Community Development and Public Works  
City of Auburn  
253-804-5032  
[mlarson@auburnwa.gov](mailto:mlarson@auburnwa.gov)

Dale Cummings  
Senior Transit Planner  
Transit Route Facilities, Service Development  
King County Department of Transportation  
206-477-5833  
[dale.cummings@kingcounty.gov](mailto:dale.cummings@kingcounty.gov)

Any changes in agency contacts from those noted above must be confirmed in writing to the other Party.

### 9. Entire Agreement:

This Agreement contains all terms, conditions and provisions agreed upon by the Parties hereto, and shall not be modified except by written amendment. Such amendments may be made to this Agreement within the previously approved budget or other applicable authority for and on behalf of the City by its Public Works Director, and for and on behalf of the County by its Supervisor of the Transit Route Facilities group.

### 10. Severability:

## Exhibit A

If any provision of this Agreement is held invalid by a court of competent jurisdiction, the remainder of the Agreement shall not be affected thereby if such remainder would then continue to serve the purposes of the objectives originally contemplated by the Parties.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the last date written below.

THE CITY OF AUBURN

By \_\_\_\_\_  
Nancy Backus, Mayor

\_\_\_\_\_  
Date

Attest \_\_\_\_\_  
Danielle E. Daskam, City Clerk

Approved as to form

\_\_\_\_\_  
Daniel B. Heid, City Attorney

KING COUNTY

By David Cantey  
David Cantey, Supervisor  
King County Department of Transportation  
Metro Transit Division  
Service Development Section  
Transit Route Facilities

10.3.17  
Date

BUS STOP IMPROVEMENTS FUNDING AND CONSTRUCTION AGREEMENT

Between King County and the City of Auburn

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RES.A

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## AGENDA BILL APPROVAL FORM

**Agenda Subject:**

Resolution No. 5322

**Date:**

October 11, 2017

**Department:**

Planning and Development

**Attachments:**

[Agenda Bill](#)

[Resolution No. 5322](#)

[Resolution No. 5322 - Exhibit 1](#)

**Budget Impact:**

\$0

**Administrative Recommendation:**

City Council adopt Resolution No. 5322 and identify recommended parking garage site.

**Background Summary:****Reviewed by Council Committees:**

Planning And Community Development

**Councilmember:****Staff:**

Snyder

**Meeting Date:** October 16, 2017

**Item Number:** RES.B

## AGENDA BILL

**Agenda Subject:**  
Resolution No. 5322

**Date:** October 11, 2017

**Department:**  
CDPW

**Attachments:**  
Exhibit 1: Sites 1-4

**Budget Impact:**  
Not Applicable

### **Administrative Recommendation:**

City Council to identify recommended parking garage site for inclusion in the Resolution and approve Resolution No. 5322.

### **Background Summary:**

In early 2017, Sound Transit initiated the Alternative Development and Screening phase for the Auburn Station Access Improvement Project. This Project, part of Sound Transit 2, will construct a second parking garage and install non-motorized improvements (i.e. shared use paths, transit shelters, intersection improvements) in and around Downtown Auburn. Throughout 2017, Sound Transit, its consultant team and City staff have worked with the City's Transportation Advisory Board and residents, citizens and businesses to identify potential parking garage sites and options for non-motorized improvements. Sound Transit staff have also previously presented to the City Council on the progress and issues and opportunities for the current work.

On October 9, 2017, Sound Transit staff and City staff presented to the City Council on the most current status of the Auburn Station Access Improvement Project. During this presentation, the City Council asked for responses from Sound Transit staff to two questions. These questions and their answers are provided below:

- 1. How much additional time would Sound Transit need to put out a request for competitive proposals following the receipt of an unsolicited proposal and then consider those proposals, as per the unsolicited proposal procedure and given the Federal Transit Administration (FTA)'s requirements?**

For unsolicited proposals that may be received, "Sound Transit is under no obligation to accept an unsolicited proposal, or to make a contract award arising from an unsolicited proposal" (per the Unsolicited Proposal procedure). It is difficult to estimate a schedule with certainty as this is a new procedure and Sound Transit has not yet advanced any Unsolicited Proposals. Our Unsolicited Proposal procedure is based on FTA guidance. We would estimate an additional 7-9 months to the project schedule to complete the request for proposals. Additionally, there are questions regarding the potential impacts to the environmental schedule and process that could add additional time, depending on the specific project conditions.

- 2. How much additional time would be required to build a larger garage? For example, if 1,500 stalls is desired how much additional construction time would be required for the extra stalls, above 500 already assumed in the project? Are there cost efficiencies gained by building a larger garage?**

Without site specific information and requirements, it is not possible to determine cost efficiencies that may be available. Adding additional stalls is likely to add construction time, but it really depends on how and where construction occurs. Therefore, it is not feasible to give an answer to this question without examining specific conditions.

Also, to add further clarification to the October 9<sup>th</sup> discussion with the City Council, Sound Transit provided additional information on the net number of new parking spaces that could be added if the current authorized budget was held constant across all of the four sites:

### **3. How many parking stalls can be built at each site within available funding?**

Parking estimates are based on limited conceptual design concepts and are not exact values. These estimates were created for comparison purposes to show estimates under \$60 million only and are subject to change. In order to reduce parking related costs, entire floors of the garage concepts were removed from the examples below to achieve numbers under \$60 million only.

- Site 1: 420
- Site 2: 300
- Site 3: 250
- Site 4: 375

As stated during the presentation, parking estimates and the corresponding cost estimates are based on preliminary design concepts, and are not exact values. These estimates were created for comparison purposes only and are subject to change. It is reasonable to anticipate that the number of net new parking stalls shown under Sites 1 and 4 could be provided within the available funding. Site 3, with an inefficient layout, and Site 2, with a pedestrian bridge and other elements, would likely result in less parking stalls to stay within the available funding.

In order for Sound Transit staff to proceed to the next phase of the Auburn Station Access Improvement Project entitled Environmental Review and Preliminary Design, the Sound Transit Board of Directors must decide on a preferred parking garage site. The Sound Transit Board of Directors desires the Auburn City Council to provide it with its recommendation on a preferred parking garage site. Positive action by the City Council on Resolution No. 5322 identifying a recommended preferred parking garage site on October 16, 2017 would be referred to the Sound Transit Board Chairperson and Board Administrator by the Auburn City Clerk. The Sound Transit Board is currently expected to consider a preferred parking garage site for Auburn in November 2017. At the same time, the Board is also expected to consider advancing non-motorized improvements to be included as part of the overall access improvements.

#### **Reviewed by Council Committees:**

**Councilmember:**

**Meeting Date:**  
**October 16,**  
**2017**

**Staff: Snyder**

**Item**  
**Number:**





**RESOLUTION NO. 5322**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, RECOMMENDING TO THE SOUND TRANSIT BOARD OF DIRECTORS ITS PREFERRED PARKING GARAGE SITE IN DOWNTOWN AUBURN FOR THE AUBURN STATION ACCESS IMPROVEMENT PROJECT AND ENCOURAGING SOUND TRANSIT'S SERIOUS CONSIDERATION OF UNSOLICITED PROPOSALS FOR THE CONSTRUCTION OF SAID SITE

WHEREAS, on November 4, 2008, voters of the Central Puget Sound region approved the Sound Transit 2 ballot measure to expand mass transit access and facilities; and,

WHEREAS, the voter approved Sound Transit 2 included the construction of up to 600 parking stalls in a new structure at the Auburn Sounder Station for a net increase of approximately 500 parking stalls; and,

WHEREAS, the 2007-2009 Great Recession wiped out \$4.2 billion from projected Sound Transit 2 tax revenues, with South King County among the hardest hit at an estimated loss of \$1 billion; and,

WHEREAS, in response to lowered tax revenues, the Sound Transit Board of Directors implemented a realignment process to bring project plans in line with the lower revenue forecast and as a result the Sound Transit 2 voter approved project for Auburn was moved by the Board of Directors to suspended status until funding could be identified; and,

WHEREAS, in November 2015, Sound Transit staff informed the Sound Transit Board of Directors that revenue projections for Sound Transit revenues had improved; and as a result, the Board of Directors directed staff to evaluate which suspended projects could be funded within updated agency resources; and,

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Resolution No. 5322

October 10, 2017

Page 1

RES.B

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WHEREAS, after careful evaluation, Sound Transit staff determined that sufficient resources exist to restore funding to the Auburn station access projects; and,

WHEREAS, on January 28, 2016, the Sound Transit Board of Directors restored funding for the Auburn Sounder Station Access Improvement Project, paving the way to build more parking, pedestrian, bike and other improvements; and,

WHEREAS, average daily ridership on the south Sounder line is expected to increase approximately seventy (70) percent by 2035; and,

WHEREAS, Sound Transit, in 2016, identified that there were 1,600 daily riders originating from the Auburn Sounder Station and that this number is projected to be 3,100 daily riders by 2025; and,

WHEREAS, Sound Transit has estimated that approximately fifty-seven (57) percent of its riders travel to the Auburn Sounder Station by vehicle and that all 520 garage parking spaces and 113 surface parking spaces are one hundred (100) percent utilized on a daily basis; and,

WHEREAS, Sound Transit staff and its consultants early on identified four (4) project goals for the Auburn Station Access Improvement Project comprised of Access, Environment, Implementation and Consistency and Compatibility with associated objectives for each goal; and,

WHEREAS, beginning in Winter 2016, Sound Transit staff and consultants have worked with the City Council, the Transportation Advisory Board, interested members of the community and City staff to conduct the required first phase of the Project known as Alternatives Development and Screening; and,

WHEREAS, during Alternatives Development and Screening, Sound Transit and its consultant team conducted a preliminary identification of thirteen (13) possible parking garage sites in Downtown Auburn that was ultimately reduced to four (4) possible parking

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Resolution No. 5322

October 10, 2017

Page 2

garage sites; and,

WHEREAS, Site 1 is comprised of Parcel Nos. 0492000460, 0492000461 and 0492000463 totaling 45,080 square feet in size and is currently utilized as a surface parking lot; and,

WHEREAS, Site 2 is comprised of Parcel No. 5547300075 totaling 84,587 square feet in size and is currently utilized as a retail store with associated surface parking spaces; and,

WHEREAS, Site 3 is comprised of Parcel 5547300070 totaling 66,861 square feet in size and is currently utilized as a surface parking lot; and,

WHEREAS, Site 4 is comprised of Parcel No. 7815700420 totaling 29,370 square feet in size and is currently utilized as an office building with associated surface parking spaces;

WHEREAS, the Auburn Transportation Advisory Board met at a special meeting on September 27, 2017 to discuss and potentially recommend to the City Council on a preferred parking garage site; however, there were only 6 Board members present at the meeting, which is not a quorum; and,

WHEREAS, the members of the Auburn Transportation Advisory Board present at the September 27, 2017 meeting reached consensus on the following principles for a parking garage: 1) Desire that the chosen site maximize the parking to be provided; 2) Desire that the chosen site minimize the traffic impacts both within the City as well as ingress/egress of the garage; 3) Lack of support for Parking Garage Site Options #3 and #4; and,

WHEREAS, there was not consensus among the members of the Auburn Transportation Advisory Board present at the September 27, 2017 meeting regarding a parking garage site with some members expressing support for Site 1 and others expressing support for Site 2; and,

-----  
Resolution No. 5322  
October 10, 2017  
Page 3

WHEREAS, following the September 27, 2017 Auburn Transportation Advisory Board special meeting, City staff contacted the Board members to determine if there was any interest in reconvening the Board to provide those members not present the opportunity to discuss and make a recommendation on a parking garage site; and,

WHEREAS, there were only two Board members that responded to the inquiry from City staff and they both expressed no interest in meeting and support for Site 1; and,

WHEREAS, Sound Transit staff and City staff have provided briefings on the Auburn Station Access Improvement Project to the City Council throughout 2017 with the most recent briefing occurring on October 9, 2017; and,

WHEREAS, in order to proceed to the next phase of the Auburn Station Access Improvement Project entitled Environmental Review and Preliminary Design, the Sound Transit Board of Directors must decide on a preferred parking garage site; and,

WHEREAS, the Sound Transit Board of Directors desires the Auburn City Council to provide it with its recommendation on a preferred parking garage site; and,

WHEREAS, the Sound Transit Board of Directors is currently expected to take action on a preferred parking garage site for the Auburn Station Access Improvement Project at its regular meeting in November 2017.

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

**Section 1.** The City Council recommends to the Sound Transit Board of Directors that \_\_\_\_\_(TO BE FILLED IN BASED ON COUNCIL DIRECTION) be selected by the Board of Directors as the preferred parking garage site for the Auburn Station Access Improvement Project.

**Section 2.** The City Council encourages Sound Transit to seriously consider any and all unsolicited proposals for the construction of the preferred parking garage site in

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Resolution No. 5322

October 10, 2017

Page 4

RES.B

Downtown Auburn consistent with Sound Transit's guidelines for unsolicited proposals, as amended and in coordination with the City of Auburn, as practicable and feasible.

**Section 3.** That the City Council requests that the City Clerk for the City of Auburn convey a copy of the signed and dated version of this Resolution to the Board Chairperson and Board Administrator for Sound Transit.

**Section 4.** That the Mayor is authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

**Section 5.** That this Resolution shall take effect and be in full force upon passage and signatures hereon.

Dated and Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF AUBURN

\_\_\_\_\_  
NANCY BACKUS, MAYOR

ATTEST:

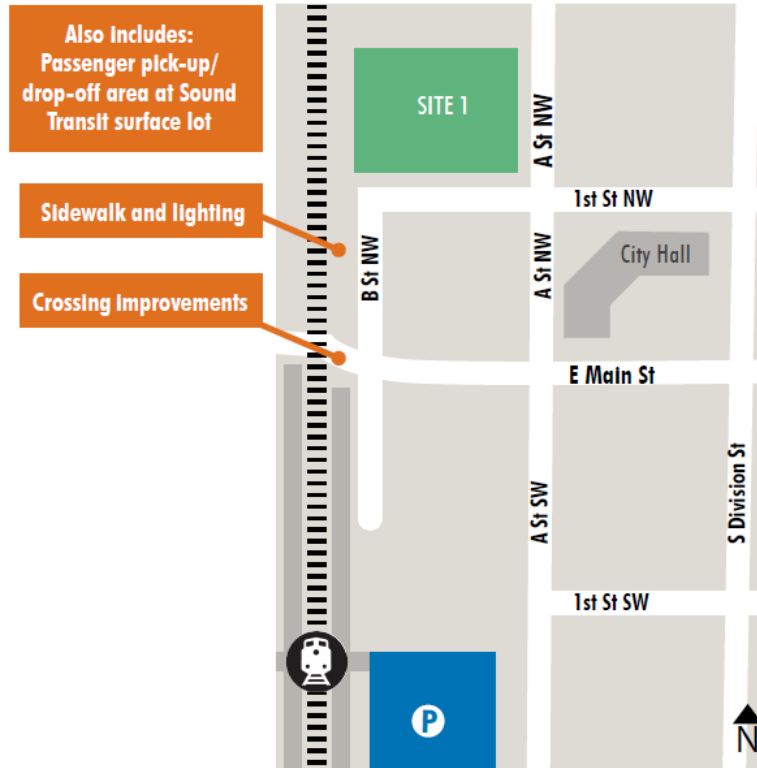
\_\_\_\_\_  
Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Daniel B. Heid, City Attorney

# Exhibit “1”

## Site 1



**Estimated number of parking spaces:**  
Approximately 545\*

### Key considerations



**Reasonable access** for cars and passengers



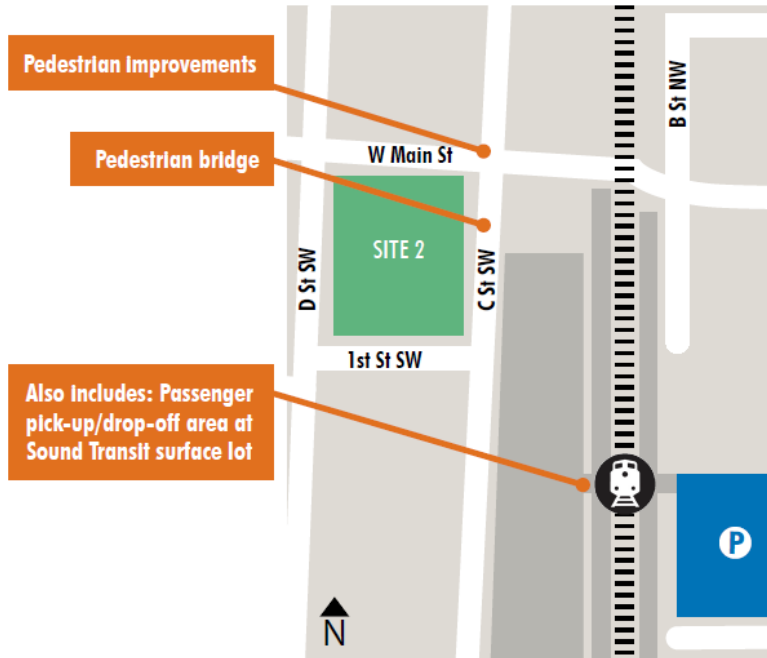
**Higher potential for traffic congestion**  
(same side of tracks as existing garage)



**Factors influencing cost:**  
Property development rights, constrained site

\*Parking estimates are for the proposed site and are based on preliminary design concepts, and are not exact values. These estimates were created for comparison purposes only and are subject to change.

# Site 2



Pedestrian Improvements

Pedestrian bridge

Also Includes: Passenger pick-up/drop-off area at Sound Transit surface lot



Estimated number of parking spaces:  
Approximately 580\*

## Key considerations



**Reasonable access** for cars and passengers



**Lower potential for traffic congestion**  
(opposite side of tracks as existing garage; more traffic capacity on S St SW)

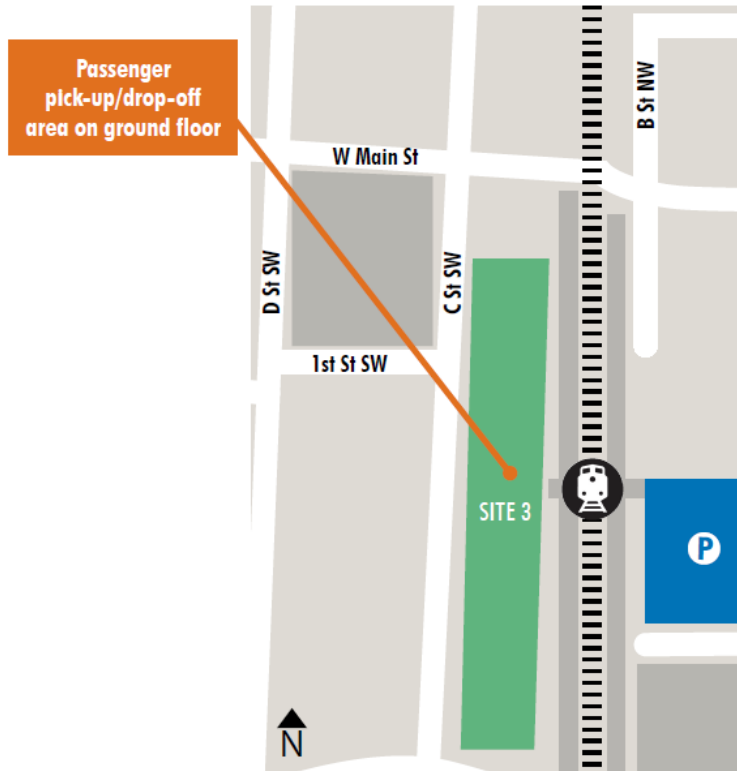


**Factors influencing cost:**  
Property acquisition and business relocation, constrained site, pedestrian bridge

\*Parking estimates are for Design Study only, based on preliminary design concepts, and are not exact values. These estimates were created for comparison purposes only and are subject to change.

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# Site 3



**Estimated number of parking spaces:**  
Approximately 525\*

## Key considerations



**Easiest access** for cars and passengers



**Lower potential for traffic congestion**  
(opposite side of tracks as existing garage; more traffic capacity on S St SW)

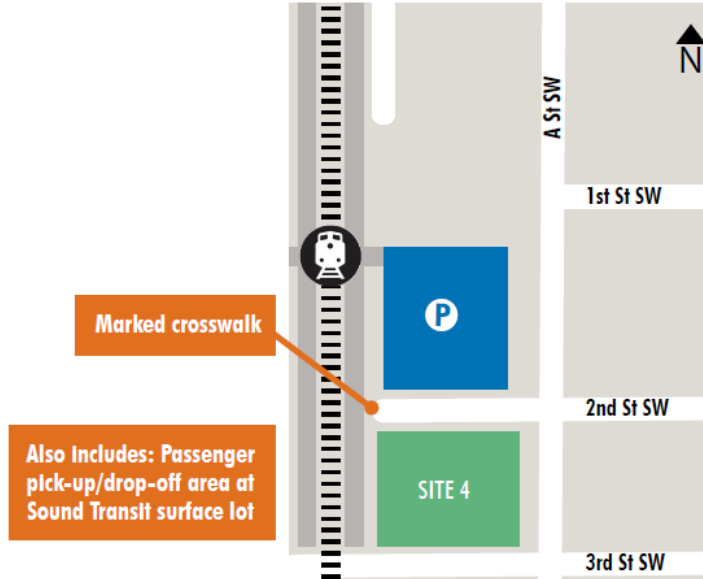


**Factors influencing cost:**  
Extremely constrained site requires more garage structure per stall

\*Parking estimates are for northbound only and are based on preliminary design concepts, and are not exact values. These estimates were created for comparison purposes only and are subject to change.

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# Site 4



Marked crosswalk

Also Includes: Passenger pick-up/drop-off area at Sound Transit surface lot



Estimated number of parking spaces:  
Approximately 550\*

## Key considerations



Could be connected to existing garage for **easy access for passengers;** **reasonable access for cars**



**Higher potential for traffic congestion** (would add queues at existing garage)



**Factors influencing cost:** Property acquisition, constrained site

\*Parking estimates are for net new stalls, are based on preliminary design concepts, and are not final values. These estimates were created for comparison purposes only and are subject to change.

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