	<p>City Council Study Session Community Wellness Special Focus Area April 22, 2024 - 5:30 PM City Hall Council Chambers AGENDA Watch the meeting LIVE!</p> <p>Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.</p>
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I. CALL TO ORDER

II. PUBLIC PARTICIPATION

A. Public Participation

The Auburn City Council Study Session Meeting scheduled for Monday, April 22, 2024 at 5:30 p.m. will be held in person and virtually.

Virtual Participation Link:

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

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

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

Telephone: 253 215 8782

Toll Free: 877 853 5257

Zoom: <https://us06web.zoom.us/j/86085200309>

B. Roll Call

III. AGENDA MODIFICATIONS

IV. AGENDA ITEMS FOR COUNCIL DISCUSSION

A. Ordinance No. 6941 (Gaub) (5 Minutes)

An Ordinance granting to Fatbeam, LLC, a Washington Limited Liability Company, a Franchise for Wireline Telecommunications

B. Resolution No. 5763 (Goodson-Moore) (5 Minutes)

A Resolution authorizing the Mayor to sign an amendment to the City's Agreement with Sapna Strategies

C. Police Department 2023 Annual Reports (Caillier) (30 Minutes)

D. Briefing - Special Planning Areas (Krum) (30 Minutes)

An overview of the various Special Planning Areas identified in the Comprehensive Plan

E. Economic Development Update (Krum) (20 Minutes)

An update on Economic Development Division activity

V. COMMUNITY WELLNESS DISCUSSION ITEMS

A. Housing Policy Update (Krum) (20 Minutes)

An update of the City's Housing Action Plan, recent housing legislation and how these inputs are influencing the City's Comprehensive Plan and Housing Element

VI. ADJOURNMENT

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



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6941 (Gaub) (5 Minutes)

Department:

Public Works

Attachments:

[Draft Ordinance No. 6941](#)

Date:

April 16, 2024

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For discussion only.

Background for Motion:**Background Summary:**

Section 20.02.040 of the Auburn City Code requires a franchise for any utility or telecommunications carrier or operator to use public ways of the City and to provide service to persons or areas inside or outside of the City.

Fatbeam, LLC has applied for a new franchise agreement to continue to operate their existing fiber optic telecommunications facilities located in the public ways within the city limits as their current Franchise agreement is set to expire in the near future. Fatbeam provides telecommunications, telephone service, internet access and wide area network connectivity to education, government, hospitals and other enterprise level customers. The proposed agreement is consistent with the City's standard franchise agreement language.

A Public Hearing to consider this application and take public comment is scheduled before the City Council on May 6, 2024, in accordance with Auburn City Code 20.04.040.

Reviewed by Council Committees:

Councilmember: Tracy Taylor

Staff:

Ingrid Gaub

Meeting Date: April 22, 2024

Item Number:

ORDINANCE NO. 6941

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, GRANTING TO FATBEAM, LLC, A WASHINGTON LIMITED LIABILITY COMPANY, A FRANCHISE FOR WIRELINE TELECOMMUNICATIONS

WHEREAS, Fatbeam, LLC ("Franchisee") has applied for a non-exclusive Franchise for the right of entry, use, and occupation of certain public ways within the City of Auburn ("City"), expressly to install, construct, erect, operate, maintain, repair, relocate and remove its facilities in, on, over, under, along and/or across those public ways; and

WHEREAS, following proper notice, the City Council held a public hearing on Franchisee's request for a Franchise; and

WHEREAS, based on the information presented at such public hearing, and from facts and circumstances developed or discovered through independent study and investigation, the City Council now deems it appropriate and in the best interest of the City to grant the Franchise to Franchisee.

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

Section 1. Definitions

For the purpose of this Franchise and the interpretation and enforcement thereof, definitions of words and phrases shall be in accordance with the definitions set forth in this Franchise and in Auburn City Code 20.02.020. If there is a conflict between any of the definitions set forth in this Franchise and the definitions set forth in Auburn City Code 20.02.020, the definitions in this Franchise shall govern to the extent of such conflict.

- A. "ACC" means the Auburn City Code.
- B. "Franchise" means this agreement approved by Ordinance No. 6941 of the City which authorizes Franchisee Facilities to provide Franchisee Services in the Franchise Area.
- C. "Franchisee's Facilities" means fiber optic and broad band communications services constructed and operated within the public ways including all cables, wires, conduits, ducts, pedestals, and any associated

converter equipment or other items necessary for Telecommunications Services as defined in RCW 35.99.010(7), that are located in the Franchise Area.

Franchisee's Facilities do not include facilities used to provide wireless services, including antennas or other equipment, appliances, attachments and appurtenances associated with wireless telecommunications facilities. Franchisee's facilities do not include small wireless facilities, microcell, minor facility, or small cell facilities, as defined in RCW 80.36.375. Franchisee's facilities do not include any facilities that are not located within the Franchise Area or that are covered under a separate franchise agreement or agreement.

D. "Franchisee's Services" means any telecommunications service, telecommunications capacity, or dark fiber, provided by the Franchisee using its Facilities, including, but not limited to, the transmission of voice, data or other electronic information, or other subsequently developed technology that carries a signal over fiber optic cable. Franchisee's Services will also include non-switched, dedicated and private line, high capacity fiber optic transmission services to firms, businesses or institutions within the City and other lawful services not prohibited by this Ordinance. However, Franchisee's Services will not include the provision of "cable services", as defined by 47 U.S.C. §522, as amended, for which a separate franchise would be required.

Section 2. Grant of Right to Use Franchise Area

A. Subject to the terms and conditions stated in this Franchise, the City grants to the Franchisee general permission to enter, use, and occupy the Franchise Area, located within the incorporated area of the City. Franchisee may locate the Franchisee's Facilities within the Franchise Area subject to all applicable laws, regulations, and permit conditions.

B. The Franchisee is authorized to install, remove, construct, erect, operate, maintain, relocate, upgrade, replace, restore, and repair Franchisee's Facilities to provide Franchisee's Services in the Franchise Area.

C. This Franchise does not authorize the use of the Franchise Area for any facilities or services other than Franchisee Facilities and Franchisee Services, and it extends no rights or privilege relative to any facilities or services of any type, including Franchisee Facilities and Franchisee Services, on public or private property elsewhere within the City.

D. This Franchise is non-exclusive and does not prohibit the City from entering into other agreements, including franchise agreements, impacting the Franchise Area, for any purpose that does not interfere with Franchisee's rights under this Franchise.

E. Except as explicitly set forth in this Franchise, this Franchise does not waive any rights that the City has or may acquire with respect to the Franchise Area or any other City roads, public ways, or property. This Franchise will be subject to the power of eminent domain, and in any proceeding under eminent domain, the Franchisee acknowledges its use of the Franchise Area shall have no value.

F. The City reserves the right to change, regrade, relocate, abandon, or vacate any public way within the Franchise Area. If, at any time during the term of this Franchise, the City vacates any portion of the Franchise Area containing Franchisee Facilities, the City may reserve an easement for public utilities within that vacated portion, pursuant to Chapter 35.79.030 RCW, within which the Franchisee may continue to operate any existing Franchisee Facilities under the terms of this Franchise for the remaining period set forth under Section 4.

G. The Franchisee agrees that its use of Franchise Area shall at all times be subordinated to and subject to the City and the public's need for municipal infrastructure, travel, and access to the Franchise Area, except as may be otherwise required by law.

H. The Franchisee agrees to provide the City with complete contact information for any client, lessee, sub-lessee, customer, or other entity that Franchisee allows to utilize, control, access, or otherwise provides services to, who will also use the Franchisee Facilities to provide services to their clients and customers either inside or outside the City limits. Such contact information shall be provided to the City a minimum of sixty (60) days prior to the start of such anticipated use so that the City may determine if Franchisee's client, lessee, sub-lessee, customer, or other entity is required to obtain a franchise agreement with the City prior to such use. If the client, lessee, sub-lessee, customer, or other entity is required to obtain a franchise agreement with the City, then the Franchisee shall not allow use, control, access, or otherwise provide services to such entity until the required franchise agreement has been obtained.

Section 3. Notice

A. Written notices to the parties shall be sent by a nationally recognized overnight courier or by certified mail to the following addresses, unless a different address is designated in writing and delivered to the other party. Any such notice shall become effective upon receipt by certified mail, confirmed delivery by overnight courier, or the date stamped received by the City. Any communication made by e-mail or similar method will not constitute notice pursuant to this Franchise, except in case of emergency notification.

City: Right-of-Way Specialist,
Public Works Department - Transportation
City of Auburn
25 West Main Street
Auburn, WA 98001-4998
Telephone: (253) 931-3010
Email Address: rowusepermit@auburnwa.gov

with a copy to: City Clerk
City of Auburn
25 West Main Street
Auburn, WA 98001-4998

Franchisee: Fatbeam, LLC
Attn: Jim Williams
2065 W Riverstone Drive, Suite 202
Coeur D Alene, ID 83814
Telephone: (509) 344-1008
Email Address: regulatory@fatbeam.com

B. Any changes to the above-stated Franchisee information shall be sent to the City's Right-of-Way Specialist, Public Works Department – Transportation Division, with copies to the City Clerk, referencing the title of this Franchise.

C. The above-stated Franchisee voice telephone numbers shall be staffed at least during normal business hours, Pacific time zone. The City may contact Franchisee at the following number for emergency or other needs outside of normal business hours of the Franchisee: (509) 344-1008.

Section 4. Term of Franchise

A. This Franchise shall run for a period of fifteen (15) years, from the date of Franchise Acceptance as described in Section 5 of this Franchise.

B. Automatic Extension. If the Franchisee fails to formally apply for a new franchise agreement prior to the expiration of this Franchise's term or any extension thereof, this Franchise automatically continues month to month until a new franchise agreement is applied for and approved under the then current process or until either party gives written notice at least one hundred and eighty (180) days in advance of intent to cancel this Franchise.

Section 5. Acceptance of Franchise

A. This Franchise will not become effective until Franchisee files with the City Clerk (1) the Statement of Acceptance (Exhibit "A"), (2) all verifications of insurance coverage specified under Section 16, (3) the financial security specified in Section 17, and (4) payment of any outstanding application fees required in the City Fee Schedule. These four items will collectively be the "Franchise Acceptance". The date that such Franchise Acceptance is filed with the City Clerk will be the effective date of this Franchise.

B. If the Franchisee fails to file the Franchise Acceptance with the City Clerk within thirty (30) days after the effective date of the ordinance approving the Franchise as described in Section 28 of this Franchise, the City's grant of the Franchise will be null and void.

Section 6. Construction and Maintenance

A. The Franchisee shall apply for, obtain, and comply with the terms of all permits required under applicable law for any work done within the City. Franchisee will comply with all applicable City, State, and Federal codes, rules, regulations, and orders in undertaking such work.

B. Franchisee agrees to coordinate its activities with the City and all other utilities located within the public way within which Franchisee is under taking its activity.

C. The City expressly reserves the right to prescribe how and where Franchisee's Facilities will be installed within the public way and may require the removal, relocation and/or replacement thereof in the public interest and safety at the expense of the Franchisee as provided for in Chapter 35.99 RCW.

D. Before beginning any work within the public way, the Franchisee will comply with the One Number Locator provisions of Chapter 19.122 RCW to identify existing utility infrastructure.

E. Tree Trimming. Upon prior written approval of the city the Franchisee shall have the authority to trim trees upon and overhanging streets, public ways and places in the Franchise Area so as to prevent the branches of such trees from coming in physical contact with the Franchisee's Facilities. Franchisee shall be responsible for debris removal from such activities. If such debris is not removed within 24 hours, the City may, at its sole discretion, remove such debris and charge the Franchisee for the cost thereof. This section does not, in any instance, grant automatic authority to clear vegetation for purposes of

providing a clear path for radio signals. Any such general vegetation clearing will require other permits as necessary from the City.

Section 7. Trench Repair for Street Restorations

A. At any time during the term of this Franchise, if a Franchisee Facility or trench within the Franchise Area causes a street to crack, settle, or otherwise fail, the City will notify Franchisee of the deficiency and Franchisee agrees to restore the deficiency and repair the damage within thirty (30) days of written notice by the City.

B. For purposes of the Section, "street" shall mean all City owned improvements within a public way, including, but is not limited to, the following: pavement, sidewalks, curbing, above and below-ground utility facilities, and traffic control devices.

Section 8. Repair and Emergency Work

In the event of an emergency, the Franchisee may commence repair and emergency response work as required under the circumstances. The Franchisee will notify the City telephonically during normal business hours (at 253-931-3010) and during non-business hours (at 253-876-1985) as promptly as possible, before such repair or emergency work commences, and in writing as soon thereafter as possible. Such notification shall include the Franchisee's emergency contact phone number for corresponding response activity. The City may commence emergency response work, at any time, without prior written notice to the Franchisee, but will notify the Franchisee in writing as promptly as possible under the circumstances. Franchisee will reimburse the City for the City's actual cost of performing emergency response work.

Section 9. Damages to City and Third-Party Property

Franchisee agrees that if any of its actions, or the actions of any person, agent, or contractor acting on behalf of the Franchisee under this Franchise impairs or damages any City property, survey monument, or property owned by a third-party, Franchisee will restore, at its own cost and expense, the property to a safe condition. Upon returning the property to a safe condition, the property shall then be returned to the condition it was in immediately prior to being damaged (if the safe condition of the property is not the same as that which existed prior to damage). All repair work shall be performed and completed to the satisfaction of the City Engineer.

Section 10. Location Preference

A. Any structure, equipment, appurtenance or tangible property of a utility or other franchisee, other than the Franchisee's, which was installed, constructed, completed or in place prior in time to Franchisee's application for a permit to construct or repair Franchisee's Facilities under this Franchise shall have preference as to positioning and location with respect to the Franchisee's Facilities. However, to the extent that the Franchisee's Facilities are completed and installed before another utility or other franchisee's submittal of a permit for new or additional structures, equipment, appurtenances or tangible property, then the Franchisee's Facilities will have priority. These rules governing preference shall continue when relocating or changing the grade of any City road or public way. A relocating utility or franchisee will not cause the relocation of another utility or franchisee that otherwise would not require relocation. This Section will not apply to any City facilities or utilities that may in the future require the relocation of Franchisee's Facilities. Such relocations will be governed by Section 11 and Chapter 35.99 RCW.

B. Franchisee will maintain a minimum underground horizontal separation of five (5) feet from City water, sanitary sewer and storm sewer facilities and ten (10) feet from above-ground City water facilities; provided, that for development of new areas, the City, in consultation with Franchisee and other utility purveyors or authorized users of the public way, will develop guidelines and procedures for determining specific utility locations.

Section 11. Relocation of Franchisee Facilities

A. Except as otherwise so required by law, Franchisee agrees to relocate, remove, or reroute its facilities as ordered by the City Engineer at no expense or liability to the City, except as may be required by Chapter 35.99 RCW. Pursuant to the provisions of Section 15, Franchisee agrees to protect and save harmless the City from any customer or third-party claims for service interruption or other losses in connection with any such change, relocation, abandonment, or vacation of the public way.

B. If a readjustment or relocation of the Franchisee Facilities is necessitated by a request from a party other than the City, that party shall pay the Franchisee the actual costs associated with such relocation.

Section 12. Abandonment and or Removal of Franchisee Facilities

A. Within one hundred and eighty days (180) of Franchisee's permanent cessation of use of the Franchisee's Facilities, the Franchisee will, at the City's discretion, either abandon in place or remove the affected facilities.

B. Franchisee may ask the City in writing to abandon, in whole or in part, all or any part of the Franchisee's Facilities. Any plan for abandonment of Franchisee Facilities must be approved in writing by the City.

C. The parties expressly agree that this Section will survive the expiration, revocation or termination of this Franchise.

Section 13. Undergrounding

A. The parties agree that this Franchise does not limit the City's authority under federal law, state law, or local ordinance, to require the undergrounding of utilities.

B. Whenever the City requires the undergrounding of aerial utilities in the Franchise Area, the Franchisee will underground the Franchisee's Facilities in the manner specified by the City Engineer at no expense or liability to the City, except as may be required by Chapter 35.99 RCW. Where other utilities are present and involved in the undergrounding project, Franchisee will only be required to pay its fair share of common costs borne by all utilities, in addition to the costs specifically attributable to the undergrounding of Franchisee's Facilities. Common costs will include necessary costs for common trenching and utility vaults. Fair share will be determined in comparison to the total number and size of all other utility facilities being undergrounded.

Section 14. Franchisee Information

A. Franchisee agrees to supply, at no cost to the City, any information reasonably requested by the City to coordinate municipal functions with Franchisee's activities and fulfill any municipal obligations under state law. Said information will include, at a minimum, as-built drawings of Franchisee's Facilities, installation inventory, and maps and plans showing the location of existing or planned facilities within the City. Said information may be requested either in hard copy or electronic format, compatible with the City's data base system, including the City's Geographic Information System (GIS) data base. Franchisee will keep the City informed of its long-range plans for coordination with the City's long-range plans.

B. The parties understand that Chapter 42.56 RCW and other applicable law may require public disclosure of information given to the City.

Section 15. Indemnification and Hold Harmless

A. Franchisee shall defend, indemnify, and hold harmless the City, its officers, officials, employees and volunteers from and against any and all claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property, which arises out of Franchisee's acts, errors or omissions, or from the conduct of Franchisee's business, or from any activity, work or thing done, permitted, or suffered by Franchisee arising from or in connection with this Franchise, except only such injury or damage as shall have been occasioned by the sole negligence of the City.

However, should a court of competent jurisdiction determine that this Franchise is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Franchisee and the City, its officers, officials, employees, and volunteers, the Franchisee's liability hereunder shall be only to the extent of the Franchisee's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Franchisee's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Franchise.

B. The Franchisee will hold the City harmless from any liability arising out of or in connection with any damage or loss to the Franchisee's Facilities caused by maintenance and/or construction work performed by, or on behalf of, the City within the Franchise Area or any other City road, public way, or other property, except to the extent any such damage or loss is directly caused by the negligence of the City, or its agent performing such work.

C. The Franchisee acknowledges that neither the City nor any other public agency with responsibility for firefighting, emergency rescue, public safety or similar duties within the City has the capability to provide trench, close trench or confined space rescue. The Franchisee, and its agents, assigns, successors, or contractors, will make such arrangements as Franchisee deems fit for the provision of such services. The Franchisee will hold the City harmless from any liability arising out of or in connection with any damage or loss to the Franchisee for the City's failure or inability to provide such services, and, pursuant to the terms of Section 15(A), the Franchisee will indemnify the City against any and all third-party costs, claims, injuries, damages, losses, suits, or liabilities based on the City's failure or inability to provide such services.

Section 16. Insurance

A. The Franchisee shall procure and maintain for the duration of this Franchise and as long as Franchisee has Facilities in the public way, insurance

against claims for injuries to persons or damage to property which may arise from or in connection with the Franchise and use of the public way.

B. No Limitation. The Franchisee's maintenance of insurance as required by this Franchise shall not be construed to limit the liability of the Franchisee to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

C. Minimum Scope of Insurance. The Franchisee shall obtain insurance of the types and coverage described below:

1. Commercial General Liability insurance shall be at least as broad as Insurance Services Office (ISO) occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop gap liability, independent contractors, products-completed operations, personal injury and advertising injury, and liability assumed under an insured contract. There shall be no exclusion for liability arising from explosion, collapse or underground property damage. The City shall be named as an additional insured under the Franchisee's Commercial General Liability insurance policy with respect this Franchise using ISO endorsement CG 20 12 05 09 if the Franchise is considered a master permit as defined by RCW 35.99.010, or CG 20 26 07 04 if it is not, or substitute endorsement providing at least as broad coverage.

2. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be at least as broad as ISO form CA 00 01.

3. Contractors Pollution Liability insurance shall be in effect throughout the entire Franchise covering losses caused by pollution conditions that arise from the operations of the Franchisee. Contractors Pollution Liability shall cover bodily injury, property damage, cleanup costs and defense, including costs and expenses incurred in the investigation, defense, or settlement of claims.

4. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

5. Excess or Umbrella Liability insurance shall be excess over and at least as broad in coverage as the Franchisee's Commercial General Liability and Automobile Liability insurance. The City shall be named as an additional insured on the Franchisee's Excess or Umbrella Liability insurance policy.

D. Minimum Amounts of Insurance. The Franchisee shall maintain insurance that meets or exceeds the following limits:

1. Commercial General Liability insurance shall be written with limits no less than \$5,000,000 each occurrence, \$5,000,000 general aggregate.

2. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$5,000,000 per accident.

3. Contractors Pollution Liability insurance shall be written in an amount of at least \$2,000,000 per loss, with an annual aggregate of at least \$2,000,000.

4. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington and employer's liability insurance with limits of not less than \$1,000,000.

5. Excess or Umbrella Liability insurance shall be written with limits of not less than \$5,000,000 per occurrence and annual aggregate. The Excess or Umbrella Liability requirement and limits may be satisfied instead through Franchisee's Commercial General Liability and Automobile Liability insurance, or any combination thereof that achieves the overall required limits.

E. Other Insurance Provisions. Franchisee's Commercial General Liability, Automobile Liability, Excess or Umbrella Liability, Contractors Pollution Liability insurance policy or policies are to contain, or be endorsed to contain, that they shall be primary insurance as respect to the City. Any insurance, self-insurance, or self-insured pool coverage maintained by the City shall be excess of the Franchisee's insurance and shall not contribute with it.

F. Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A: VII.

G. Subcontractors. The Franchisee shall cause each and every Subcontractor to provide insurance coverage that complies with all applicable requirements of the Franchisee-provided insurance as set forth herein, including limits no less than what is required of Franchisee under this Franchise. The Franchisee shall ensure that the City is an additional insured on each and every Subcontractor's Commercial General liability insurance policy using an endorsement as least as broad as ISO CG 20 26.

H. Verification of Coverage. The Franchisee shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of this Franchise. Upon request by the City, the Franchisee shall furnish certified copies of all required insurance policies, including endorsements, required in this Franchise and evidence of all subcontractors' coverage.

I. Notice of Cancellation. Franchisee shall provide the City with written notice of any policy cancellation within two business days of their receipt of such notice.

J. Failure to Maintain Insurance. Failure on the part of the Franchisee to maintain the insurance as required shall constitute a material breach of the Franchise, upon which the City may, after giving five business days' notice to the Franchisee to correct the breach, terminate the Franchise.

K. City Full Availability of Franchisee Limits. If the Franchisee maintains higher insurance limits than the minimums shown above, the City shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the Franchisee, irrespective of whether such limits maintained by the Franchisee are greater than those required by this Franchise or whether any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by the Franchisee.

L. Franchisee – Self-Insurance. Franchisee will have the right to self-insure any or all of the above-required insurance. Any such self-insurance is subject to approval by the City. If the Franchisee is self-insured or becomes self-insured during the term of the Franchise, Franchisee or its affiliated parent entity shall comply with the following: (i) Franchisee shall submit a letter to the City stating which of the above required insurance provisions in this Section 15 Franchisee proposes to self-insure; (ii) provide the City, upon request, a copy of Franchisee's or its parent company's most recent audited financial statements, if such financial statements are not otherwise publicly available; (iii) Franchisee or its parent company is responsible for all payments within the self-insured retention; and (iv) Franchisee assumes all defense and indemnity obligations as outlined in Section 15.

Section 17. Financial Security

The Franchisee will provide the City with a financial security in the amount of Fifty Thousand Dollars (\$50,000.00) running for, or renewable for, the term of this Franchise, in a form and substance acceptable to the City. If Franchisee fails to substantially comply with any one or more of the provisions of this Franchise,

the City may recover jointly and severally from the principal and any surety of that financial security any damages suffered by the City as a result Franchisee's failure to comply, including but not limited to staff time, material and equipment costs, compensation or indemnification of third parties, and the cost of removal or abandonment of facilities. Franchisee specifically agrees that its failure to comply with the terms of Section 20 will constitute damage to the City in the monetary amount set forth in that section. Any financial security will not be construed to limit the Franchisee's liability to the security amount, or otherwise limit the City's recourse to any remedy to which the City is otherwise entitled at law or in equity.

Section 18. Successors and Assignees

A. All the provisions, conditions, regulations and requirements contained in this Franchise are binding upon the successors, assigns of, and independent contractors of the Franchisee, and all rights and privileges, as well as all obligations and liabilities of the Franchisee will inure to its successors, assignees and contractors equally as if they were specifically mentioned herein wherever the Franchisee is mentioned.

B. This Franchise will not be leased, assigned or otherwise alienated without the express prior consent of the City by ordinance.

C. Franchisee and any proposed assignee or transferee will provide and certify the following to the City not less than ninety (90) days prior to the proposed date of transfer: (1) Complete information setting forth the nature, term and conditions of the proposed assignment or transfer; (2) All information required by the City of an applicant for a Franchise with respect to the proposed assignee or transferee; and, (3) An application fee in the amount established by the City's fee schedule, plus any other costs actually and reasonably incurred by the City in processing, and investigating the proposed assignment or transfer.

D. Before the City's consideration of a request by Franchisee to consent to a Franchise assignment or transfer, the proposed Assignee or Transferee will file with the City a written promise to unconditionally accept all terms of the Franchise, effective upon such transfer or assignment of the Franchise. The City is under no obligation to undertake any investigation of the transferor's state of compliance and failure of the City to insist on full compliance before transfer does not waive any right to insist on full compliance thereafter.

Section 19. Dispute Resolution

A. In the event of a dispute between the City and the Franchisee arising by reason of this Franchise, the dispute will first be referred to the operational officers or representatives designated by City and Franchisee to have oversight

over the administration of this Franchise. The officers or representatives will meet within thirty (30) calendar days of either party's request for a meeting, whichever request is first, and the parties will make a good faith effort to achieve a resolution of the dispute.

B. If the parties fail to achieve a resolution of the dispute in this manner, either party may then pursue any available judicial remedies. This Franchise will be governed by and construed in accordance with the laws of the State of Washington. If any suit, arbitration, or other proceeding is instituted to enforce any term of this Franchise, the parties specifically understand and agree that venue will be exclusively in King County, Washington. The prevailing party in any such action will be entitled to its attorneys' fees and costs.

Section 20. Enforcement and Remedies

A. If the Franchisee willfully violates, or fails to comply with any of the provisions of this Franchise through willful or unreasonable negligence, or fails to comply with any notice given to Franchisee under the provisions of this Franchise, the City may, at its discretion, provide Franchisee with written notice to cure the breach within thirty (30) days of notification. If the City determines the breach cannot be cured within thirty days, the City may specify a longer cure period, and condition the extension of time on Franchisee's submittal of a plan to cure the breach within the specified period, commencement of work within the original thirty day cure period, and diligent prosecution of the work to completion. If the breach is not cured within the specified time, or the Franchisee does not comply with the specified conditions, the City may, at its discretion, either (1) revoke the Franchise with no further notification, or (2) claim damages of Two Hundred Fifty Dollars (\$250.00) per day against the financial guarantee set forth in Section 17 for every day after the expiration of the cure period that the breach is not cured.

B. If the City determines that Franchisee is acting beyond the scope of permission granted in this Franchise for Franchisee Facilities and Franchisee Services, the City reserves the right to cancel this Franchise and require the Franchisee to apply for, obtain, and comply with all applicable City permits, franchises, or other City permissions for such actions, and if the Franchisee's actions are not allowed under applicable federal and state or City laws, to compel Franchisee to cease those actions.

Section 21. Compliance with Laws and Regulations

A. This Franchise is subject to, and the Franchisee will comply with all applicable federal and state or City laws, regulations and policies (including all applicable elements of the City's comprehensive plan), in conformance with federal laws and regulations, affecting performance under this Franchise. The Franchisee

will be subject to the police power of the City to adopt and enforce general ordinances necessary to protect the safety and welfare of the general public in relation to the rights granted in the Franchise Area.

B. The City reserves the right at any time to amend this Franchise to conform to any federal or state statute or regulation relating to the public health, safety, and welfare, or relating to roadway regulation, or a City Ordinance enacted pursuant to such federal or state statute or regulation enacted, amended, or adopted after the effective date of this Franchise if it provides Franchisee with thirty (30) days written notice of its action setting forth the full text of the amendment and identifying the statute, regulation, or ordinance requiring the amendment. The amendment will become automatically effective on expiration of the notice period unless, before expiration of that period, the Franchisee makes a written call for negotiations over the terms of the amendment. If the parties do not reach agreement as to the terms of the amendment within thirty (30) days of the call for negotiations, the City may enact the proposed amendment, by incorporating the Franchisee's concerns to the maximum extent the City deems possible.

C. The City may terminate this Franchise upon thirty (30) days written notice to the Franchisee, if the Franchisee fails to comply with such amendment or modification.

Section 22. License, Tax and Other Charges

This Franchise will not exempt the Franchisee from any future license, tax, or charge which the City may adopt under authority granted to it under state or federal law for revenue or as reimbursement for use and occupancy of the Franchise Area.

Section 23. Consequential Damages Limitation

Notwithstanding any other provision of this Franchise, in no event will either party be liable for any special, incidental, indirect, punitive, reliance, consequential or similar damages.

Section 24. Severability

If any portion of this Franchise is deemed invalid, the remainder portions will remain in effect.

Section 25. Titles

The section titles used are for reference only and should not be used for the purpose of interpreting this Franchise.

Section 26. Implementation

The Mayor is authorized to implement those administrative procedures necessary to carry out the directions of this legislation.

Section 27. Entire Franchise

This Franchise, as subject to the appropriate city, state, and federal laws, codes, and regulations, and the attachments hereto represent the entire understanding and agreement between the parties with respect to the subject matter and it supersedes all prior oral negotiations between the parties. All previous franchises between the parties pertaining to Franchisee's operation of its Facilities are hereby superseded.

Section 28. Effective Date.

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

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM

Shawn Campbell, MMC, City Clerk

Doug Ruth, Acting City Attorney

PUBLISHED: _____

EXHIBIT "A"

STATEMENT OF ACCEPTANCE

Fatbeam, LLC, for itself, its successors and assigns, hereby accepts and agrees to be bound by all lawful terms, conditions and provisions of the Franchise attached hereto and incorporated herein by this reference.

Franchisee Name: Fatbeam, LLC

Address _____

City, State, Zip _____

By: _____

Date: _____

Name:

Title:

STATE OF _____)

)ss.

COUNTY OF _____)

On this ____ day of _____, 20____, before me the undersigned, a Notary Public in and for the State of _____, duly commissioned and sworn, personally appeared, _____ of _____, the company that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the date hereinabove set forth.

Signature

NOTARY PUBLIC in and for the State of _____, residing at _____

MY COMMISSION EXPIRES: _____



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5763 (Goodson-Moore) (5 Minutes)

Department:

Office of Equity

Attachments:

[Resolution 5763](#)

[Resolution 5763 Exhibit A](#)

Date:

April 17, 2024

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For discussion only.

Background for Motion:

Resolution No. 5763 authorizes the Mayor to sign a first amendment to the City's DEI consulting services agreement with Sapna Strategies.

Background Summary:

The City entered a DEI consulting services agreement with Sapna Strategies in May 2023. The Agreement included a \$97,000 not-to-exceed amount. Performance of the agreement and its timelines have revealed the need for additional consulting services that the parties did not contemplate at the agreement's outset. The parties wish to amend the agreement by increasing its not to exceed amount to facilitate these additional needed services. Resolution No. 5763 authorizes the Mayor to sign an amendment to the agreement.

Reviewed by Council Committees:

Councilmember: Yolanda Trout-Manuel

Staff:

Brenda Goodson-Moore

Meeting Date: April 22, 2024

Item Number:

RESOLUTION NO. 5763

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE MAYOR TO SIGN AN AMENDMENT TO THE CITY'S AGREEMENT WITH SAPNA STRATEGIES

WHEREAS, in May 2023, the City entered an agreement for diversity, equity and inclusion (DEI) consulting services with Sapna Strategies. Sapna's services to the City include assisting the City's Racial, Equity, Diversity and Inclusion (REDI) coalition with formulating a vision, values, norms and team roles and responsibilities;

WHEREAS, the Agreement includes a \$97,000.00 overall not-to-exceed amount, and permits the parties to mutually amend the Agreement in writing;

WHEREAS, the parties' performance of the Agreement and its progress timelines have revealed the need for additional services that the parties did not contemplate at the Agreement's outset;

WHEREAS, the parties wish to amend the Agreement to increase its not-to-exceed amount and to facilitate these additional needed services. A proposed first amendment to the Agreement is attached to this Resolution as Exhibit A.

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

Section 1. The Mayor is hereby authorized to sign an amendment to the Agreement that substantially conforms to the proposed amendment attached as Exhibit A to this Resolution.

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

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

Dated and Signed this _____ day of _____, 2024.

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Doug Ruth, Acting City Attorney

AMENDMENT NO. 1

To City of Auburn Agreement for services with Sapna Strategies

THIS AMENDMENT is made and entered into on _____, 2024, by and between the City of Auburn; a municipal corporation of the State of Washington (the "City"), and Sapna Strategies, LLC ("Sapna").

RECITALS:

1. In May 2023, the City and Sapna entered an Agreement for diversity, equity and inclusion (DEI) consulting services (Agreement);
2. Paragraph 4 and Exhibit B to the Agreement include an overall \$97,000 not to exceed amount;
3. The Parties have discovered through performance of the Agreement that additional Sapna consulting services will be needed, and that the Agreement's not to exceed amount requires amendment accordingly;
4. Paragraph 16 of the Agreement allows the parties to mutually agree to amend the Agreement in writing; and
5. The City and Sapna now agree to Amend the Agreement's paragraph 4 and Exhibit B to increase the Agreement's overall not-to-exceed amount.

AMENDMENTS TO AGREEMENT:

1. Paragraph 4 of the Agreement related to Sapna's compensation is hereby amended to read as follows:

As compensation for the Provider's performance of the services provided for in this Agreement, the City will pay the Provider the fees and costs specified in Exhibit "B". These payments will be full compensation for work performed or services rendered and for all labor, materials, supplies, equipment, overhead, profit, and incidentals necessary to complete the work.

The Provider will monthly submit to the City a detailed invoice or statement of time spent on tasks included in the scope of work, and the City upon acceptance of the invoice or statement will process the invoice or statement in the next billing/claim cycle, and will remit payment to the Provider, subject to any conditions or provisions in this Agreement or Amendment. The Agreement number must appear on all invoices submitted. Copies of original supporting documents will be supplied to the City upon request.

Travel Expenses:

- Consultants will travel to meet with their respective teams 6-8 times throughout the contract.
- Travel to and from the City of Auburn facilities will be charged at \$50/hour.
- Mileage and gas will be charged at the federally approved reimbursement rate of 65.5cents/mile driven.
- Tolls and similar incurred travel expenses will be submitted for reimbursement.
- Consultants will use their own vehicles for travel.

The not-to-exceed amount for this agreement is ~~\$97,000.00~~ \$175,000.00. The Provider will not undertake any work or otherwise financially obligate the City in excess of this amount without prior written authorization.

Compensation to be paid the Provider in succeeding years after the current year will be contingent upon availability of funds.

2. Exhibit B to the Agreement is hereby amended to read as follows:

**Exhibit B
Compensation**

As compensation for the Consultant's performance of the services provided for in this Agreement, the City shall pay the Consultant the following:

- Compensation for 2023-2024 is not-to-exceed ~~\$97,000.00~~ \$175,000.00

The Consultant will submit to the City a detailed invoice or statement of time spent on tasks included in the scope of services within thirty (30) days, and the City upon acceptance of the invoice or statement will process the invoice or statement in the next billing/claim cycle following receipt of the invoice or statement, and will remit payment to the Consultant, subject to any conditions or provisions in this Agreement.

3. All other provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this amendment to be executed effective the day and year first set forth above.

CITY OF AUBURN

SAPNA STRATEGIES, LLC

By _____
Nancy Backus, Mayor

By _____

Name: _____

Title: _____



AGENDA BILL APPROVAL FORM

Agenda Subject:

Police Department 2023 Annual Reports (Caillier) (30 Minutes)

Date:

April 17, 2024

Department:

Police Department

Attachments:

[2023 APD Annual Report D3](#)

[2023 Annual CIA Review](#)

[2023 Council Pursuit Presentation](#)

[2023 Pursuit Analysis](#)

[2023 Use of Force Summary](#)

[CIA 2023 Council Powerpoint](#)

[Council presentation Annual report](#)

[UOF 2023 Council Powerpoint](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For discussion only.

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

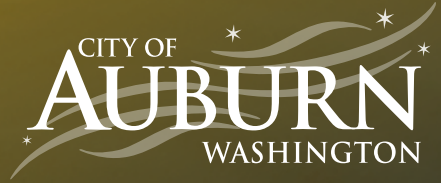
Councilmember: Cheryl Rakes

Staff:

Mark Caillier

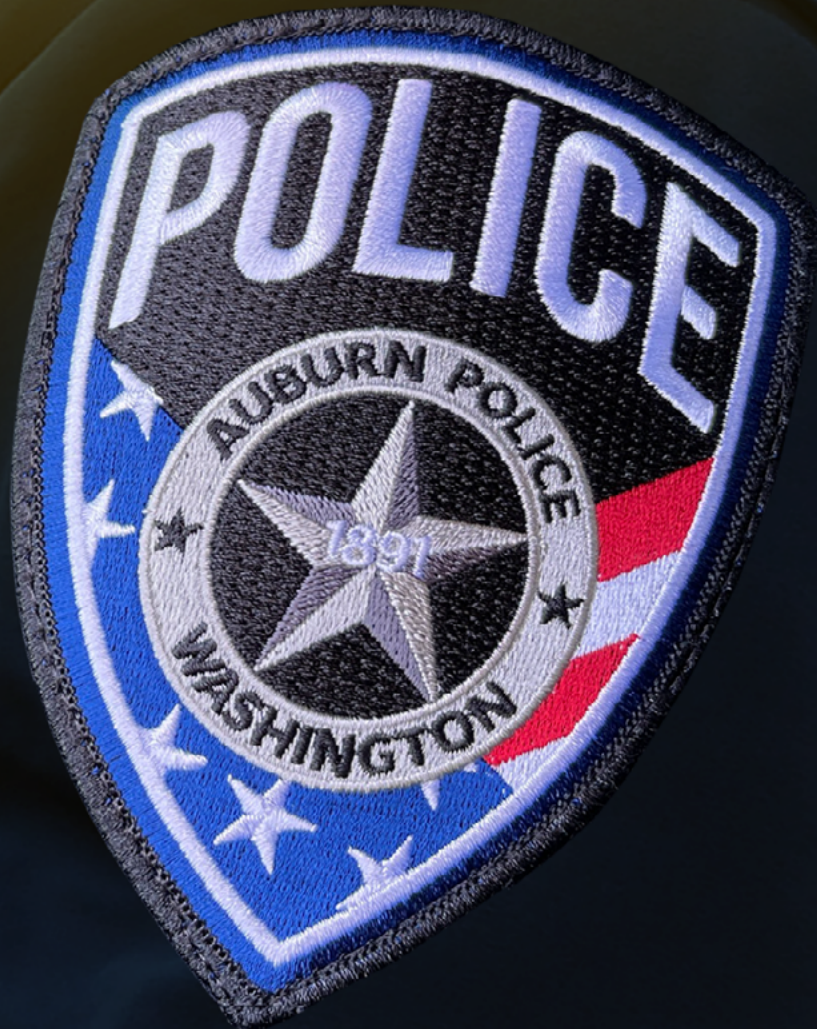
Meeting Date: April 22, 2024

Item Number:



AUBURN POLICE DEPARTMENT

2023 Annual Report



VISION

To be a premier law enforcement agency that is trusted, supported and respected.

MISSION

To provide professional law enforcement services to our community.

CORE VALUES

COURAGE

Bravely standing up to danger and adversity

HONOR

Serving a noble purpose, we hold this profession in high esteem

INTEGRITY

Our decisions and actions are based on trust and honesty

PROFESSIONALISM

Our sense of duty to conduct ourselves to the highest level of competence and character



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MESSAGE FROM CHIEF MARK CAILLIER

Welcome to the Auburn Police Departments 2023 Annual Report! This report is intended to provide an overview of the department and provide statistical information related to our activities. For additional information, I encourage you to visit us at our website, auburnwa.gov, or follow us on social media, including Facebook, Twitter, and Instagram. For those of you interested in a police career, please visit TeamAPD.com.

During this past year, your police department has worked hard to help improve the quality of life for people living, working, and visiting Auburn. Recent legislation has provided tools to help address issues in the downtown area as well as retail areas in both north and south Auburn. We constantly work to improve our response to issues facing our community, such as homelessness, drug addiction, and mental health challenges. We do this daily by providing referrals to city services and other county resources, but when needed, we hold people accountable by enforcing appropriate laws.

We continue to utilize available technology to our advantage. This past year we expanded our drone program, introduced school zone speed cameras, and have begun deploying Flock Safety cameras in various locations throughout the city.

Recruitment and retention of staff continue to be a challenge facing Auburn PD, but it is also a regional and national issue affecting all our partner cities here in south King County. Auburn is still a very attractive place to work and last year we welcomed 22 new officers and 5 non-commissioned staff.

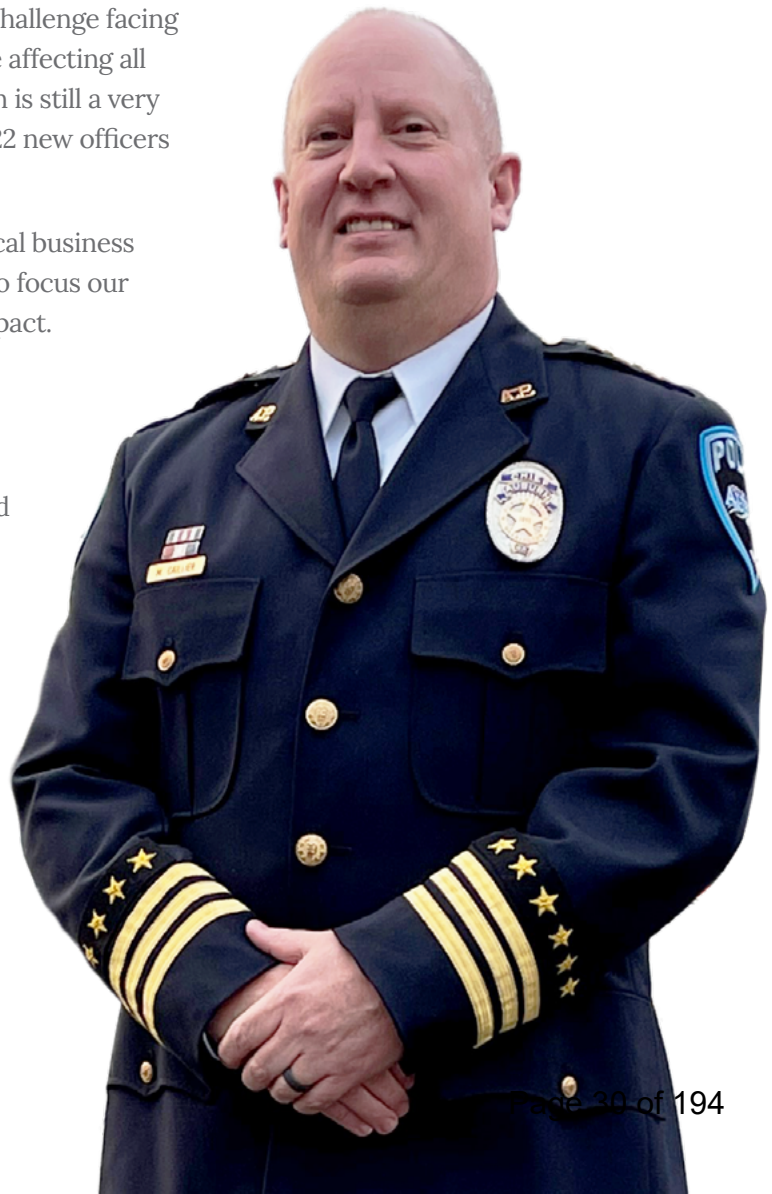
Auburn continues to work with regional partners, local business groups, the Police Advisory Committee, and others to focus our resources on the areas that will have the greatest impact.

I am proud of the dedication and hard work that is performed daily by our staff. We are focused on continuing our commitment to make this a police department that the community can be proud of, and we will continue to serve with the best of our ability.



Mark Caillier

Chief of Police
Auburn Police Department





ASSISTANT CHIEF BETZ

Assistant Chief Sam Betz has been with the Auburn Police Department since 2006. He started as a Patrol Officer and began working a narcotic detection K9 in 2010. Sam became a member of the Valley SWAT team in 2011. Sam rotated from Patrol to the Investigations division in 2012, and worked in the Special Investigations Unit as a Detective while also remaining on SWAT and continuing to work as a K9 handler. Sam has experience as a member of the Auburn Crime Scene Team, President of the Auburn Police Officer's Association and as an executive board member for the Auburn Police Officer's Guild during his time as an Officer and Detective. Sam was promoted to Sergeant in 2013 and worked in Patrol and Major Crimes as a first line supervisor. As a Sergeant, Sam continued his time on SWAT and was elevated to a Team Leader position for the regional team. Sam also served on the Sergeant's Association executive board. Sam was promoted to Commander in 2020 where he served in the Patrol Division and as the Inspectional Services Commander. As a Commander, Sam was able to oversee the development of Patrol, SWAT, School Resource Officers, Bicycle Officers and the Traffic Unit. Additionally, Sam acted as the overall Commander for the Valley SWAT team prior to his promotion to Assistant Chief in December 2021. Sam is a graduate of the Leadership Institute of South Puget Sound and Leadership in Police Organizations. Sam has obtained certifications as a handgun instructor, less lethal impact munitions instructor, de-escalation instructor, Force Science, FBI-LEEDA Trilogy, and as an Active Shooter Instructor (NTOA). Sam is a current member of NTOA, IACP and FBI-LEEDA. Sam graduated from Azusa Pacific University with a Bachelor's degree in Biblical Studies, and graduated from Gonzaga University with a Masters degree in Organizational Leadership.

ADMINISTRATIVE ASSISTANTS

Kerri Scranton started with the Police Department in September 2019 and Leslie Corey in October 2018. They are responsible for providing direct support to Chief Mark Caillier and Assistant Chief Sam Betz, as well as the department's Command Staff. They have a variety of duties that span

from payroll, purchasing training and travel and all responsibilities associated with administrative assistance to the department.

Leslie Corey is the investigations Administrative Assistant. She reports to the Investigations Commander.



KERRI SCRANTON

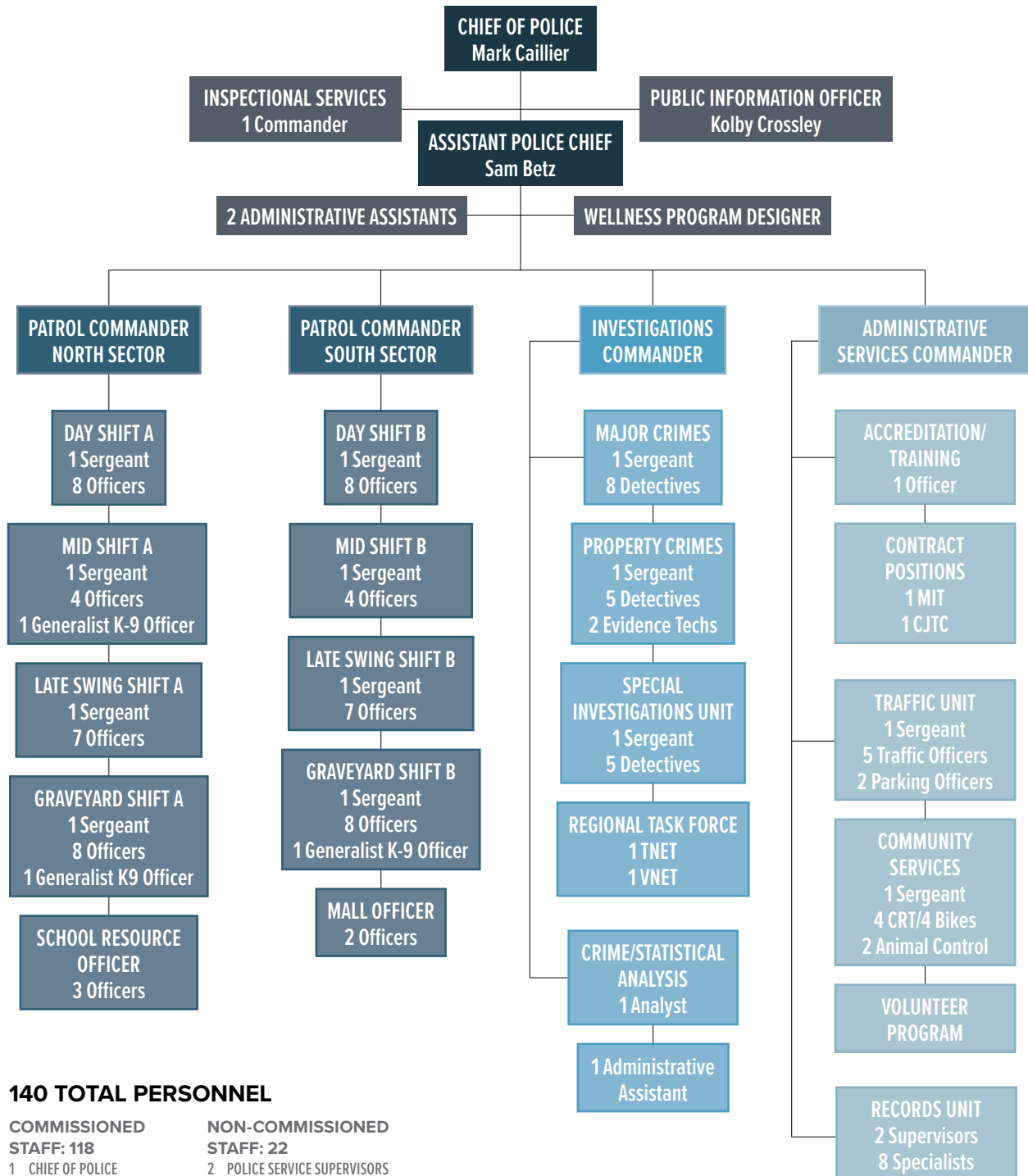


LESLIE COREY

Auburn, Washington, is a vibrant city located in King County, in the beautiful Pacific Northwest region of the United States. Situated between Seattle and Tacoma, Auburn is known for its natural beauty, rich history, and diverse community. Auburn is a thriving suburban community with a population of over 80,000 residents. The city offers a mix of residential neighborhoods, commercial centers, and recreational areas. Auburn's location along the Green and White rivers provides picturesque landscapes and opportunities for outdoor activities like hiking, fishing, and boating. Notably, the Auburn Police Department holds state accreditation with WASPC and operates with a dedicated team of 140 employees. We are steadfast in our commitment to fostering the professional growth of our officers through a comprehensive range of training opportunities, including those conducted at our outdoor firearms range, as well as mentorship programs and the chance to shadow detectives and explore other specialized areas. Our utmost priority is to ensure that the Auburn community feels embraced and secure under our watchful care.



ORGANIZATIONAL CHART



INSPECTIONAL SERVICES

Commander Shaun Feero leads Inspectional Services. This department is responsible for managing commendations and allegations of misconduct. The Inspectional Services Commander is also responsible for staff inspections. The Inspectional Services Commander reports directly to the Chief.

Commendations, Inquiries and Allegations of Misconduct (CIA) investigations are designed to allow the agency to look at our department from the eyes of our community members. To meet these demands, we must be a disciplined and well-regulated organization. The report on the next page illustrates how well the Auburn Police Department is perceived to be following our Vision and Mission statements, as well as our stated Manual of Standards.





INSPECTIONAL SERVICES COMMANDER **DAVE COLGLAZIER**

Commander Dave Colglazier has over 30 years of law enforcement experience. Along with his duties as the Inspectional Services Commander, he is the Commander over Drones, VIIT, and Peer Support. Dave has a BA in Psychology from the University of Washington. He has attended the Leadership Institute of South Puget Sound and the Leadership in Police Organization program. Colglazier retired in August and Commander Feero took over from there.



INSPECTIONAL SERVICES COMMANDER **SHAUN FEERO**

Commander Shaun Feero has been with the Auburn Police Department since 2007. Commander Feero graduated from American Military University with a Master of Arts degree in Criminal Justice and additionally received a Graduate Certificate in Executive Law Enforcement Leadership at AMU after attaining undergraduate degrees from Portland State University and the Community College of the Air Force. Commander Feero spent time on the Crime Scene Team, Valley SWAT Team, Valley Civil Disturbance Unit, Field Training Officer, Firearms Instructor, Bicycle Unit, and was recognized as a Mater Police Officer (MPO) in 2016. Commander Feero worked as a Patrol Sergeant, Major Crimes Sergeant, and was a team leader on the Valley Civil Disturbance Unit (VCDU). VCDU Commander, Honor Guard Commander, and is responsible for the APD firearms program and drone program. Additionally, Commander Feero is Auburn PD's Military Liaison, providing resources to veterans and keeping the APD administration apprised of current reserve and guard commitments. Commander Feero is a Senior Master Sergeant (SMSgt) serving in the Air Force Reserve as an Operations Superintendent in the 446th Security Forces Squadron at Joint Base Lewis-McChord.

In 2023, Auburn Police Officers responded to 68,026 Computer Aided Dispatch (CAD) incidents and completed 14,820 case reports. Officers made 2,683 arrests, with 2,087 of those arrestees being booked into the SCORE Jail, and officers issued 5,885 infractions/citations. All of this activity accounts for only a portion of the personal contacts with our

community members that are made by our police officers throughout the year.

As outlined in the Auburn Police Department Manual of Standards (MOS), the CIA system provides a uniform means of reporting, investigating, and documenting Commendations, Inquiries, Allegations of Misconduct and Collision Reviews.

A Commendation is used to recognize actions or performances by members of the police department who act or perform in a manner that is outstanding or beyond what is normally expected. The Commendation process recognizes employees for Professionalism, Exemplary Job, Exemplary Actions, Life Saving and Heroism.

During 2023, there were 67 commendations awarded to a total of 86 employees. The commendations included 3 Life Saving Medals (awarded to 3 employees), 8 Letters of Commendation (awarded to 6 employees), and 2 Tactical Medal (awarded to 2 employees).

To better understand how commendations work, most of them come from citizens who took the time to recognize one or more officers due to their exemplary and professional work.

Other commendations come from supervisors recognizing officers for a job well done and those are known as Supervisor Comments. These commendations can range from officers conducting school speeches, helping someone change a tire or going above and beyond to investigate someone's case.

A Supervisory Inquiry involves a complaint made regarding the quality of service delivery. These complaints vary in degrees from regarding an employee's demeanor, tardiness, related to customer service, or the nature of a department practice. The employee's immediate supervisor typically handles this type of complaint. At times, the outcome of the inquiry will be forwarded to the Inspectional Services office, but many times it is not. If an employee has multiple service delivery complaints where the conduct has been determined to be unacceptable then the complaint may be handled and documented as an Internal Investigation.

An Internal Investigation involves a complaint of a possible violation of department standards,

written directive, City policy or applicable Civil Service Rules. These allegations include, but are not limited to, complaints of bias based profiling, excessive force, alleged corruption, insubordination, breach of civil rights, false arrest, and other types of allegations of serious misconduct.

Below are the 2023 Investigations and Findings:

No. of Investigations	7
No. of Employees Investigated	6
Findings of Misconduct	7

A Collision Review is conducted whenever an Auburn Police Department employee is involved in a collision while the employee is the driver and on duty, or in a city-owned vehicle while driven by a police department employee. Below are the results of collision investigations:

No. of Collisions	23
Determined Preventable	14

The number of sustained allegations compared to the number of contacts that employees make every year is extremely low.

The Auburn Police Department works diligently to maintain an open environment where our community members can freely tell us when they are pleased or dissatisfied with our performance. When we receive Commendations, Inquiries, Allegations of Misconduct or an officer is involved in a collision we thoroughly investigate the incident to determine the merit and appropriate response.

Although there is always room for improvement, we believe it can be concluded that we have been successful in fulfilling our Mission and Vision statements and have been providing the utmost in quality law enforcement service to our community.

14,820
Case Reports

2,683
Arrests

5,885
Infractions/Citations



PUBLIC INFORMATION OFFICER **KOLBY CROSSLEY**

Kolby received his degree in Communications from Washington State University then moved to Bozeman, Montana where he got his first job as a reporter. From there, he took a position in Colorado Springs to become the new morning reporter for WAKE UP COLORADO. Kolby is originally from Odessa, Washington. As someone with prior media experience he can best assist our media outlets to get the information they need while working on their stories.

Kolby manages all public outreach and media relations for the Department, oversees the content for APD social media accounts and assists in all aspects of community engagement.



APD CHAPLAIN | WELLNESS PROGRAM DESIGNER **ANGEL OGANDO**

Angel has been with the Auburn Police Department (APD) for 9 years. In that time, he has served the department as a Chaplain, and currently is the Wellness Program Designer for APD.

Angel's focus is the professional and analytical development of a wellness program that encompasses all aspects of an APD employee's wellness (Mental, Physical, Spiritual, and Emotional Health).

Angel manages the APD Chaplain Program, the Peer Support Team, the APD Fitness Coaches as well as the Blue Auburn Resilience program. He brings with him a wealth of leadership through compassion, national, regional and local relationships, and an analytical approach to ensuring the programs that he manages are based on best practices and research, while also being able to pivot and be personalized for individual participants.

Some of these innovations include incorporating holistic health trainings throughout APD, conducting new employee and family orientations, providing wellness outings for families to connect and strengthen their relationships with each other as well as the department, and working closely with the local community to build relationships and opportunities for connections.

PATROL DIVISION

The Patrol Division is the Department's largest division. In 2023, Commanders Burger and Skeen led a staff of 8 Patrol Sergeants, 55 Patrol Officers, 5 Motor Officers, 3 K-9 Officers, 2 Mall Officers and 3 School Resource Officers.

The Division is primarily responsible for handling 911 calls for service, traffic enforcement, as well as pro-active crime prevention in the City.





SOUTH SECTOR COMMANDER BRANDON SKEEN

Commander Skeen has been with the Auburn Police Department since 2008. Before joining the department, he was on active duty Army for 4.5 years as a combat medic and completed one deployment to Iraq in 2007. Brandon has been a member of the civil disturbance unit, a field training officer, Auburn Police Guild Executive Board member, master police officer, and member of the Valley Regional SWAT Team. In August 2018, Brandon was promoted to the rank of sergeant, and in 2023 was promoted to Commander. Brandon holds a Bachelor's degree in Criminal Justice from Southern New Hampshire University.



NORTH SECTOR COMMANDER CHRIS BURGER

Commander Burger was hired by the Auburn Police Department on 07/30/2007. Commander Burger has served as a Patrol Officer, Field Training Officer, Defensive Tactics Instructor, Emergency Vehicle Operations Instructor, Taser Instructor, Explorer Advisor, Crime Scene Response Team member, Drone Pilot, and a Major Crimes Detective. Commander Burger was promoted on February 1st, 2020 to the rank of Sergeant. During his time as a Sergeant, Commander Burger was responsible for the Side B Day Shift Patrol crew. Most recently, as a Sergeant, Commander Burger had the pleasure of leading the Community Response Team, Bicycle Patrol Unit, Animal Control Officers, and MIT Officer. On February 1, 2023, he was promoted to the rank of Commander, assigned to the Patrol Division.

PATROL SERGEANTS

Patrol Sergeants supervise a shift of officers and are responsible for developing strategies to address on-going crime and related concerns in their respective districts.



JASON BLAKE **DAY SHIFT A | 8 OFFICERS**

Sergeant Jason Blake has been with the Auburn Police Department since 2003. During Jason's career at Auburn PD he has worked as a Patrol Officer, a Field Training Officer and attained the designation as a Master Police Officer. Jason has also served as a Detective in both the Property Crimes and Major Crimes Divisions and worked in the department's Community Response Team. Jason has served on the department's Crime Scene Response Team and Civil Disturbance Unit. Currently, Jason is a member of the department's Peer Support Team and the Valley Hostage Negotiations Team, where he serves as a Team Leader. Jason was promoted to the rank of Sergeant in December 2021 and is currently assigned to the Patrol Division. Jason holds a Bachelor's Degree in Criminal Justice Administration.



BRIAN ANDERSON **MID SHIFT A | 4 OFFICERS | 1 GENERALIST K-9 OFFICER**

Sergeant Brian Anderson has been with the Auburn Police Department since July of 2007. As a Patrol Officer he was a member of the Crime Scene Response Team, Auburn Police Firearms Staff and the Valley SWAT Team. In 2015 he was assigned as a member of the CRT unit in admin services, after that three year assignment he spent a short time back in the patrol division as a temporary Sgt and then was selected to the Detective Division and assigned to the property Crimes unit. Brian was promoted to Sergeant in May of 2021 and assigned to the Patrol Division.



TYLER CHRISTIAN

DAY SHIFT B | 8 OFFICERS

Tyler Christian was hired by the Auburn Police Department in June, 2002 and currently holds the rank of Sergeant. He is the department's lead firearms instructor and Range Master. Tyler's other assignments have included Admin Services, Civil Disturbance Team, SWAT, Special Investigations Unit, Firearms Instructor and department armorer. He holds numerous instructor certifications from firearms to martial arts and has been able to share his knowledge and expertise in certain aspects of law enforcement on both a regional and national stage. He has completed numerous leadership schools to include Northwestern University Staff and Command College, South Puget Sound Leadership Institute, Leadership in Police Organizations, SWAT Team Leader and he holds a BA in Criminal Justice Administration from Columbia Southern University.



JAMES FRITH

MID SHIFT B | 4 OFFICERS

Sergeant Frith has been with the Auburn Police Department since 1997. Before joining the department, he served in the United States Army. In addition to working patrol, James was a member of the Honor Guard, the Civil Disturbance Unit and the Valley SWAT Team. He also served as a Narcotics Detective with the Special Investigations Unit and as a Field Training Officer. Sergeant Frith was promoted in 2010 and has been assigned to Patrol, Property Crimes, and Major Crimes. James is also a Defensive Tactics Instructor and an Emergency Vehicle Operations Instructor. Sergeant Frith holds a Bachelor's Degree from Central Washington University. He completed the IACP Leadership in Police Organizations course, and is a graduate of the Northwestern University School of Police Staff and Command class #422. Sgt. Frith is ABLE trained (Active Bystander for Law Enforcement).



DAMON HEWIN

SWING SHIFT A | 7 OFFICERS

Damon Hewin is from Detroit, MI and a graduate of the University Of Michigan. He came to the State of Washington after enlisting in the US Army and being assigned to a Stryker Brigade at Fort Lewis, WA. Damon deployed to Iraq twice and was awarded the Bronze Star service for his actions in service to our nation. He left the Army in 2014 and was hired by the Auburn Police Department in July of 2014. He has served as a Patrol Officer, Field Training Officer, Property Crimes Detective, Firearms Instructor, and Patrol Tactics Instructor. Damon was awarded the life-saving medal in 2019 for helping save the life of a 16-year-old student-athlete who was suffering a cardiac arrest due to a breathing condition.



MATT WILKINSON

SWING SHIFT B | 7 OFFICERS

Sergeant Wilkinson started working with the Auburn Police Department in December of 2013. He has primarily served in the patrol division, where he was assigned as a field training officer for four years with additional time helping train new officers as needed. While within the patrol division he was designated as the 'Officer in Charge' in the event a sergeant wasn't present and has received three lifesaving awards. Matt was an executive board member for the Auburn Police Officers Guild for four years, which included two contract negotiations for the bargaining unit. Matt was promoted to the rank of sergeant in February of 2023, and assigned to the patrol division.



TYSON LUCE

GRAVE SHIFT B | 8 OFFICERS, 1 K-9 OFFICER

Sergeant Luce has been with the Auburn Police Department since 2013. As a Patrol Officer he was a member of the Crime Scene Response Team, Crime Scene Photographer, Vice President of the Auburn Police Officer's Association, and Auburn Police Guild Executive Board. In 2017, he was assigned to the Traffic Unit as a Motorcycle Officer. Tyson is a Collision Reconstructionist, Traffic Investigator, Emergency Vehicle Operations Course (EVOC) Instructor, Pursuit Immobilization Technique (PIT) Instructor, and a member of the Auburn Police Sergeant's Association Executive Board. Tyson was promoted to Sergeant in 2021 and assigned to the Patrol Division.



FERNANDO CORDOVA

GRAVE SHIFT B | 8 OFFICERS, 1 K-9 OFFICER

Sergeant Fernando Cordova began his career with the Auburn Police Department on January 9, 2015. His time with the department has been primarily spent in the patrol division where he has been a member of the Peer Support team, and Crime Scene Response team and was also designated as an Officer in Charge. Sergeant Cordova has held multiple specialties as well, including Field Training Officer, Defensive Tactics Instructor, and Hostage Negotiator. Sergeant Cordova was recognized as Officer of the Year for three consecutive years while on patrol and has also received multiple lifesaving awards. Additionally, he was awarded the Citizen Commendation from the City of Kent for diffusing and de-escalating an argument between two men at a sports field occupied by children and families, while he was off duty, where one of the men was armed and pulled out a firearm. He is a proud graduate of the University of Washington.

TRAFFIC UNIT

The primary responsibility of the traffic officers is traffic enforcement and collision investigations, with the goal of improving driving behavior in the City. Auburn PD investigated 2,367 traffic collisions in 2023.



TRAFFIC SERGEANT **JAMES HOPPER**

After graduating from North Thurston High School, Sergeant James Hopper served in the United States Army for five years as an intelligence analyst and Arabic linguist. After military service, he earned a BS degree from Regents College (Albany, NY). He attended graduate school at Loyola College, Baltimore, MD, earning an M.Ed. in School Counseling. He worked in public schools for 10 years and began his police career in 2008. Since that time, James has been a bicycle officer, field training officer, property crimes detective, and master police officer. He has been an active member of the Valley Civil Disturbance Unit, participating in annual trainings and crowd control events, such as Seattle's May Day protests. James was promoted to the rank of Sergeant in June 2016. Since being promoted, he worked as a patrol sergeant, was a detective sergeant, and presently is assigned as the Traffic Sergeant. In March 2023 Sergeant Hopper completed Motors School and now rides a police motorcycle as part of his duties.





2,367 Investigated Traffic Collisions

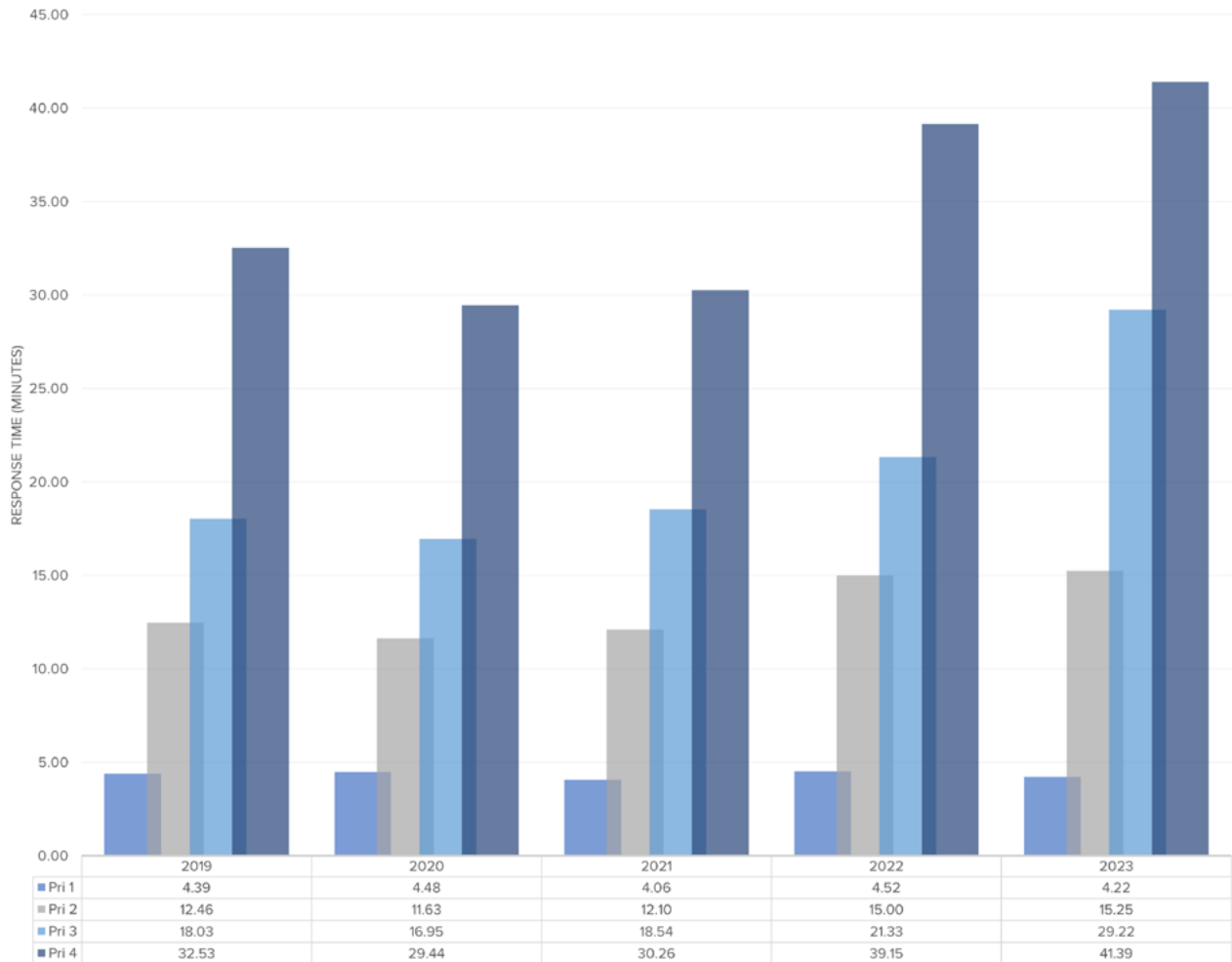
Traffic Unit Officers include Derek Anderson, Patrick Douglas, and Mike Mabis, supervised by Sergeant James Hopper. Derek, Patrick and Mike have all achieved the highest levels of certification as Collision Reconstructionists and are recognized experts in this field.



2,584 Parking Tickets

Parking Control Officers include Suzie Conner and Ron Reardon. Their primary responsibility is to enforce the parking ordinances of Auburn and respond to abandoned vehicle complaints. In 2023, the Auburn Police Department wrote 2,584 parking tickets in the City of Auburn.

RESPONSE TIMES



DEFINITION OF RESPONSE TIMES PRIORITY RATINGS

PRI 1 = Highest priority, confirmed hazard which could result in extensive loss of life or property

PRI 2 = Minimal hazard with considerably less potential for loss of life or property

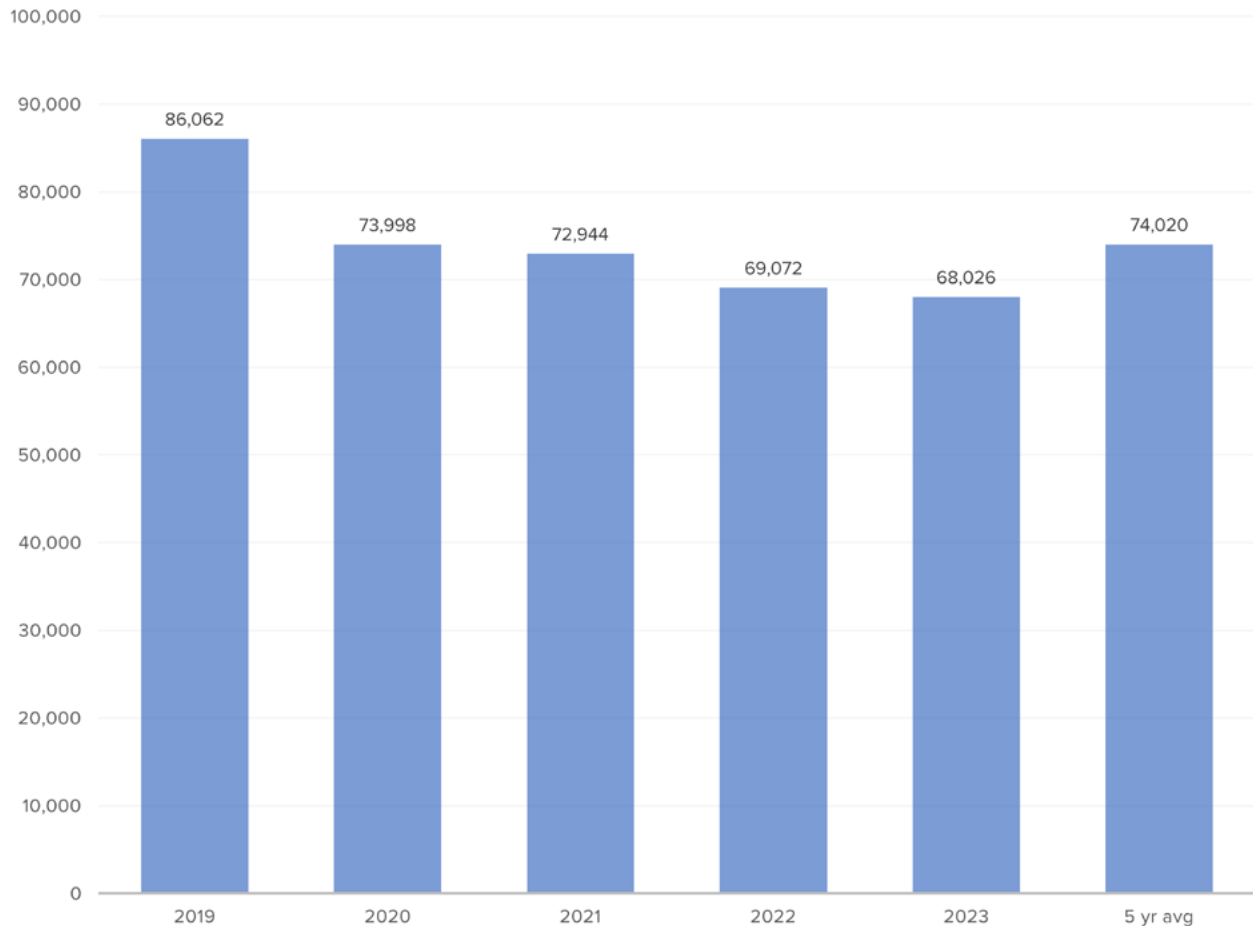
PRI 3 = Low hazard, non-life threatening

PRI 4 = Police reports or cold calls



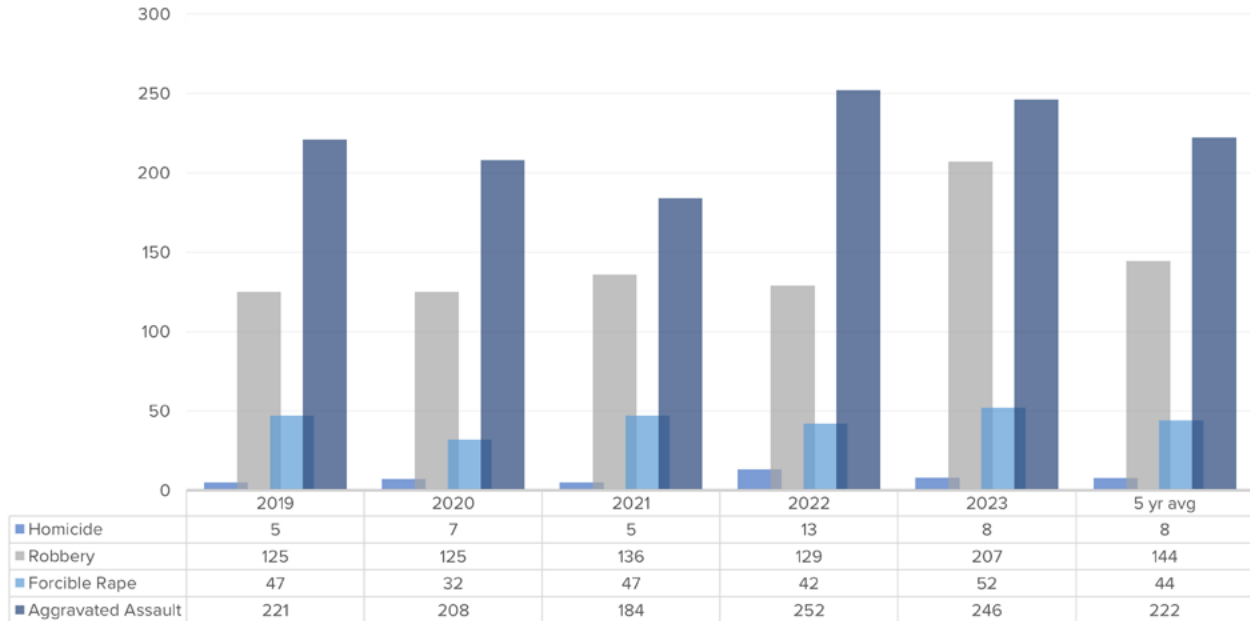
CALLS FOR SERVICE

Computer Aided Dispatch (CAD) calls for service have decreased over the past 5 years. Auburn police received 68,026 calls in 2023. Increasing online reporting, which was updated in 2020, has helped lead to decrease in calls.

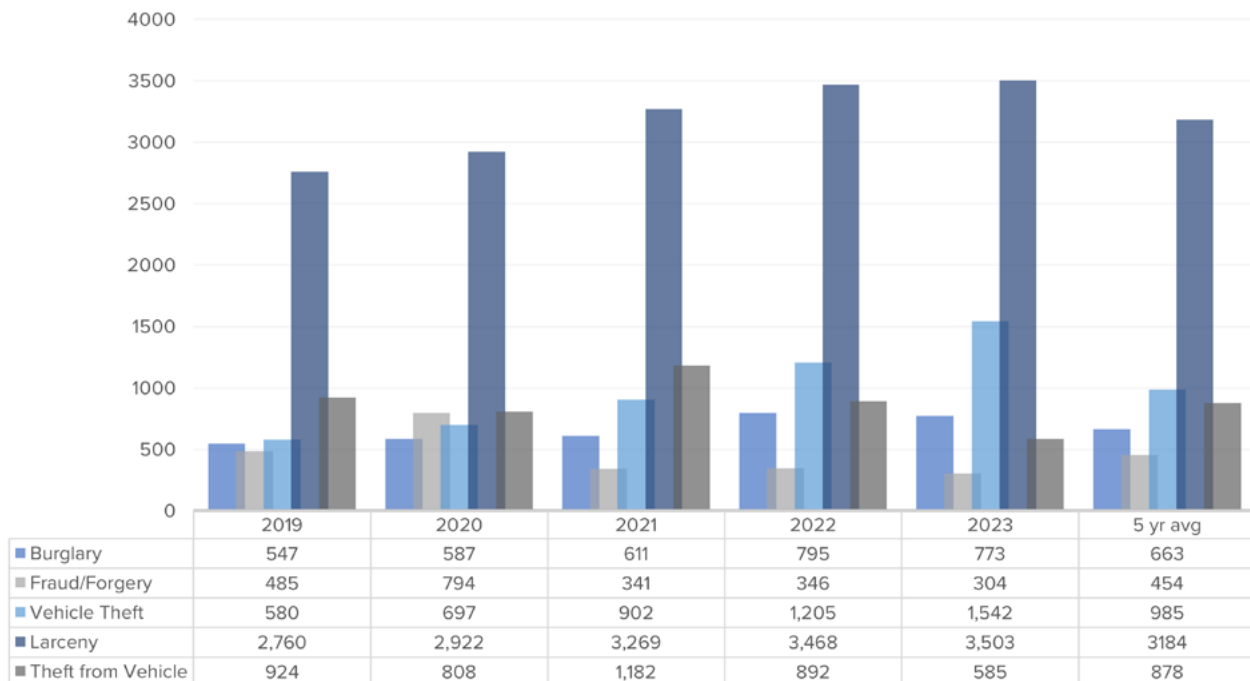


2023 CRIME STATISTICS

PERSON CRIMES



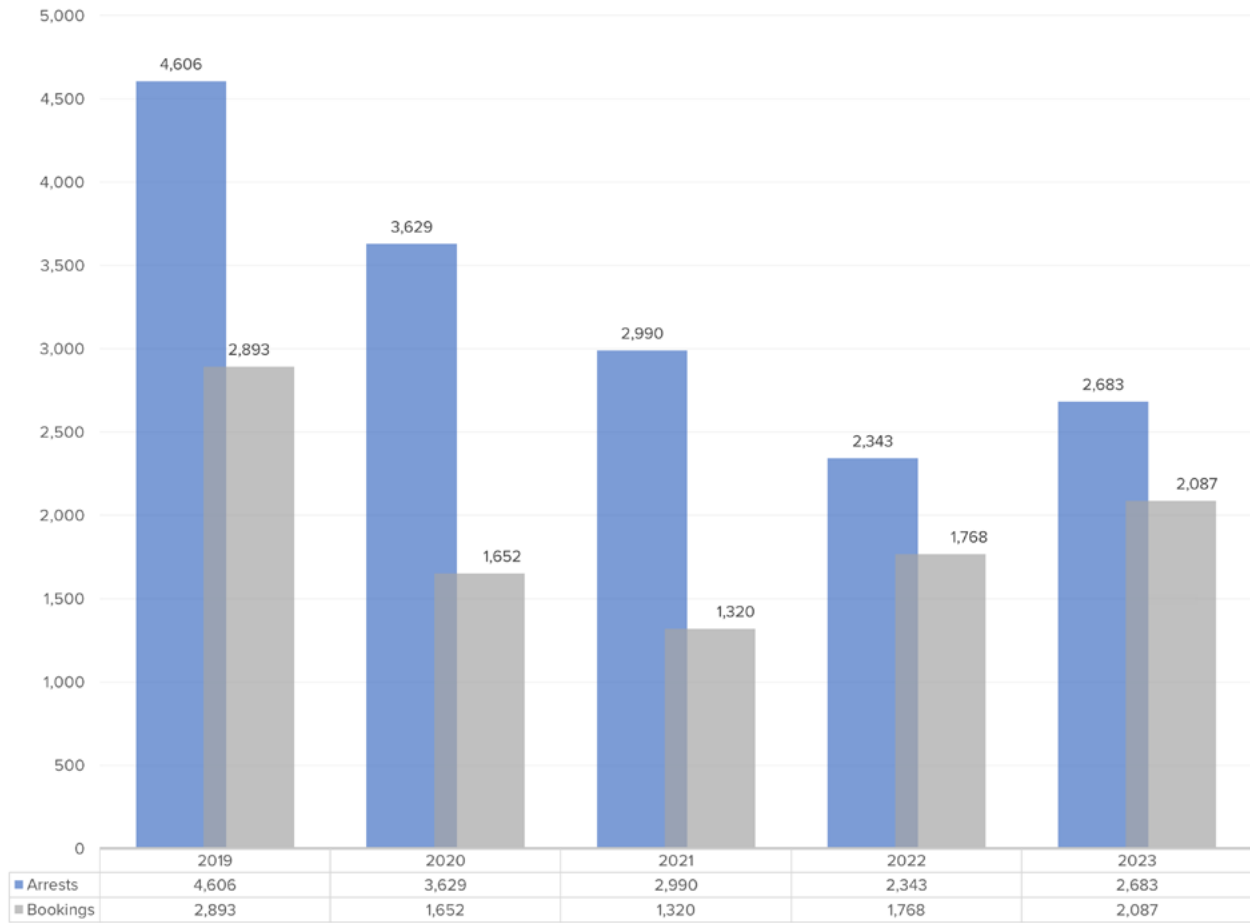
PROPERTY CRIMES



Larceny accounted for the largest number of reported property crimes in 2023.

Larceny is defined as theft, which includes crimes like theft from vehicle, shoplifting, a bicycle being stolen, etc. Vehicle theft continues to be a hot topic for every agency, the prosecutor's office, and the legislature.

TOTAL ARRESTED PERSONS

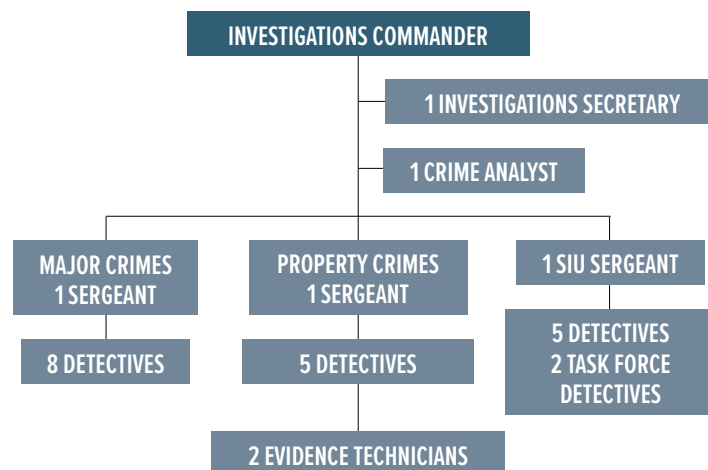


INVESTIGATION DIVISION



INVESTIGATIONS COMMANDER **TODD BYERS**

Commander Byers started his law enforcement career in 1987 when he became a Police Officer for the City of Las Cruces, NM. He transferred to the Auburn Police Department in November 1996. While working in the Patrol Division, Byers became a Field Training Officer in 1998 and trained several Officers for the Department. Byers moved to the Traffic Division as a motorcycle Officer and worked in that capacity until early 2000. In 2000, Sergeant Byers became a TAC Officer at the Washington Criminal Justice Training Commission and remained there until 2003 when he returned to the Auburn Police Department Traffic unit. Byers rotated back to the Patrol Division in January 2014 and was promoted to the rank of Sergeant in 2019. Todd has a Bachelor of Science in Criminal Justice from New Mexico State University.





PROPERTY CRIMES SERGEANT **JOSH MATT**

Sergeant Josh Matt started his career as a patrol officer with the Auburn Police Department in March of 2007. While in patrol he was part of the Crime Scene Response Team, Valley Civil Disturbance Unit, and was a Field Training Officer. In 2013 Sergeant Matt was assigned to the property crimes unit as a detective specializing in burglary and arson investigations. In 2015 he moved to the major crimes unit and became a part of the Valley Investigations Team. In 2017 Josh was assigned to investigate cold-case homicides and long-term missing persons cases. Sergeant Matt was selected to receive training to be a certified fitness instructor and provides support to officers in fitness and nutrition. Sergeant Matt holds a bachelor's degree in Sociology from the University of Washington. Josh has been a life-long Auburn resident and is proud to raise his family in the community.



MAJOR CRIMES SERGEANT **ANDY CLAPP**

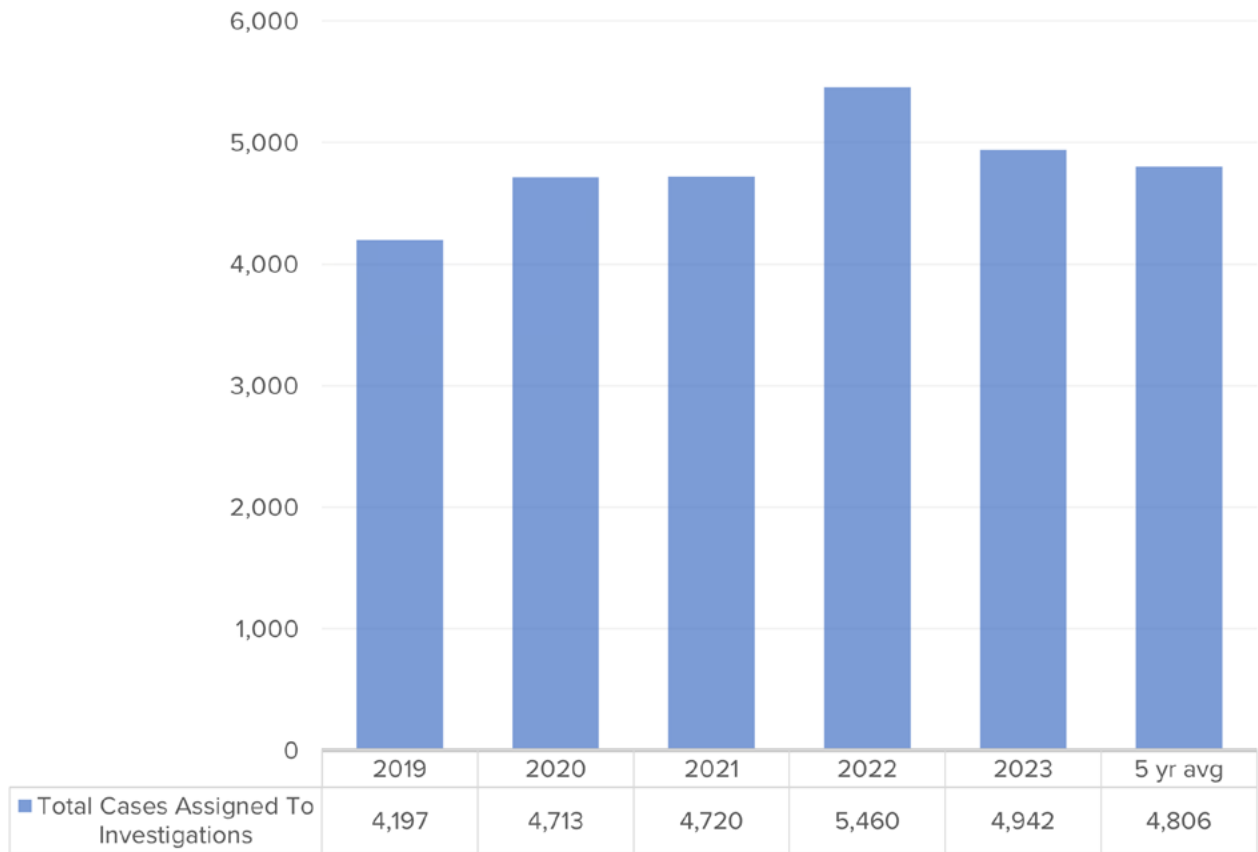
Sergeant Andrew Clapp graduated from Seattle University with a Bachelor of Arts degree in Humanities and a Bachelor of Arts in Criminal Justice. Andrew was hired by the Auburn Police Department in 1996 as a Police Service Specialist. In 2000, Andrew became a commissioned Auburn Police Officer. Andrew became an FTO, joined the Crime Scene Team and became an instructor of the Emergency Vehicle Operations Course (EVOC). Andrew is also part of the Peer Support Team, providing emotional support to all members of the Department. Andrew was the Property Crimes Sergeant from 2018 to 2023.



SIU **DAVID LIND**

Sergeant Lind began his career with the Auburn Police Department on July 14th, 2007. He has served the residents of Auburn as a Patrol Officer, Property Crimes Detective, Major Crimes Detective, Explorer Advisor and Peer Support Officer. Additionally, from January 2013 through October 2020, Sergeant Lind was assigned to the Valley SWAT Team as an Entry Team Member and Explosive Breacher. Sergeant Lind eventually took on the role of Assistant Team Leader for Valley SWAT until his promotion to Sergeant on October 1st, 2020. Outside of work, Sergeant Lind is passionate about fitness and spending time with his wife and two children.

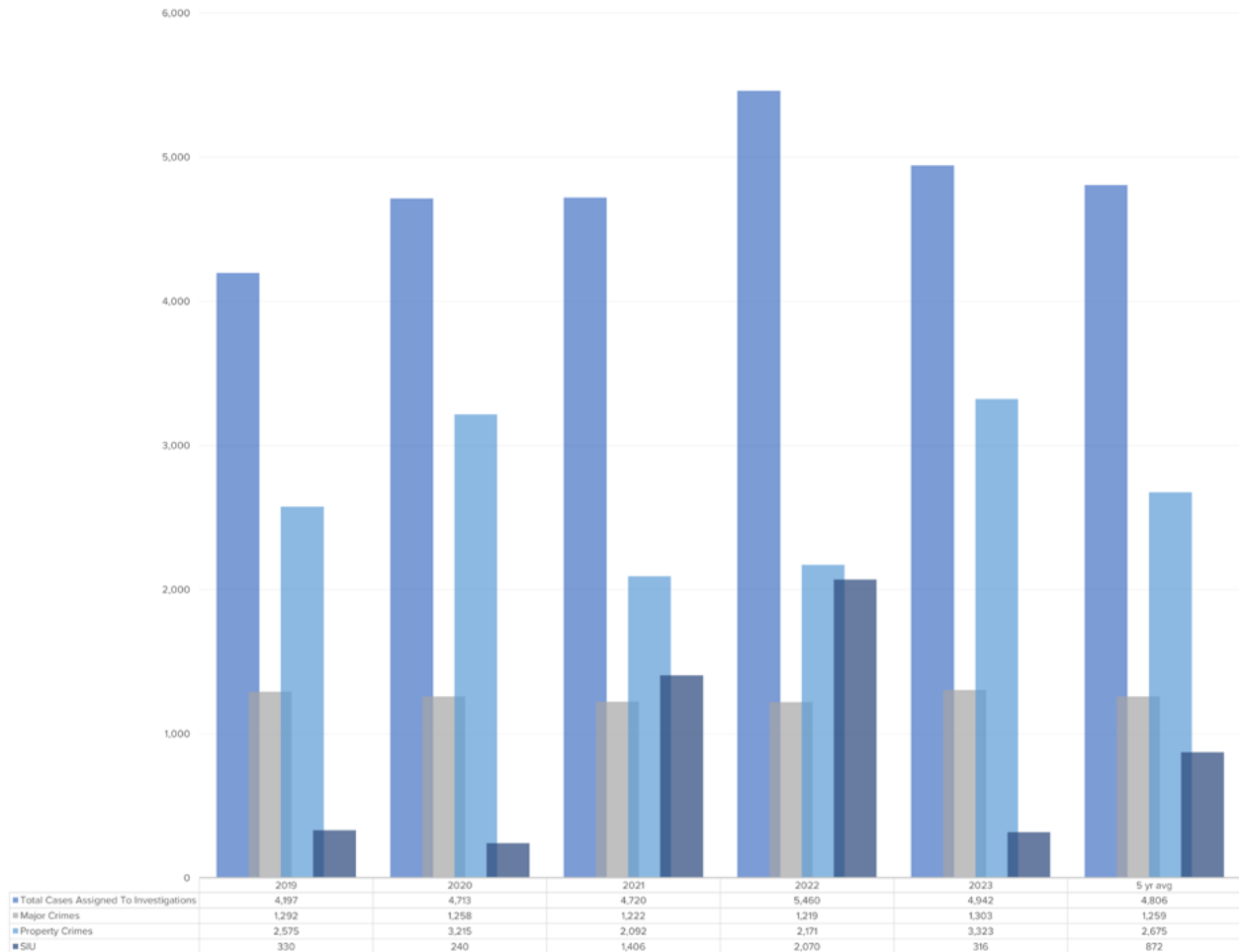
ALL FELONY INVESTIGATIONS CASES ASSIGNED



The Investigations Division remained very busy in 2023. All felony cases are assigned to a detective for review whether or not there is actual suspect information.



MAJOR CRIMES, PROPERTY CRIMES, AND SIU



PROPERTY CRIMES UNIT

The Property Crimes Unit investigates the crimes of auto theft, felony theft, burglary, fraud, and forgery.

SPECIAL INVESTIGATIONS UNIT

The Special Investigations Unit is responsible for investigating drug and vice complaints as well as directed enforcement for specific problems.

EVIDENCE ROOM



The evidence room is staffed by evidence technicians Mary Onorati and Charlene Hoch who are responsible for the proper storage, disposal, and destruction of all the evidence and property taken into custody by the Auburn Police Department. The evidence technicians received 7,182 items in 2023 and destroyed approximately 3,493 items.



EVIDENCE TECHNICIAN
MARY ONORATI



EVIDENCE TECHNICIAN
CHARLENE HOCH

7,182
Items Received
3,493
Items Destroyed

ADMINISTRATIVE DIVISION



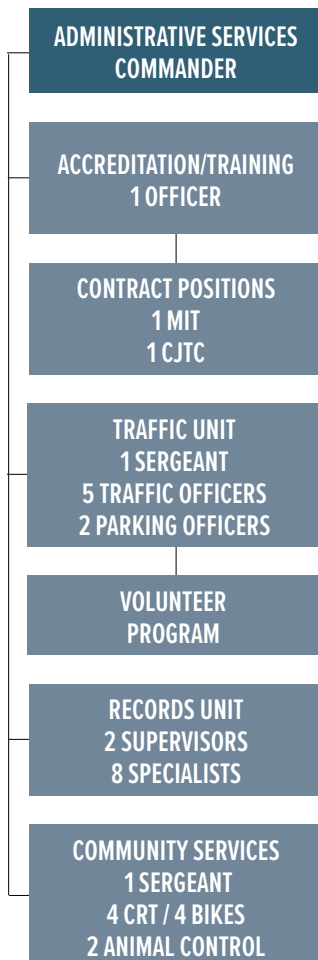
ADMINISTRATIVE SERVICES COMMANDER CRISTIAN ADAMS

Commander Adams began his career with the Auburn Police Department November 21, 2005. He has served as a Detective, Defensive Tactics Instructor and Field Training Officer during those 12 years. He was promoted to Sergeant in July of 2017, becoming the first minority to join the supervision ranks of the history of the police department.

He was promoted to Commander on February 1, 2021 where he is currently assigned to Admin Services. He has been Commander for the Civil Disturbance Unit and Field Training Officer Program. He is currently the Commander for The Valley Hostage Negotiation Team and Defensive Tactics.

Commander Adams is a Co-chair for the Police Advisory Committee and a member of the City of Auburn Diversity, Equity and Inclusion team.

Commander Adams holds a Bachelor of Arts in Law, Society and Justice from the University of Washington where he was a member for the track team specializing in the 400 meters and 1600 meter relay.





COMMUNITY PROGRAMS SERGEANT **CHRIS BOLDMAN**

Sergeant Boldman has been with the Auburn Police Department since 2012. Before joining the department, he received his Bachelor of Arts Degree in Psychology from Seattle Pacific University. Sergeant Boldman has previously served as a Field Training Officer and an executive member of the Auburn Police Officers Guild. He has also served as a detective assigned to property crimes and the Puget Sound Auto Theft Task Force.



TRAINING ACCREDITATION OFFICER **DOUG KOCH**

Officer Koch began his law enforcement career with the Auburn Police Department in 1989 and has over 34 years of law enforcement experience. Officer Koch has served as a Patrol Officer, Field Training Officer, Firearms Instructor and Armorer. He holds a Bachelor's Degree in Criminal Justice from Washington State University. In his current assignment as the Community Services Officer and Accreditations Manager he maintains the accreditations files with WASPC, oversees the police volunteer program, attends career and recruitment fairs, assists with the Citizen's Academy and organizes police department events held outside of the department.

VOLUNTEER PROGRAM

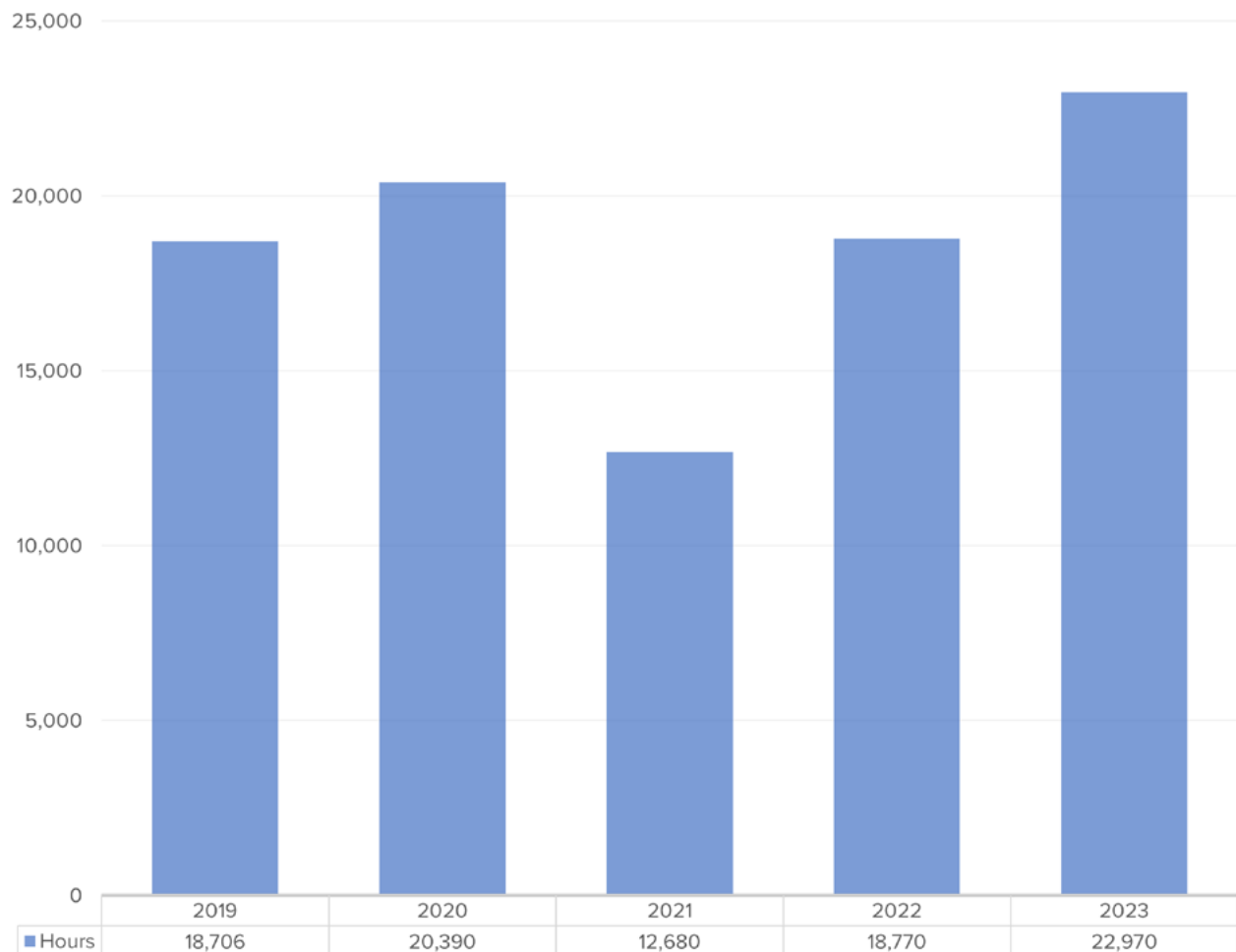
The Auburn Police Volunteer Program remained very vibrant and supportive in 2021. 25 volunteers contributed 586.5 hours throughout the year supporting numerous community program events, as well as many of the above listed Citizens on Patrol missions. The Citizens on Patrol (COP) division of the volunteer program drove 814 miles in 2021.



TRAINING HOURS

Training by the different divisions in 2023 was comprehensive. All commissioned staff are tasked to achieve a minimum of 30 training hours per year. Non-commissioned staff receive a minimum of 20 hours per year. The patrol hours also include training provided to new recruits at the State Basic Law Enforcement Academy and post academy training.

TOTAL TRAINING HOURS





CRT OFFICER
STEPHANIE BENNETT



CRT OFFICER
CHRIS MAST



CRT OFFICER
AARON WILLIAMS

CRT

The Community Response Team is a significant resource within the police department to problem solve issues that arise within the city. Problem solving and reducing crime is addressed through tracking all rental properties throughout the city and taking an active role in enforcing the Multi-housing ordinance. CRT Officers review police activity through reports and crime analysis to identify on-going difficulties and coordinate efforts utilizing all city, county and state resources. CRT Officers make every effort to initiate contacts in the city through community meetings and Blockwatch efforts.

CRT Officers perform a slightly different role from officers in the Patrol Division, as they are able to be more pro-active in their duties. They are, however, in uniforms and assigned patrol vehicles. CRT Officers are visible in the community and take an enforcement role to address problems that are identified and will work with the Patrol Division in a collaborative effort.



RECORDS UNIT



The Records Unit is in the Administrative Services Division and is comprised of a commander, 2 supervisors, and 8 specialists. The Records Unit processed over 15,050 police reports in 2023 and is responsible for records retention along with providing statistical data for the National Incident-Based Reporting System (NIBRS). In addition, they processed 2,844 warrants, 2,170 court mandated orders, and 5,524 records requests. They administered 1,373 concealed pistol licenses, 2,250 firearm transfers, and 7 dealer licenses.



RECORDS SUPERVISOR
STEPHANIE JENKINS



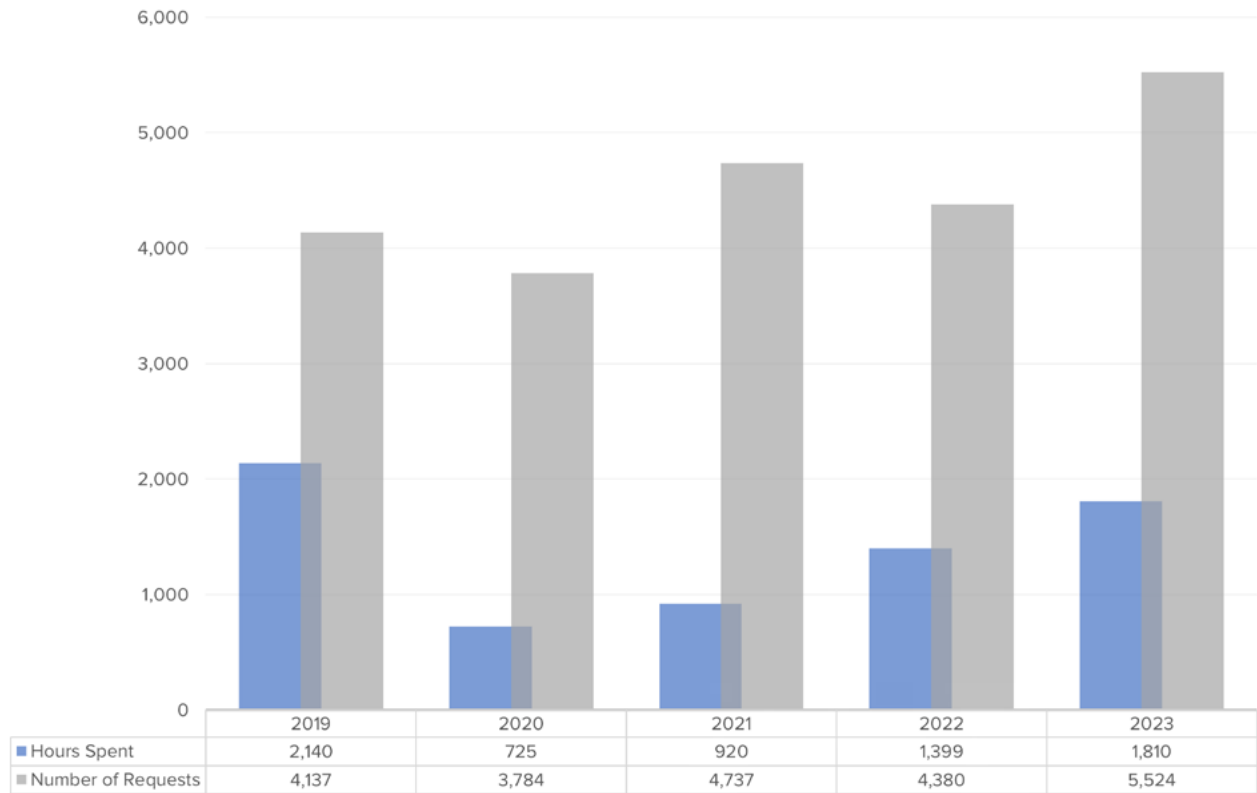
RECORDS SUPERVISOR
TRACEY CARTER

2,844
Processed Warrants

5,524
Records Requests

PUBLIC RECORDS REQUESTS

Gathering information for Public record requests has become a large part of the Records Unit duties.



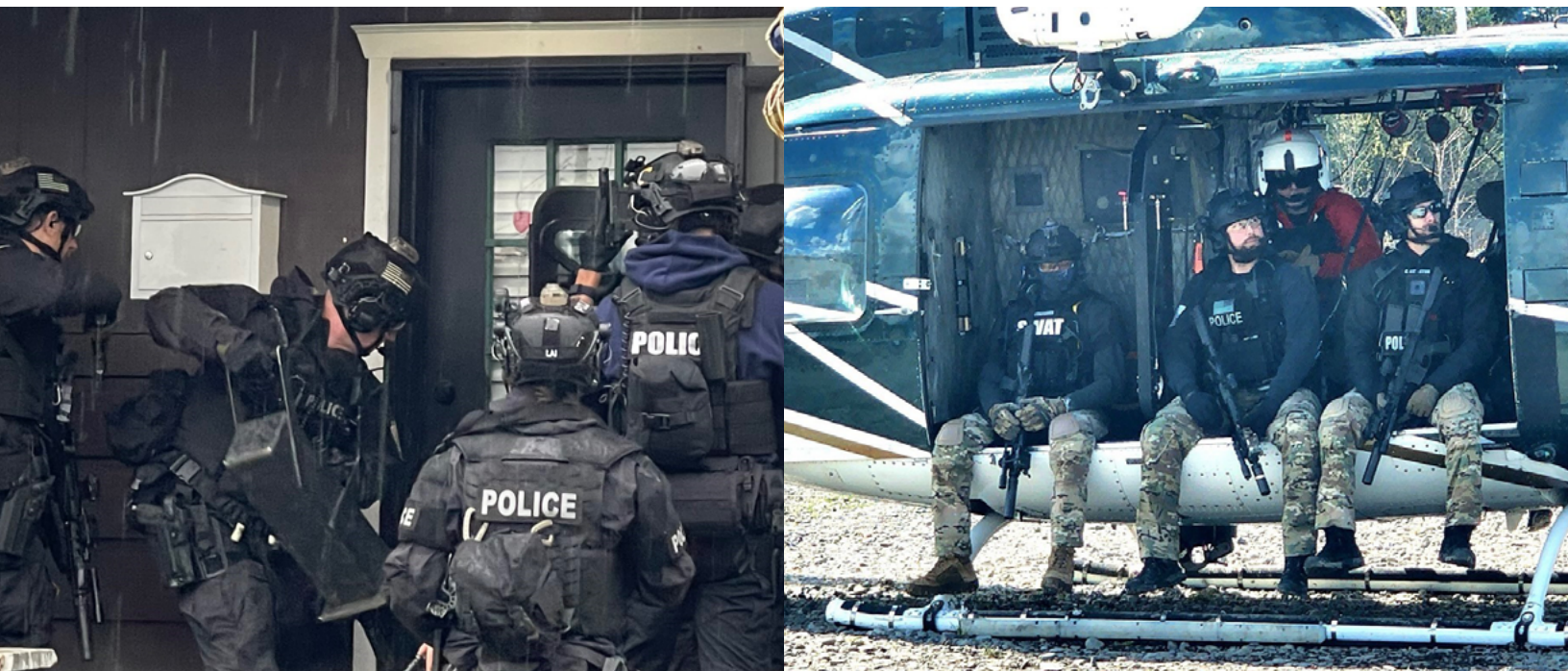
SPECIALTY UNITS

The Auburn Police Department supported the City and greater law enforcement community with a variety of well trained and equipped specialty units. They include, but are not limited to, the following:

- SWAT team
- Crime Scene Response Team
- Bicycle Unit
- Crisis Communications Unit (CCU – Hostage Negotiator)
- Civil Disturbance Unit (CDU – Riot Control)
- Honor Guard
- K-9 Officers
- VIT - Valley Investigations Team (Officer Involved Incident)

SWAT TEAM

The SWAT team trains three times a month and completes a team training week every year. The team was called out to execute 78 actual missions during 2023. Auburn is part of Valley SWAT, comprised of the cities of Auburn, Kent, Renton, Tukwila, Federal Way, Des Moines, and the Port of Seattle.



HONOR GUARD

The Auburn Police Honor Guard performs in numerous community events such as :

- Auburn Days Parade
- Veterans Day Parade
- Officer's Funerals



K-9 UNITS

The Auburn Police Department has three K-9 Units. All are generalists (tracking dogs).



CIVIL DISTURBANCE UNIT (CDU)

The Auburn Police Department is part of the Valley Civil Disturbance Unit (VCDU). Auburn partners with the other valley agencies; Federal Way, Renton, Kent, Tukwila and the Port of Seattle. As a team we provide a well trained and equipped civil disturbance/civil disobedience response for South King County.





ANIMAL CONTROL OFFICER
RAY PECKHAM



ANIMAL CONTROL OFFICER
NICHOLACE SORENSON

ANIMAL CONTROL

Animal services in the City of Auburn are provided by the Auburn Police Department's Animal Control officers. If you are experiencing a life-threatening animal-related emergency, call 911. For non-emergency animal control service, please call 253-931-3062 or the non-emergency police line at 253-288-2121. The Animal Control Officers respond to the following requests:

- Vicious animal complaints
- Animal complaints/bites
- Disruptive animals
- Injured wildlife
- Injured animal rescues
- Dead-on-arrival livestock/cats/dogs
- Police department calls for assistance
- Loose livestock on roadways
- Aggressive or sick animal pickup
- Animal cruelty investigations
- Wildlife in the living area of a home

3,096
Calls

Calls include impounds, self-initiated contacts, citations & infractions, and warnings.



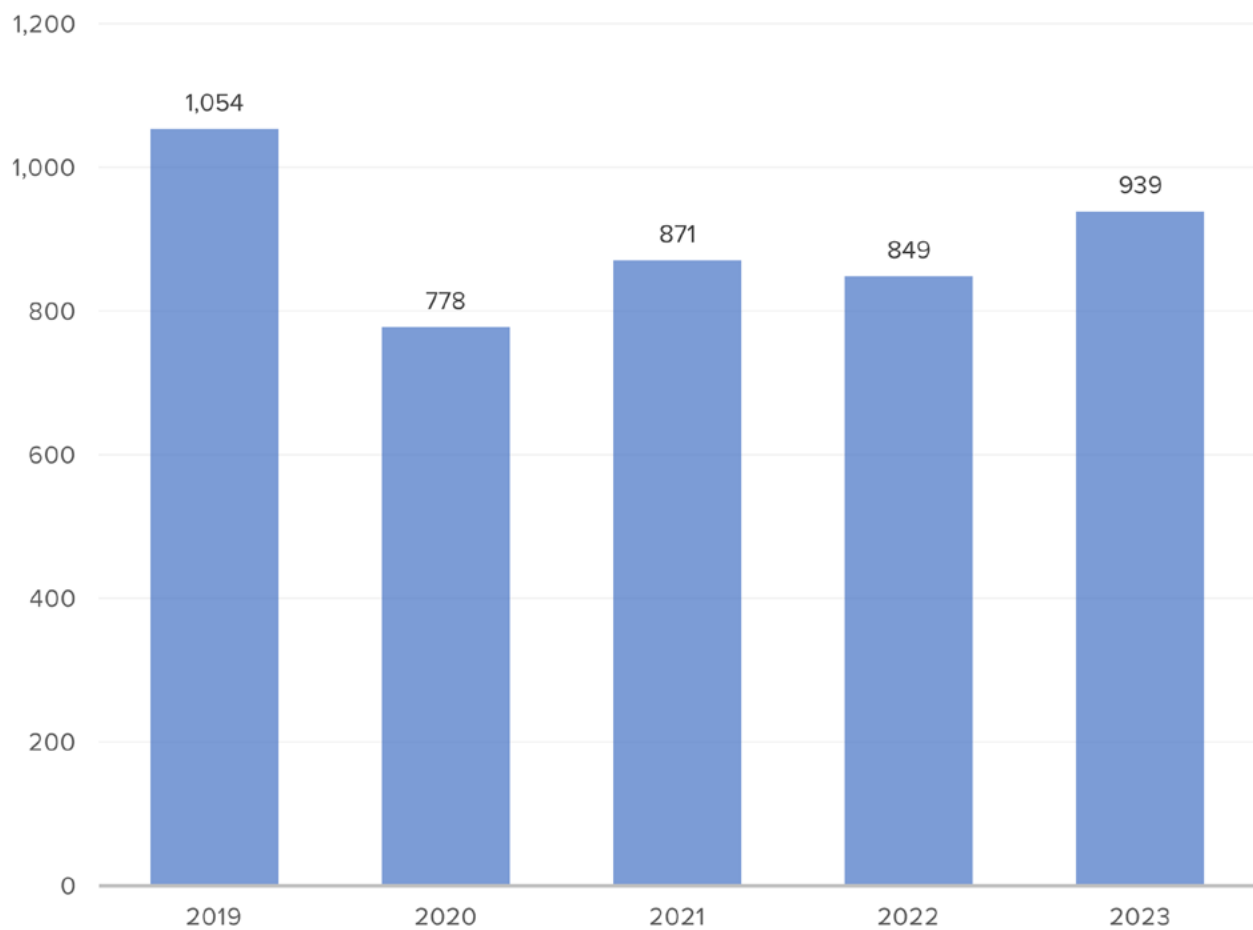
MIT OFFICER
RYAN BUSH

MUCKLESHOOT OFFICER

Ofc Bush was born in Tacoma and grew up in Puyallup. After high school Ofc Bush attended the University of Washington and was a member of the of the Husky Football Team. Ofc Bush is married and has two daughters and a son. Ofc Bush was hired in July of 2014 and following his training was first assigned to the Patrol Division, working swing shift primarily in south Auburn. Following several years in the Patrol Division Ofc Bush became a School Resource Officer working out of Riverside High School. Ofc Bush now works as the Muckleshoot Tribal Liaison Officer and has been in his current role for roughly a year and a half. Ofc Bush is also a member of the Civil Disturbance Unit. In his free time Ofc Bush enjoys spending time with his family, working around the house and watching football.

FALSE ALARMS

Scarce resources combined with an increased demand for services make responding to false alarms an extreme burden for public safety agencies. Non-critical calls for service, such as false alarms, decrease the amount of time officers spend responding to true emergencies and reduce the number of staff available for crime prevention. Without effectively managing false alarms, the number of false alarms continues to increase every year. With the comprehensive false alarm ordinance in place by the City of Auburn, our officers are freed to spend more time proactively patrolling their districts.





THE AUBURN POLICE DEPARTMENT IS A STATE ACCREDITED AGENCY

The Auburn Police Department is actively looking for volunteers.
If you are interested in being a part of our volunteer program
please visit our website at www.auburnwa.gov/police

AUBURN POLICE DEPARTMENT

340 East Main Street, Suite 201
Auburn, Washington 98002

LOBBY

Services 24 hours a day

BUSINESS OFFICE

Monday-Friday | 9am-5pm
Saturday | 9am-12pm
Sunday & Holidays | Closed

KING COUNTY DISTRICT COURT

South Division
340 E Main Street, Suite 101
Auburn, Washington 98002
206-477-0480



AUBURN POLICE DEPARTMENT 2023 ANNUAL CIA REVIEW



**THE AUBURN POLICE
DEPARTMENT IS A
STATE ACCREDITED AGENCY**



Report prepared by Commander Shaun Feero

This annual analysis of the CIA (Commendations, Inquiries, and Allegations) investigations provides the administration of the agency and the public we serve a review of agency personnel conduct from an analytical perspective and possibly through the eyes of our community. As outlined in the Auburn Police Department Manual of Standards, the CIA system provides a standardized means of reporting, investigating, and documenting Commendations, Inquiries, Internal Investigations and Collision Reviews.

Our **Vision Statement** calls for us to be a premier agency that is trusted, supported, and respected. Our **Mission Statement** requires that our department will “provide professional Law Enforcement services to our community.” To meet these demands, we must be a disciplined and a well-regulated organization. One method by which to determine our success is to evaluate our CIA process. This report illustrates how well the Auburn Police Department is perceived to be following our Vision and Mission statements, as well as our Manual of Standards.

Summary of 2023

In 2023, Auburn Police Officers responded to 68,026 CAD incidents (69,072 in 2022) and completed 14,820 case reports (15,412 in 2022). Officers made 2,683 arrests (2,343 in 2022) with 2,087 of those arrestees being booked into SCORE (1,768 in 2022), and issued 5,885 infractions/citations (4,972 in 2022). All of this activity accounts for only a portion of the personal contacts with our community members that are made by our police officers throughout the year.

Commendations

A **Commendation** is used to recognize actions or performance by members of the police department who act or perform in a manner that is outstanding or beyond what is normally expected. The Commendation process recognizes employees for Professionalism, Exemplary Job, Exemplary Actions, Life Saving and Heroism.

The majority of our commendations come from citizens who took the time to recognize one or more officers due to their exemplary and professional work. Other commendations come from supervisors recognizing officers for a job well done, known as Supervisor Comments. These commendations range from officers conducting school speeches, helping someone change a tire or going above and beyond to investigate someone's case.

Letter of Commendation

A **Letter of Commendation** is used when department personnel perform a commendable act that rises above the level of a commendation but does not meet the criteria for an award. Examples include an officer going above and beyond to exemplify our Core Values of Courage, Honor, Integrity, and Professionalism. These letters range from officers volunteering to work an alternative assignment to assist with

staffing, to effectively communicating with a suicidal subject in crisis that leads to a safe resolution.

Awards

The **Medal of Valor** will be awarded to department personnel for acts that meet all of the following conditions.

1. When the act conspicuously displays extreme courage, beyond the normal demands for police service.
2. When failure to take such action would not justify official censure.
3. When substantial risk to their physical safety actually existed and the individual was unquestionably conscious of this imminent threat.
4. When the objective was logically believed to be of sufficient importance to justify the risk taken.

The **Medal of Distinction** will be awarded to department personnel for acts which meet all of the following criteria.

1. When personnel manifest courage in the performance of duty under circumstances less than those required for the Medal of Valor.
2. When a risk to the individual's physical safety actually existed, or when there was reason to believe that such a risk was present.
3. When the act indicated that the individual was conscious of the imminent danger to their personal safety, or when a reasonable and prudent person would normally assume such a danger was present.
4. When the objective was reasonably believed to be of sufficient importance to justify the risk taken.
5. When the individual accomplished the objective, or was prevented from doing so by circumstances beyond his/her control.

The **Lifesaving Medal** shall be awarded to department personnel for acts that meet all of the following criteria.

1. When the acts were personally performed by the officer.
2. When affirmed by competent medical authority, an individual saved a human life or prolonged life beyond the day of extraordinary circumstances.

The **Merit Medal** shall be awarded to department personnel for acts that meet all of the following criteria.

1. When individuals who distinguish themselves by excellence in events which involve tactical action.
2. When the event involves some risk to the individual.

The **Honorable Tactical De-escalation Medal** shall be awarded to department personnel for acts that meet all of the following criteria.

1. When the acts were personally performed by the department member.
2. When the department member utilized exceptional tactical skills or verbal approaches and techniques to de-escalate any deadly force situation resulting in the saving or sustaining of a human life.
3. When the deadly force and de-escalation factors can be independently verified.

<i>Year</i>	<i>Total Commendations</i>	<i>Letter of Commendation</i>	<i>Medal of Distinction</i>	<i>Life Saving</i>	<i>Medal of Valor</i>	<i>Medal of Merit</i>	<i>Tactical Medal</i>
2020	167	16	3	10	0	0	0
2021	124	2	0	7	2	2	1
2022	44	6	0	3	0	0	1
2023	67	8	0	2	0	0	2

Employee Investigations

There are three ways a complaint can be categorized and investigated: Supervisor Inquiry, Supervisory Investigation and Internal Investigation.

A Supervisor Inquiry involves a complaint that is informal and typically does not arise to discipline. Generally, the involved individual's immediate supervisor will inquire into these complaints as directed and will have 10 calendar days to complete the inquiry. The two categories of disposition involving a supervisor inquiry are acceptable or unacceptable performance. If the inquiry determines there was unacceptable performance, the supervisor will meet with the employee and provide coaching & counseling.

A Supervisory Investigation involves a complaint made regarding the quality of service delivery. These complaints vary in degree from complaints regarding an employee's demeanor, tardiness, complaints related to customer service, or the nature of a department practice. This may also be a complaint of a minor policy violation. The employee's immediate supervisor typically handles this type of complaint, but a commander might also take charge of it.

An Internal Investigation involves a complaint of a possible violation of department standards, written directives, City policies or applicable Civil Service Rules. These allegations include, but are not limited to, complaints of bias based policing, excessive force, alleged corruption, insubordination, breach of civil rights, false arrest, and other types of allegations of serious misconduct. In the event that an allegation of criminal misconduct is reported and appears to have merit, a simultaneous **criminal investigation** will be initiated.

Internal Investigations

Year	CAD Incidents	Internal Investigations	Inv. With Misconduct	Total Employees	Emp. With Misconduct
2020	73,998	9 (.01%)	6	9	6
2021	72,944	6 (.008%)	5	7	5
2022	69,072	6 (.009%)	4	4	3
2023	68,026	4 (.005%)	2	5	2

Internal Investigations generated by internal and external sources

	External Sources	Internal Sources	Total Combined
Total Investigations	1	3	4
Sustained Misconduct	0	2	2

In examining the above tables, Internal Investigations generated internally usually resulted in a finding of actual misconduct. The above table shows that both of the Investigations received from internal sources resulted in a finding of misconduct. During these types of investigations, statements, photographs, videos, police reports, and any other potential documentation are examined. The investigation is then forwarded to a supervisory review board to determine findings.

Supervisory Investigations

These numbers continue to be very low compared to the amount of contacts with the public. This would appear to indicate that our officers conduct themselves most of the time in a professional manner due to the fact that inquiries are complaints regarding an officer's demeanor, tardiness, and customer service. (These were labeled as Supervisory Inquiries prior to 2021)

Year	CAD Incidents	Supervisory Inv/ Inquiries	Inquiries with Unacceptable Performance	Involved Employees	Employees with Unacceptable Performance
2020	72,998	21 (.03%)	12	21	11
2021	72,994	10 (.01%)	2	14	2
2022	69,072	9 (.01%)	4	11	5
2023	68,026	4 (.005%)	2	13	2

Allegations

The following table depicts the total combined allegations by category for all Supervisor Investigations and Internal Investigations for 2023. It should be noted that Supervisory Investigations can result in findings of Acceptable Performance or Unacceptable Performance, and Internal Investigations can result in findings of Misconduct or No Misconduct, among others.

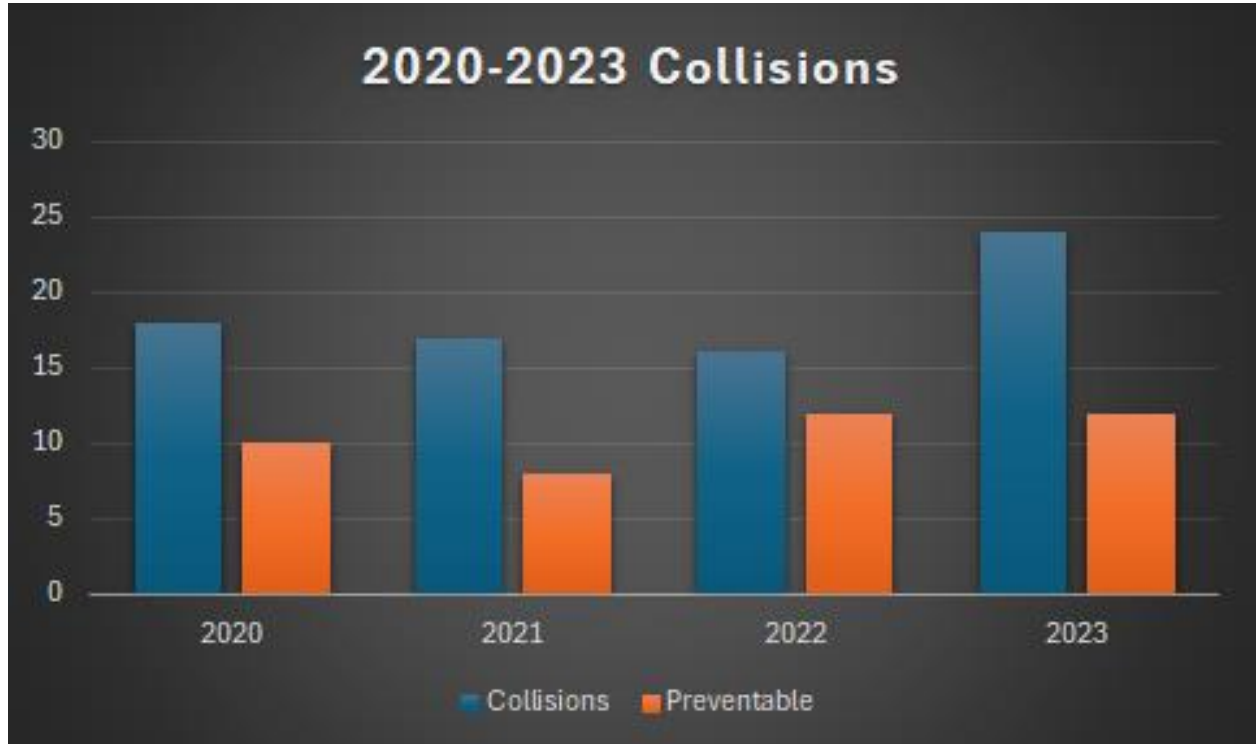
Allegation	Total	No Misconduct/ Acceptable Performance	Misconduct/ Unacceptable performance	No Conclusion/ Pending
Violation of General Policy	9	4	5	1
Discourtesy	1	0	1	1
Code of Conduct	1	1	0	0
False Arrest	0	0	0	0
Excessive Force	0	0	0	0
ACCESS Violation	1	0	0	1
Conduct Unbecoming	1	0	1	0
Core Values	1	0	1	0
Fail to Meet Job Expectations	1	0	1	0
Foot Pursuit Policy	0	0	0	0
Vehicle Pursuit Policy	0	0	0	0
Totals	15	5	9	3

Collisions

In 2023, there were 24 collisions involving APD employees. Twelve of the 24 collisions were determined to be preventable on the part of the officer. The median years of service of the officers involved in collisions is 5.5 and the median age of the officer was 35.5. Eight of the collisions that occurred were officers who have 5 years or less of service with Auburn PD. The preventable collisions were attributed to officers with a median of 9.5 years of service. In examining the number of collisions, it is important to note that the department determines a collision to be any time an employee in control of a department vehicle has any contact with another vehicle, object, or person. Damage caused by a specific maneuver (PIT, intentional strike, etc.) is not considered a collision under our department policy. The majority of these collisions did not meet the state definition of a reportable collision.

In reviewing the 12 collisions which were determined by a Collision Review Board to be preventable, “driver inattention” was apparent in most cases, by either watching for suspects or looking at vehicle equipment inside the car. If the drivers had been more attentive, they would not have collided with another vehicle, curb, tree, etc. All 2023 collisions (preventable and non-preventable) are categorized as follows:

- 13 - Driver Inattention
- 3 - Improper Backing
- 1 - Other
- 7 - Other driver at fault

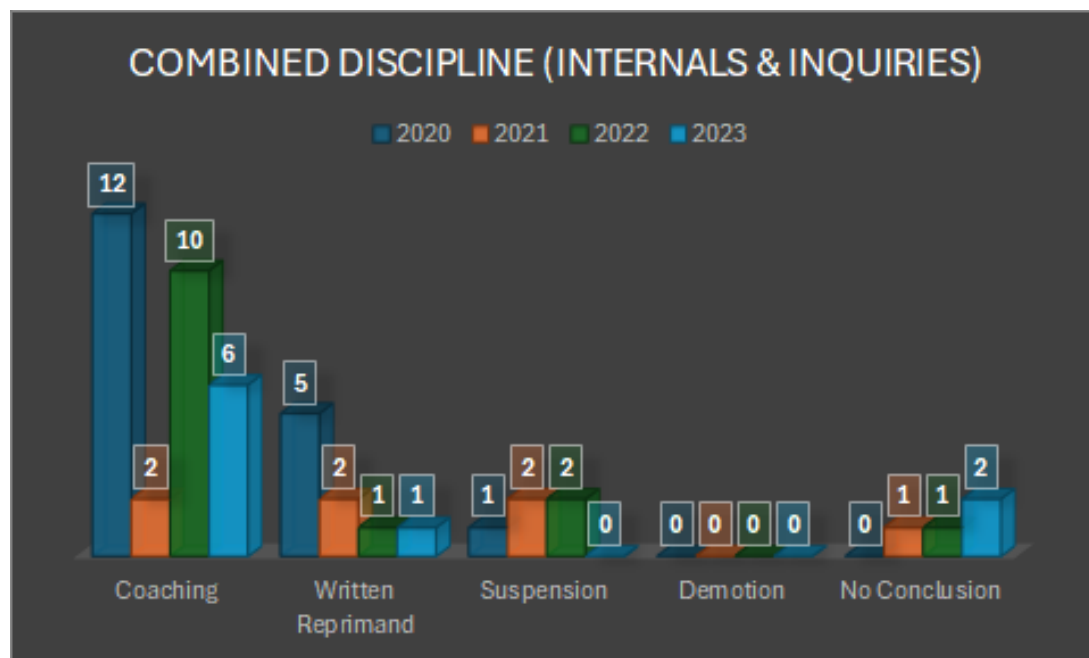


The below chart depicts the corrective action dispensed to the employees in preventable collisions. Some officers also received additional training where it was appropriate.



Actions Taken Internal Investigations

The following chart depicts action taken for misconduct, whether from an Internal Investigation or Supervisory Investigation, for each employee involved.



Outside Agency Investigations

To ensure that our investigations are unbiased, there are times when an outside agency may be asked to investigate serious allegations of misconduct made against agency staff, especially those that may be of a criminal nature. This provides Auburn citizens with confidence and allows for unbiased transparency into actions, activities, and decisions made by the Auburn Police Department. In 2023 there were no allegations of criminal misconduct.

Grievances

One of the Supervisor Investigations that concluded during 2023 was grieved to a level 2, which is reviewed by the Chief of Police. This Supervisor Investigation involved a finding of Actual Misconduct. The discipline was lowered from a Written Reprimand to Coaching and Counseling by the Chief of Police at the level 2 grievance.

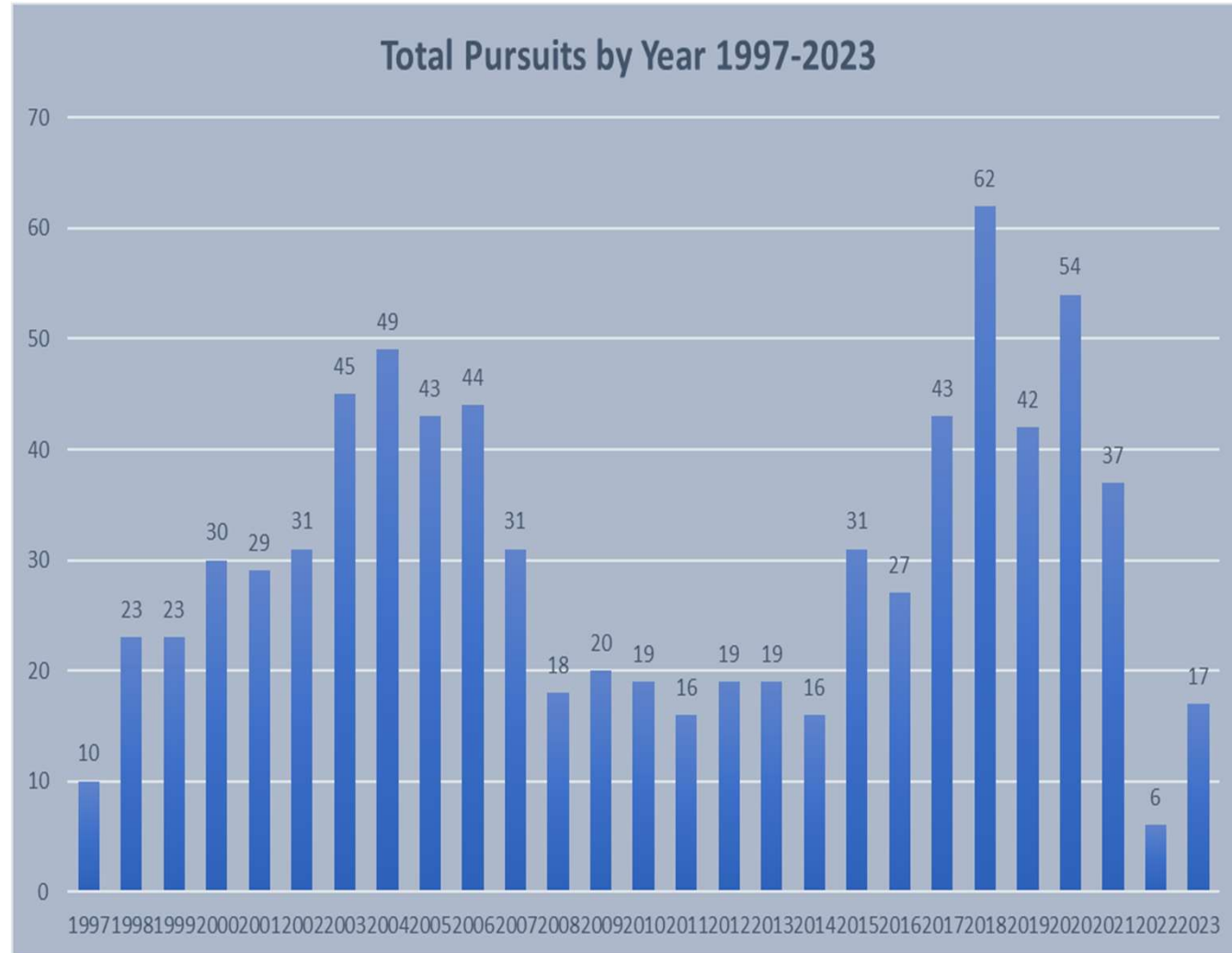
Conclusion

A review of the frequency of incidents for 2023 regarding alleged misconduct by employees of the Auburn Police Department does not appear to raise any specific concerns. The number of allegations and found misconduct when compared to the actual number of contacts Auburn Police Officers encounter each year is extremely low. This illustrates and confirms that we take all complaints seriously and train our employees regularly, and when necessary use corrective action depending on the severity of the allegation.

Auburn Police Department 2023 Pursuit Analysis

Commander Todd Byers

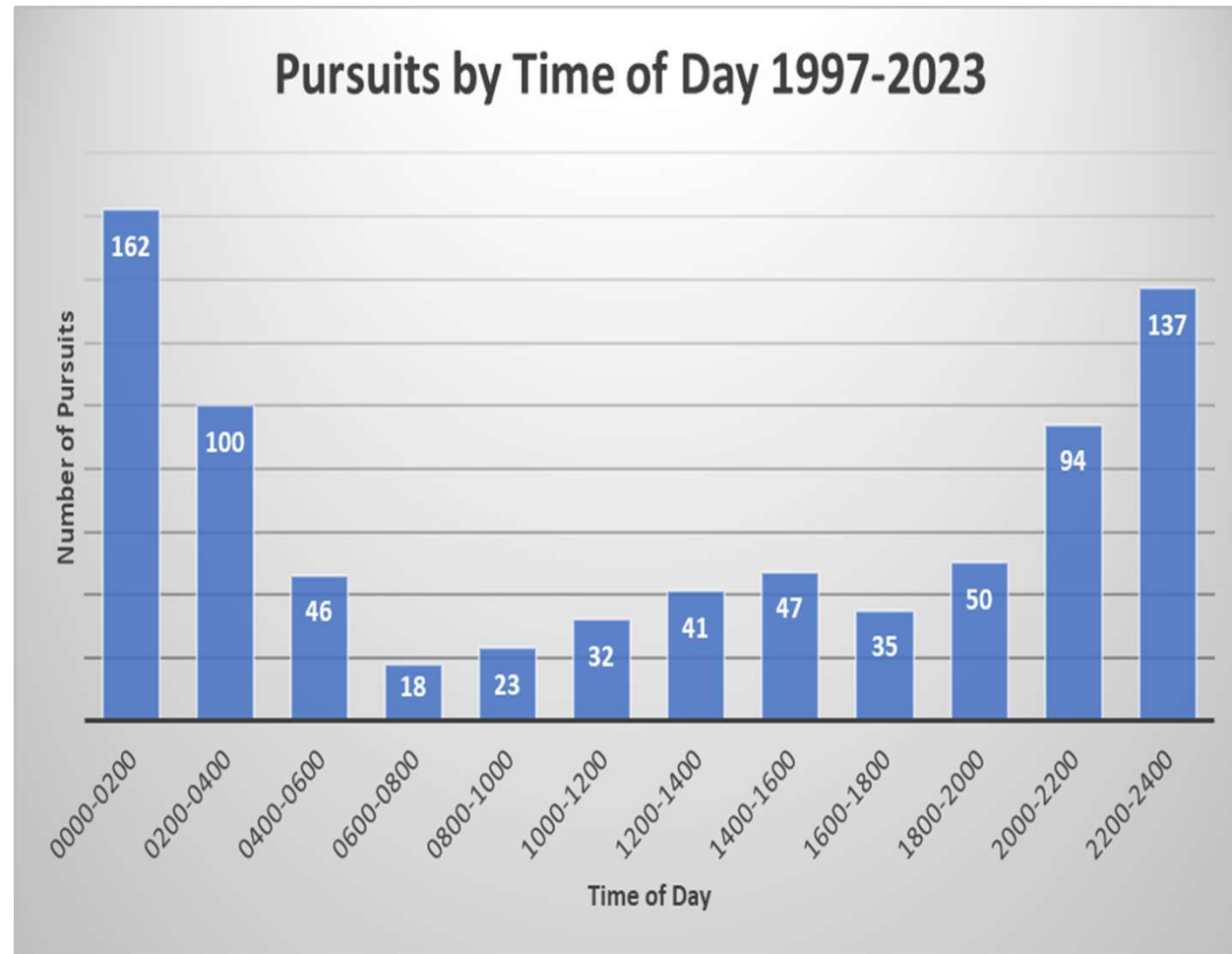
There was a significant statistical increase in the number of pursuits in 2023 as they increased by 283%. However, there were only six pursuits in 2022



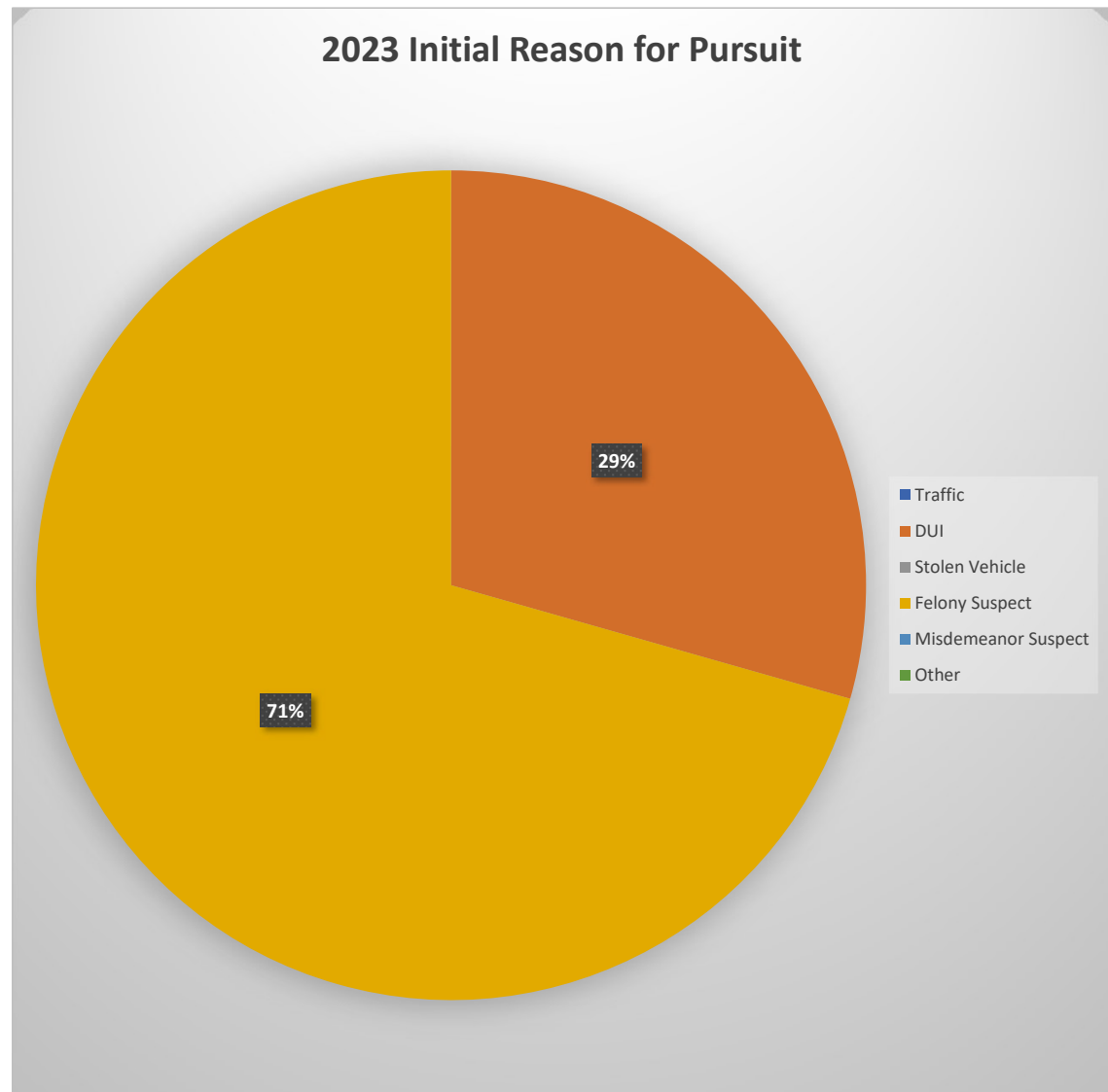
The months of February and October had the most pursuits in the City of Auburn, with three each month.



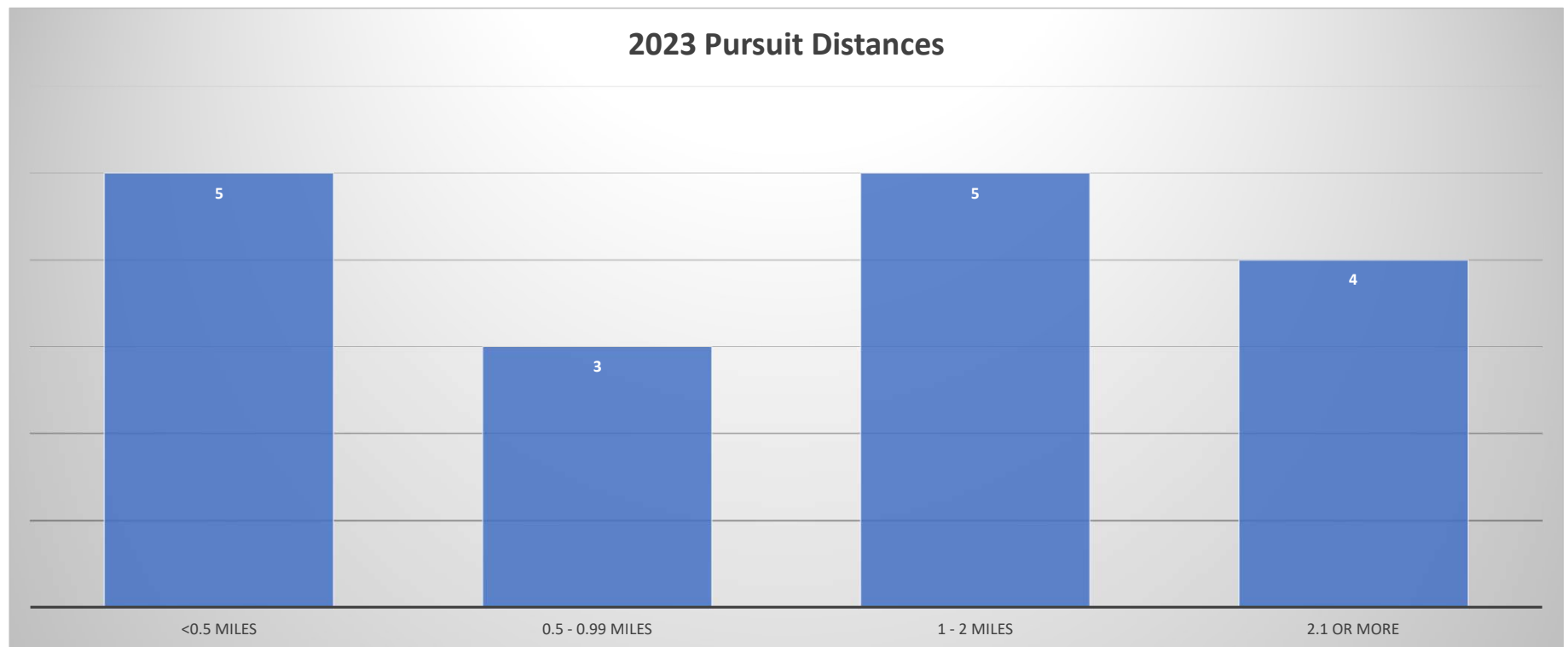
Pursuits in Auburn primarily occur between 2000 hours and 0400 hours. The time period between the hours of 2200 and 0200 has the highest frequency of pursuits.



In 2023, the legislature relaxed the requirement to pursue from probable cause to reasonable suspicion for violent offenses, sexual offenses, and drivers that the officer had a reasonable belief were DUI, by either alcohol or drugs, along with adding all DV related assaults.



In 2023 the total number of miles Auburn Officers pursued suspects was 33.6 miles, versus 11.6 miles in 2022. This was an average of 1.93 miles for the seventeen pursuits, whereas in 2022 the 6 reported pursuits averaged 0.66 miles per pursuit.



Initiative 2113

- Initiative 2113 will become law on June 6, 2024. This will restore autonomy to law enforcement agencies within the state. This initiative will remove restrictions previously implemented by the legislature regarding Police pursuits. It will allow the Department to implement a pursuit policy that is determined by the Chief of Police and can be modified as needed based upon local crime trends, performance by the officers, and the standards and expectations of the community.



Pursuit Analysis 2023

This document is to report 2023 pursuit information, conduct a comparative analysis against recent years on a variety of pursuit aspects, offer suggestions on how to improve decision-making during pursuit driving by Auburn Officers, and to identify areas where EVOC training can be enhanced.

Commander Todd Byers

AUBURN POLICE DEPARTMENT

2023 PURSUIT ANALYSIS

The information in this analysis was obtained from Spillman Incident Reports, CAD dispatch, Supervisors' Reports of Pursuits which includes the Supervisors Critique of the pursuit.

The current procedure for collecting data on pursuits is outlined below and in the Auburn Police Department Policy Manual, Chapter 307.

Vehicle Pursuit Reporting

1. Immediately following pursuits, patrol supervisors are responsible for completing a *Supervisory Report of Pursuit* through Blue Team. This report has been changed to include the Supervisors critique of the pursuit. This report is forwarded through the chain of command to the Chief of Police. The Division Commander has the option of providing additional critiques for any pursuit, for training purposes. All pursuits are documented in this manner and reviewed for this analysis. The report is then forwarded to Inspectional Services.
2. Following the pursuit, at the next opportunity, the patrol supervisor completes the *Blue Team Report of Pursuit*. Oftentimes, this occurs immediately following the pursuit. The first line supervisor will interview the involved officer(s) and review all available in-car and body worn camera video, prior to completing this report. The purpose of this report and critique is to identify those aspects of the pursuit that went well and those that could be improved upon. It is also designed to determine whether the pursuit met the policy manual guidelines and legislative mandates or whether it deviated from those guidelines. If the pursuit deviated from policy, a determination should be made as to whether this deviation was acceptable. If it was acceptable, the EVOC coordinator can then determine whether a policy modification is in order.
3. Once the Office of Inspectional Services logs the report, it is then available to the EVOC coordinator for the purposes of data collection, annual analysis, evaluating and/or recommending changes to the pursuit policy, as well as identifying potential training opportunities.

2023 Pursuit and Comparative Analysis

On the pages following is a collection of key charts and tables that cover vehicle pursuits by type, time of day, tactical intervention and more. In addition, key observations for each category are provided.

Chart 1. Total Pursuits by Year

Observations: There was a 283% increase in the number of pursuits from 2023. This was due to lawmakers lowering the threshold for police to pursue from probable cause to reasonable suspicion. This was only for offenses that included violent crimes, sex offenses, escape, domestic violence (all degrees), and DUI.

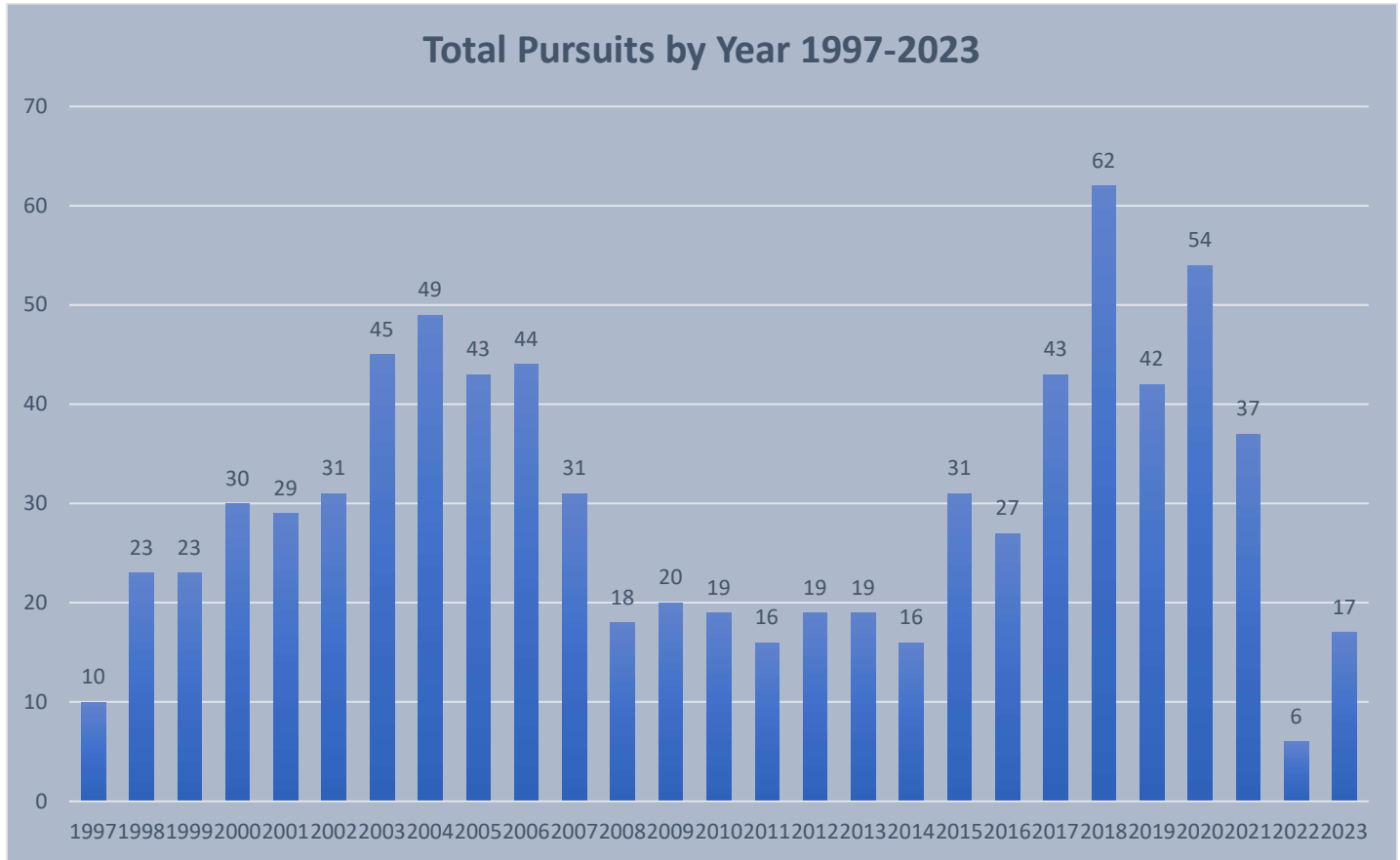


Chart 2. Total Pursuits by Month

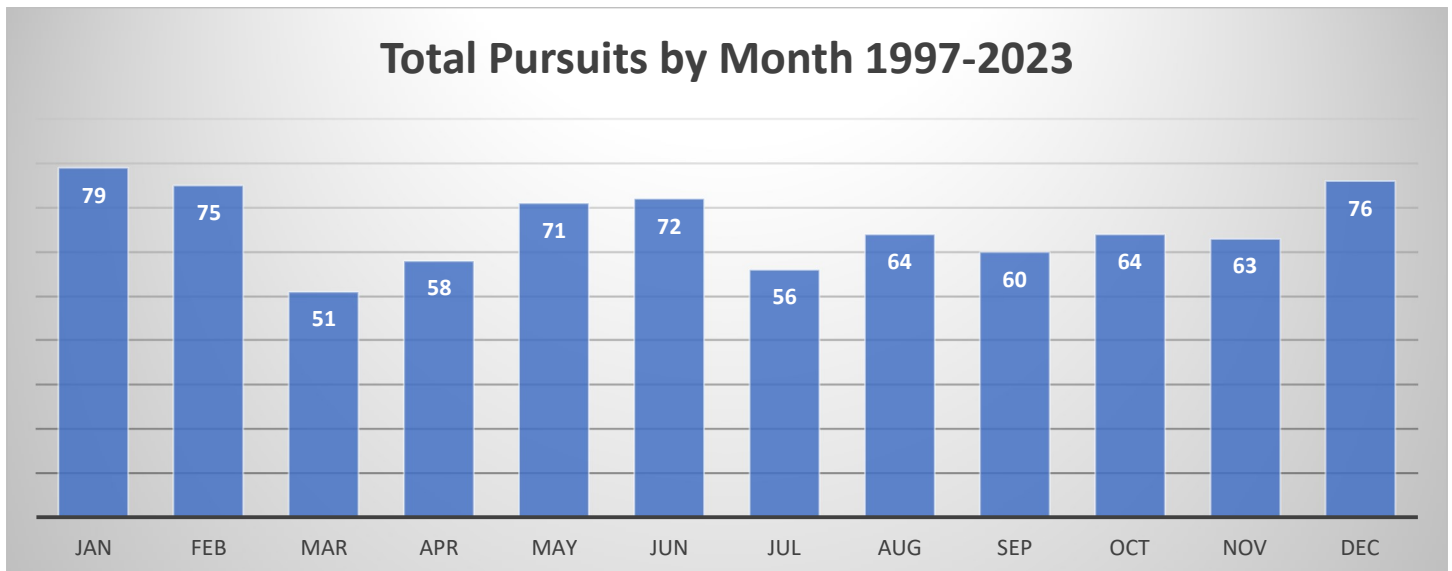
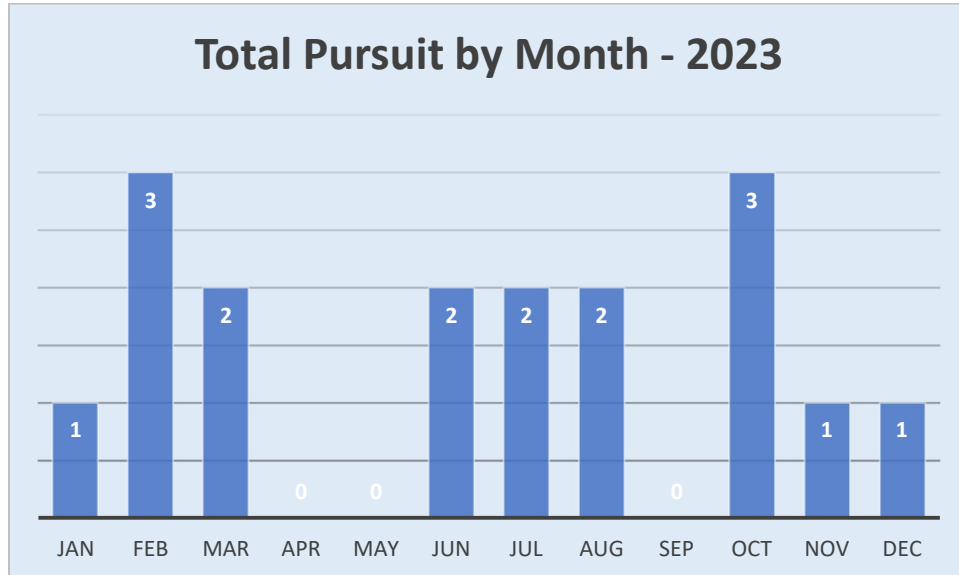


Chart 3. Total Pursuits by Month 2023

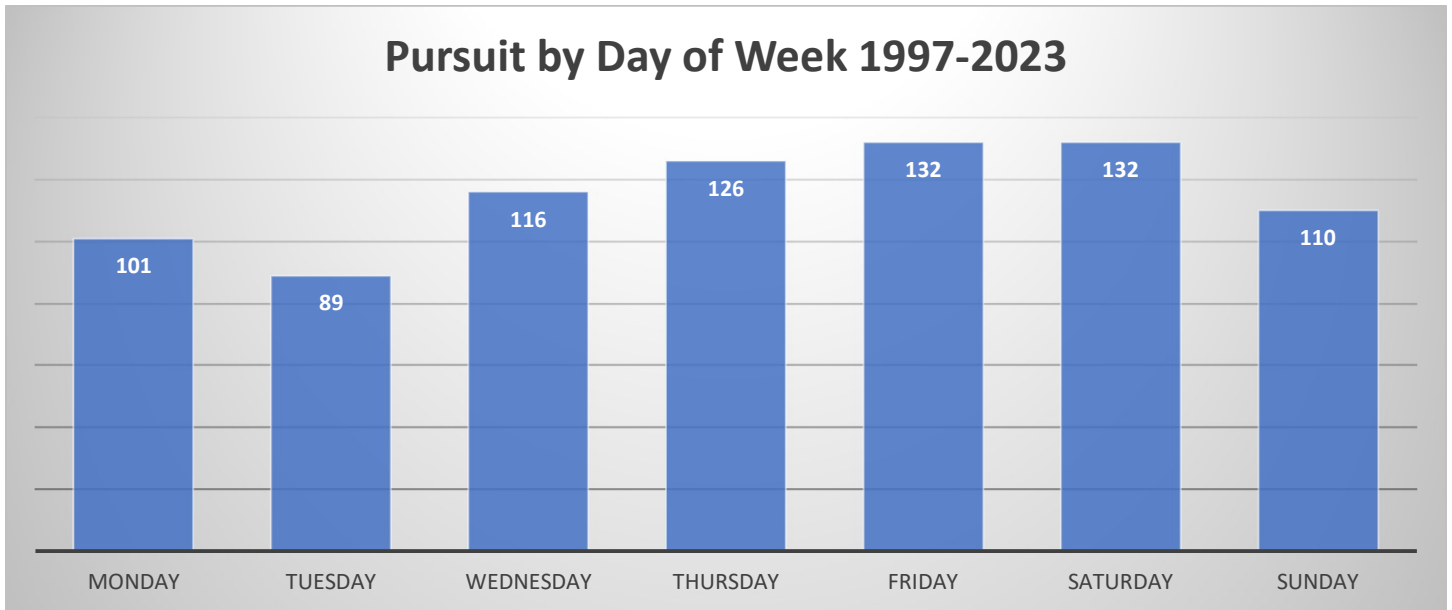


Observations: Chart 3: There is no significant trend in the cumulative number of pursuits by month. February and October have the highest number of pursuits. There were two pursuits each in the months of March, June, July and August. There was one pursuit each in the months of January, November and December.

Chart 3: Due to legislation and policy changes in 2021, there was a significant decrease in the number of total pursuits in 2022. The total number of pursuits for the entire year 2022 was six. This increased in 2023 to a total number of seventeen.

Officers were limited by legislation to pursuing violent felons, sexual offenders, DV assault suspects, and drivers that the officer had a reasonable belief were DUI, by either alcohol or drugs.

Chart 4. Pursuits by Day of the Week 1997-2023

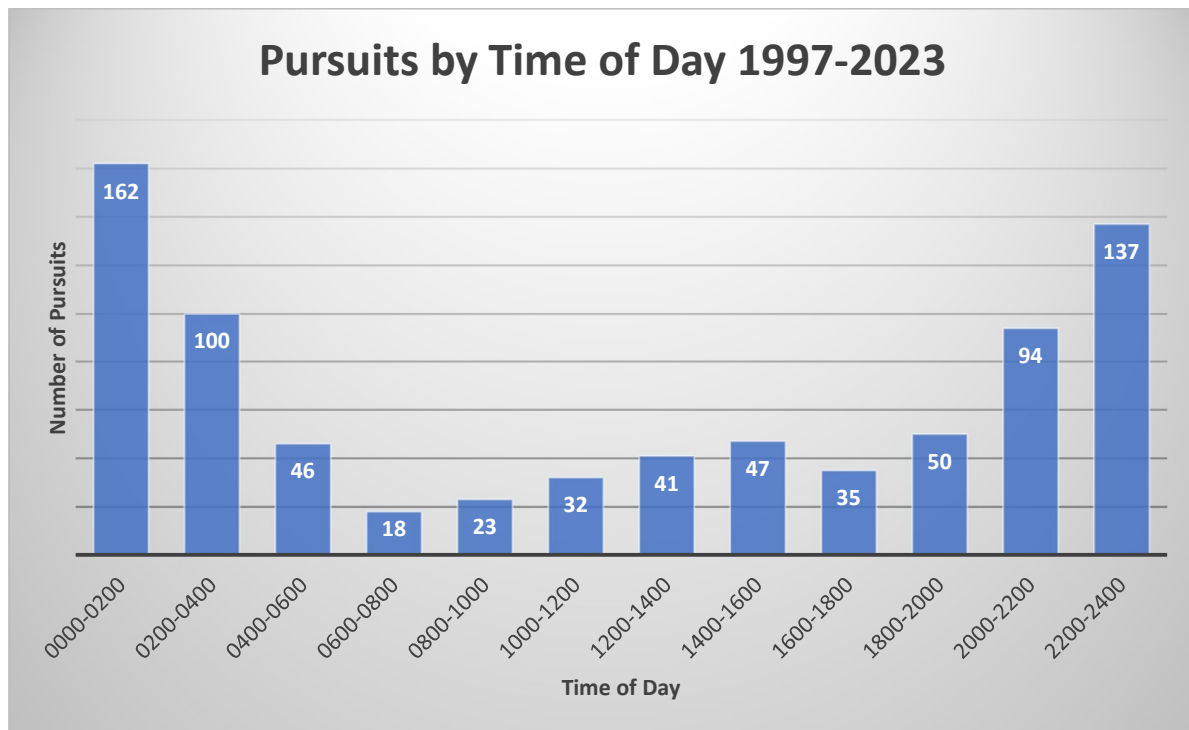


Observations:

- ❖ Weekends historically have more pursuits.
- ❖ In 2023, There were no pursuits on Tuesday or Saturday. There were eight pursuits on Thursday. Three each on Friday and Sunday. There were two pursuits on Monday and one on Wednesday.



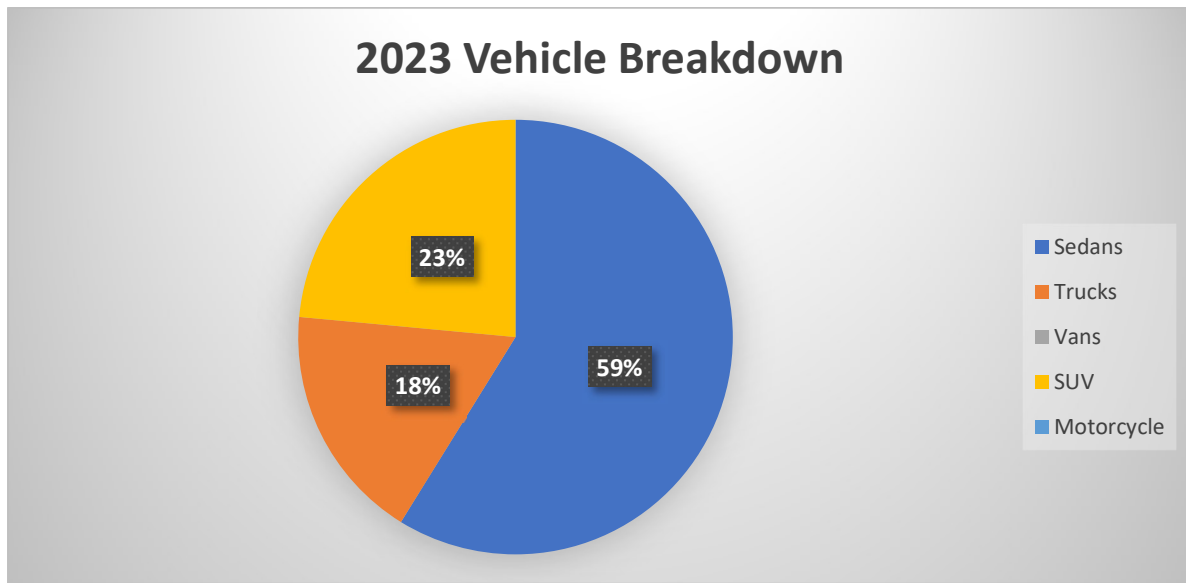
Chart 5. Pursuits by Time of Day (1997-2023)



Observations:

Pursuits in Auburn primarily occur between 2000 hours and 0400 hours. The time period between the hours of 2200 and 0200 has the highest frequency of pursuits. There are several possible explanations for this. During this time there are favorable traffic conditions. The ratio of officers versus citizens on the road is greatest at this time, and Auburn crime data indicates the criminal element is more active between these hours. Except for the afternoon rush hour, this is reflective of the APD workload and staffing distribution. Patrol staffing deployment between these hours is increased as this period correlates with the hours of the highest calls for service.

Chart 6. Pursuits by Vehicle Type



Observations:

Sedans traditionally make up the vast majority of vehicles being pursued. In 2023 this trend continued with 59% of the suspect vehicles being sedans. The remaining involved vehicles were SUV's making up 23% and pickups which were 18% of the total number.

Chart 8.

Observations: Most pursuits occur at night and on dry roadways. Historically, this is a stable trend for pursuits in Auburn.

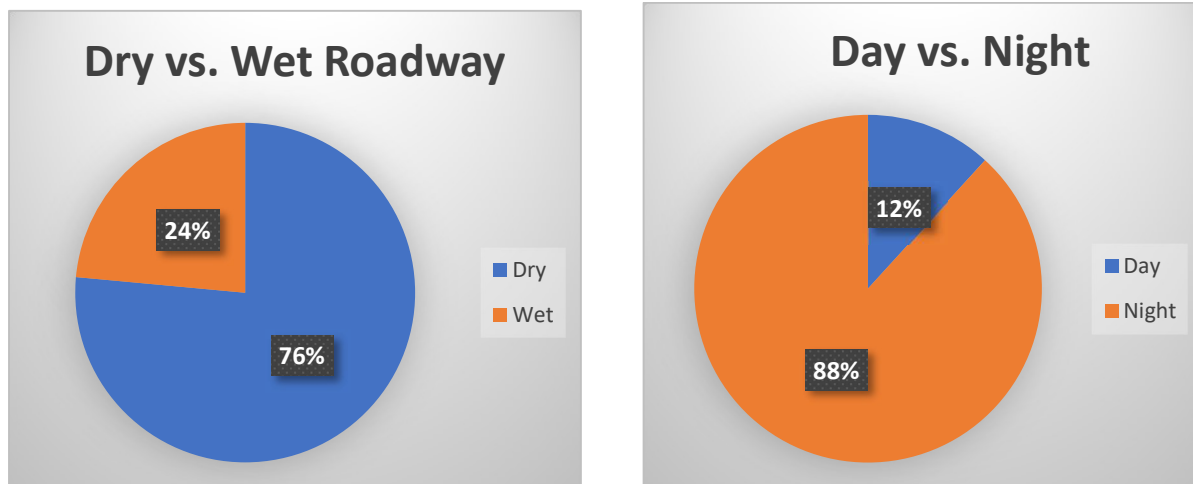
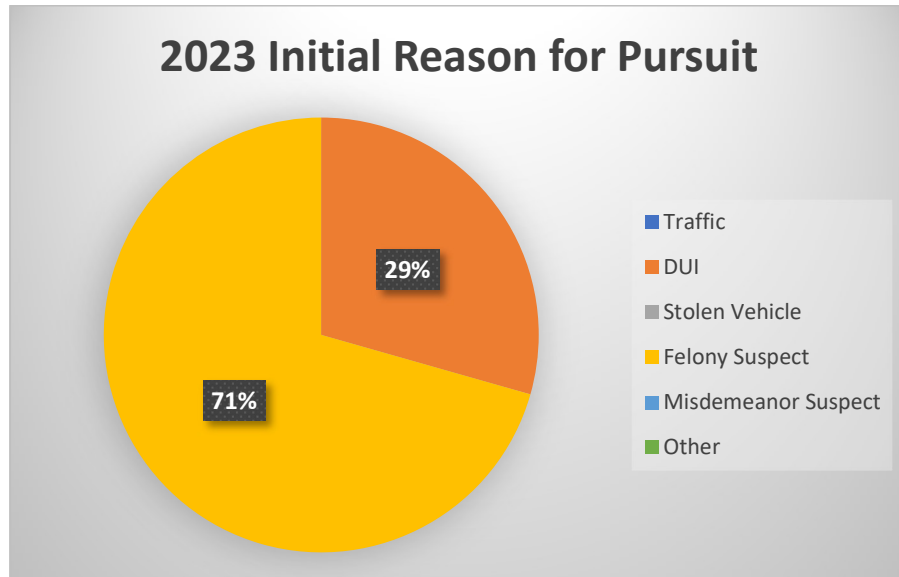


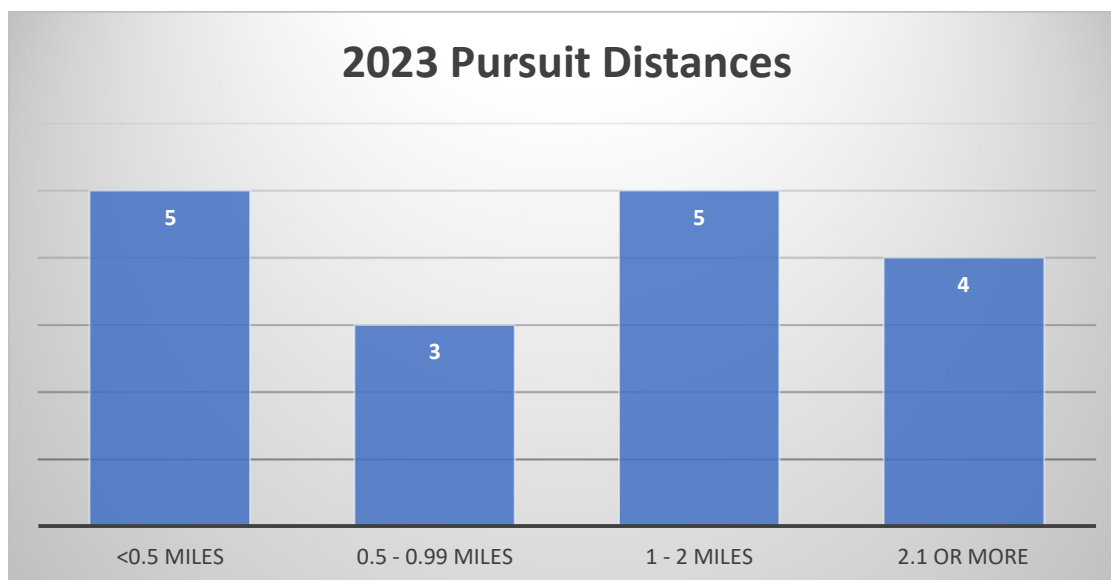
Chart 9. Initial Reason for Pursuits



Observations:

- ❖ Definition: The *Initial Reason for Pursuit* refers to the crime or infraction observed by the officer that provided probable cause or reasonable suspicion for the initial stop. The purpose for collecting this data is to show that officers often have only limited knowledge as to the underlying reasons why suspects are fleeing from them.
- ❖ In 2022, 100% of pursuits were initiated for violent felonies. This was due to legislative requirement present at the time.
- ❖ In 2023, the legislature relaxed the requirement to pursue from probable cause to reasonable suspicion for violent offenses, sexual offenses, and drivers that the officer had a reasonable belief were DUI, by either alcohol or drugs, along with adding all DV related assaults. Although other crimes may have been present, in all cases officers knew they were pursuing suspects for crimes other than eluding or possession of stolen vehicles. In 2023, 71% of pursuits were for felony suspects, while 29% of pursuits were for DUI.

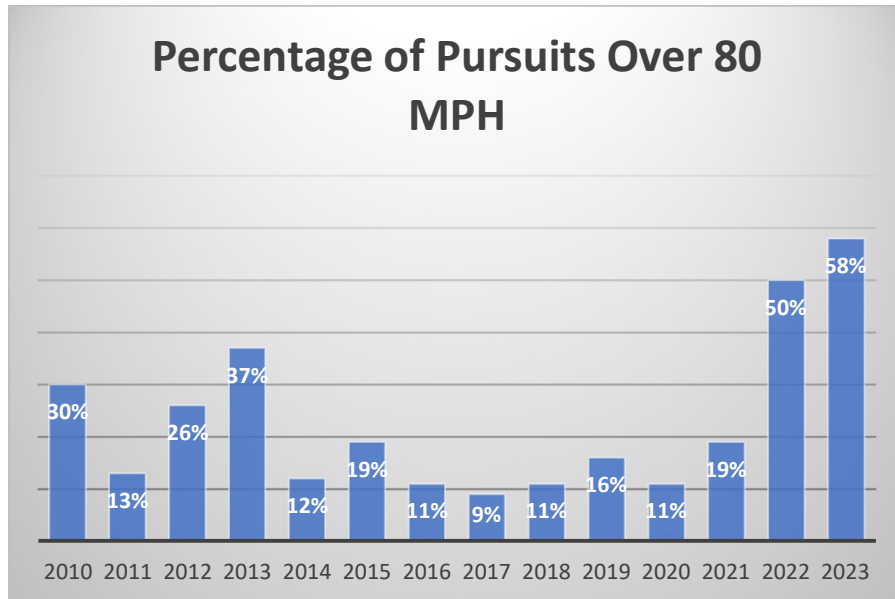
Chart 10. Pursuit Distances



Observations:

- ❖ Chart 10 depicts the categorical distance of the seventeen pursuits in 2023.
- ❖ In previous years, officers were reporting exact distances of pursuits. That changed in recent years when nearly all reports of pursuits were entered into Blue Team. This program only reports the distance by category. However, a rough estimate is still available. The hope is to reduce the length of pursuits such as in 2017, when average pursuit distance was less than one mile (0.94).
- ❖ In 2023 the total number of miles Auburn Officers pursued suspects was 33.6 miles, versus 11.6 miles in 2022. This was an average of 1.93 miles for the seventeen pursuits, whereas in 2022 the 6 reported pursuits averaged 0.66 miles per pursuit. In 2023 the distance was higher due to one pursuit which lasted 12 miles. (This anomaly was involving officers pursuing two suspected attempted carjackers, both of which were armed at the time of the offense). This pursuit occurred on Monday morning at 0300 HRS with minimal traffic on the involved roadways.
- ❖ Also, in 2023 the shortest pursuit (aside from those pursuits that were immediately terminated) was less than .10 miles.

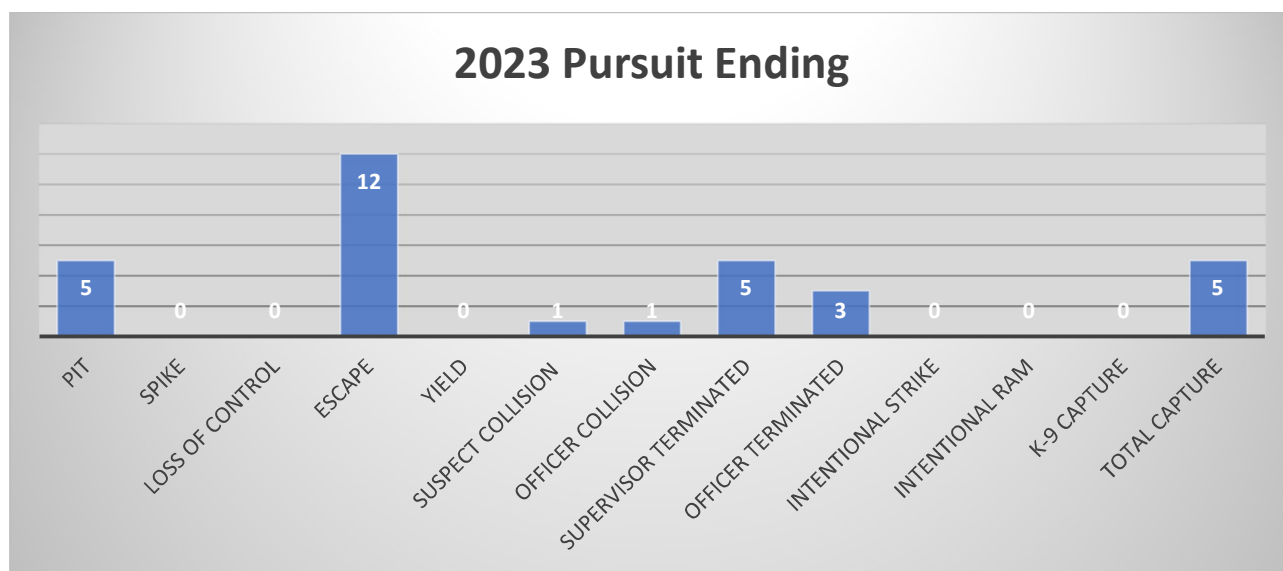
Chart 11. Pursuit Speeds (2010-2023)



Observations:

- ❖ Of significance to note is the percentage of pursuits during each year with sustained speeds at 80 MPH or greater. The reason for selecting this range of speeds is so officers understand the importance of ending pursuits as soon as possible. Furthermore, there is a correlation between high speeds, prolonged distance, and pursuits that end in a collision. The above chart shows the percentage of pursuits between 2010 and 2023 that were classified at speeds greater than 80 MPH. All years prior to 2014 combined averages of 32.5% over 80 MPH.
- ❖ In 2022 and 2023 the speed greater than 80 MPH occurred more often than in previous years although the total number of pursuits was significantly lower in both years.
- ❖ The reason for this increase is the fact that the officers are pursuing the most violent suspects that are more willing to use almost any means to escape. This is a significant statistical increase as the percentage of pursuits over 80 MPH in 2021, (the year of the Legislative reform) was 19%.

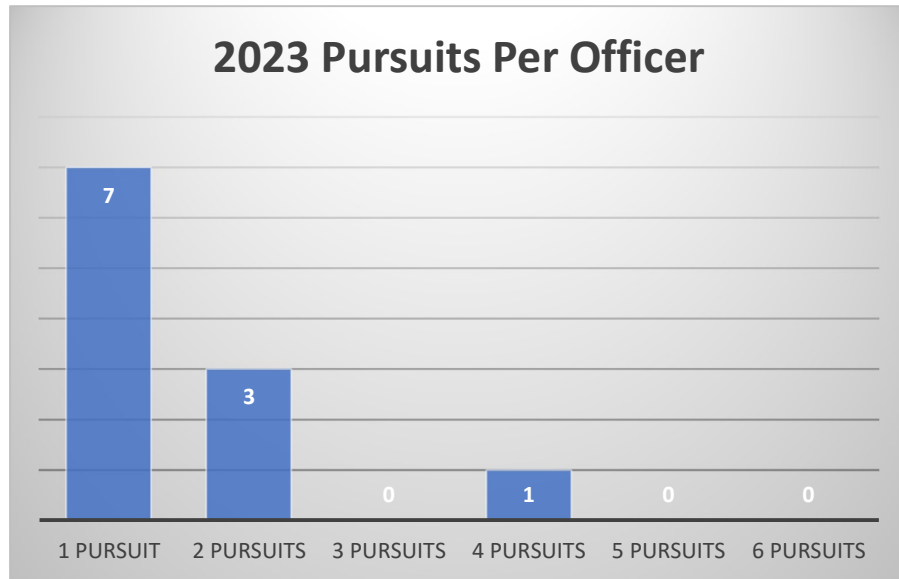
Chart 12. Pursuit Ending



Observations:

- ❖ The above chart reflects how 2023 pursuits concluded. Some pursuits are represented by more than one category. For example, whereas 12 suspects escaped, some of them are represented under suspect collision and terminated. Of note, in 2023 47% (8) of the 17 pursuits were terminated by either the supervisor or the pursuing officer. This demonstrates that the Sergeants were closely monitoring their Officers involved in the pursuits and the circumstances of the pursuit. Supervisors were compelled to terminate the pursuit when the risk of the pursuit outweighed the seriousness of the crime involved. It also demonstrates that the officers showed restraint and good judgment by recognizing the same circumstances and terminating the pursuits on their own.
- ❖ Officers did not have opportunities to use spike stripes in 2023. This is most likely because nearly all pursuits were terminated or ended after a very short distance.
- ❖ Of the nine pursuits (9) in 2023 that were not terminated, five (5) pursuits ended in the capture of the suspect.

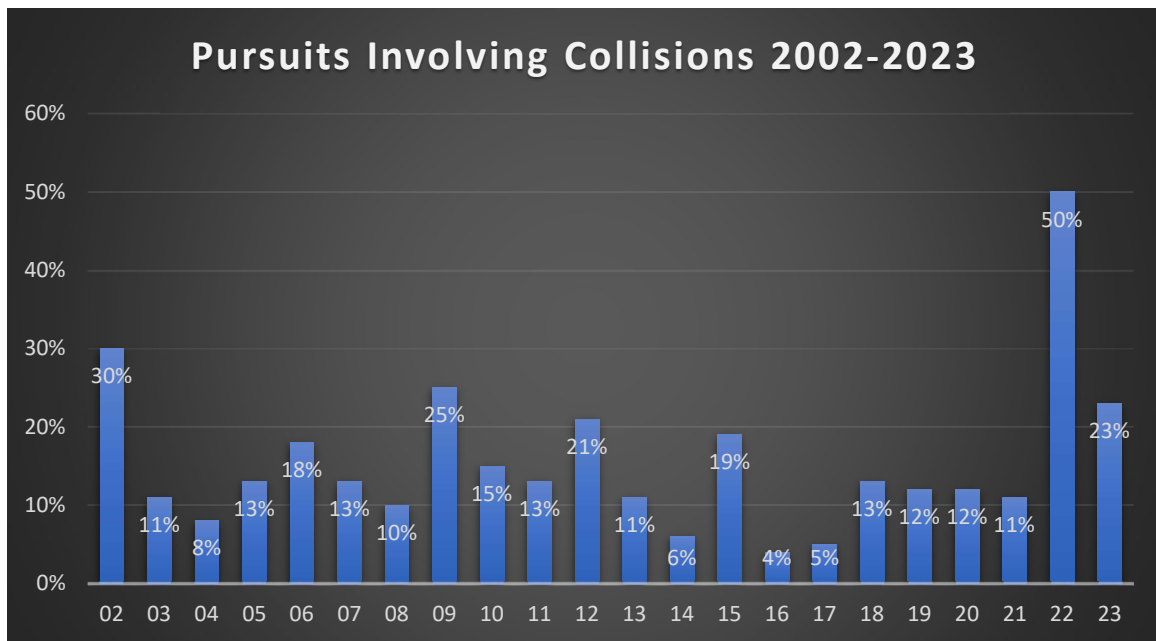
Chart 13. Officer Frequency 2023



Observations:

For training purposes, it is helpful to monitor the number of pursuits that individual officers initiate. For example, in years past, an officer who initiated far more pursuits than other officers prompted a review of the officer's practice. It was determined that this officer made a habit of turning on emergency equipment from long distances behind motorists. This possibly instilled confidence in the motorist to flee. After training, the following year when that officer turned on the emergency equipment directly behind the motorists, the frequency of pursuit was significantly reduced. In 2023, of the seventeen pursuits, seven officers initiated one pursuit, three officers initiated two pursuits and one officer initiated four pursuits. (This officer self-terminated two of those pursuits after less than a mile)

Chart 14. Pursuits Involving Collisions 2002-2023

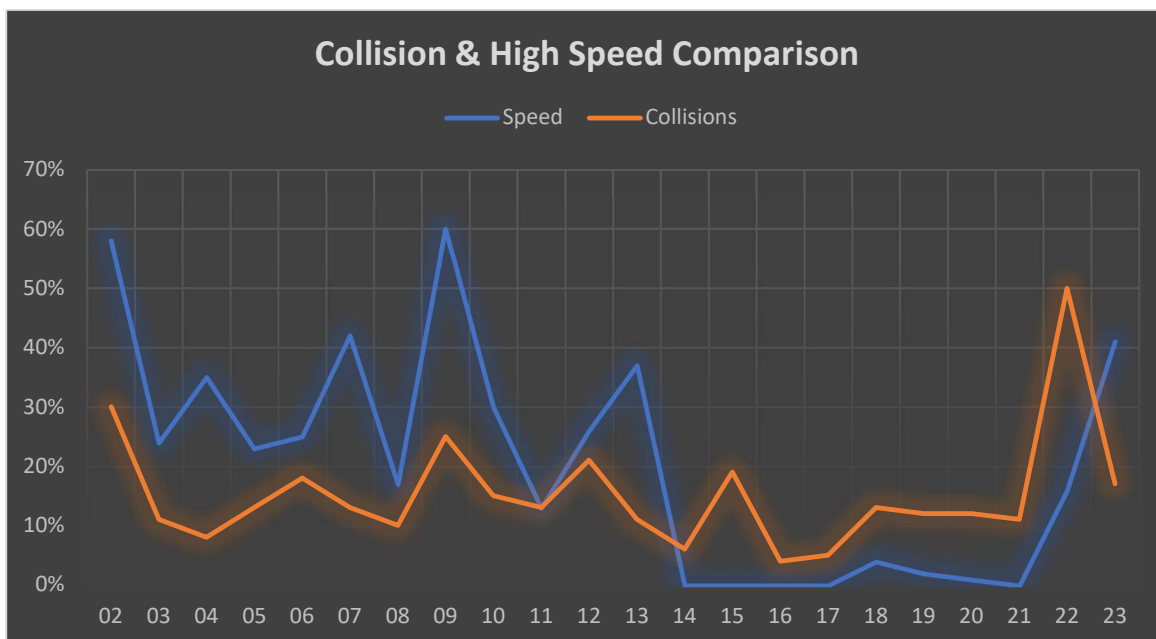


Observations:

- ❖ In 2023, there were two (2) collisions by suspects and two (2) by Officers. Both of the collisions by officers were associated with a suspect collision. One of the suspect drivers were captured after the collision and one fled the scene on foot. There were no injuries associated with these collisions.



Chart 15. Collisions Vs. High-Speed Pursuits 2002-2023



Observations:

This chart depicts a possible correlation between the incidence of collisions and pursuits at speeds greater than 80 MPH, at least for most of the years shown. It is interesting to note that in years 2014-2017, there were no reported collisions involving speeds over 80 MPH. The minor collisions that did occur were at slower speeds. In 2019, there was only one collision in a pursuit where speeds reached 80 MPH. However, the collision occurred at a slower speed when the suspect collided with two police cars.

In 2023, there was one collision involving a pursuit in which the speed had been greater than 80 MPH. The collision occurred at a significantly slower speed and resulted in the patrol vehicle being damaged/disabled. The suspect fled on foot and escaped. All other collisions were at slow speed. There were no known injury collisions involving pursuits in 2023.

Even though legislative changes significantly reduced the number of pursuits, officers are still responsible to constantly weigh the risk of the pursuit against the seriousness of the crime involved. This statistic points to the fact that Officers and Sergeants are very cognizant of this and are terminating pursuits appropriately.

Chart 16. Suspect Gender

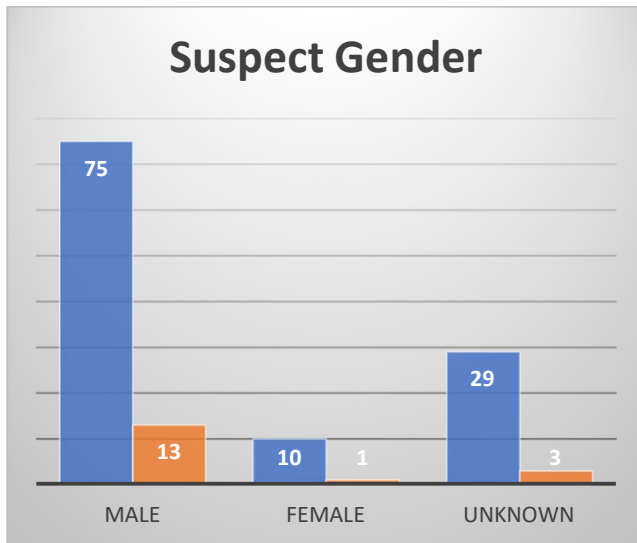


Chart 17.

Suspect Age

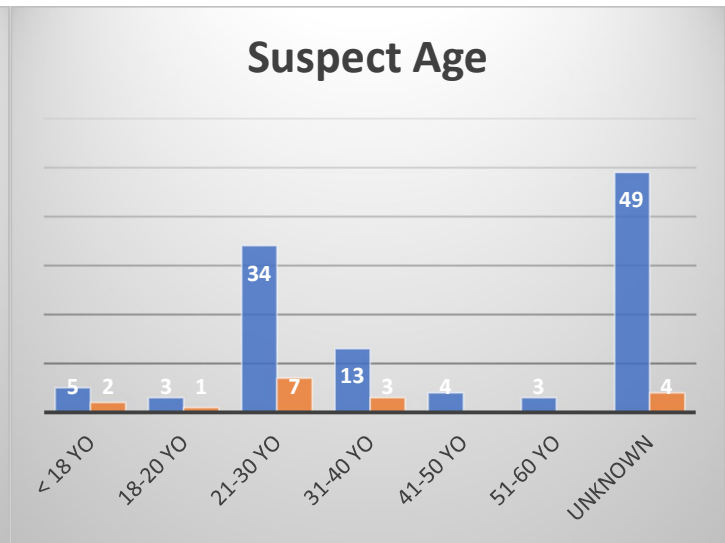
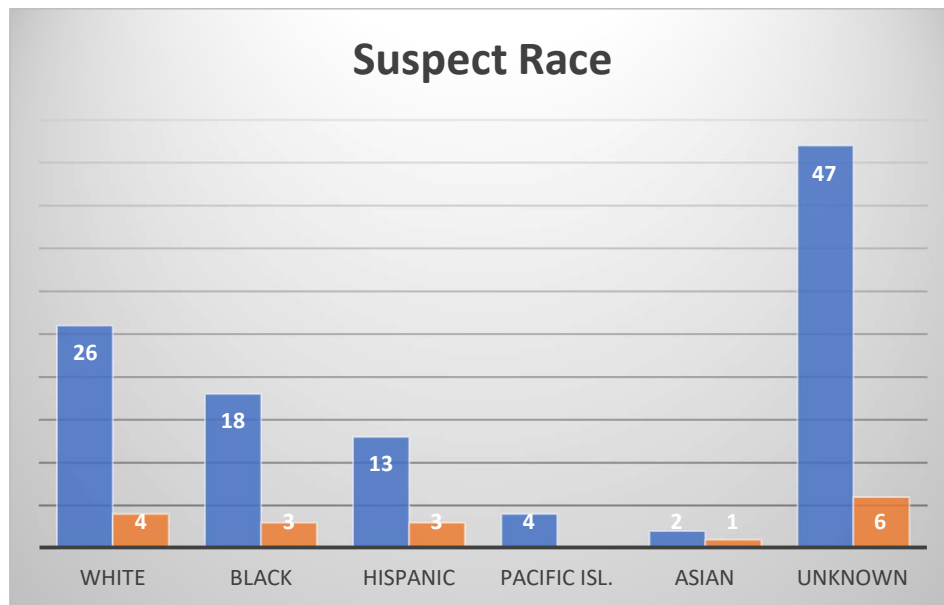


Chart 18. Suspect Race



Observations:

- ❖ Of the known suspects in 2023 pursuits, thirteen were male. Four were White. Three suspects were Hispanic and three were Black. Two identified suspects were minors, while the identified female suspect was 39 years old.

- ❖ Not all suspects are identified or captured. Due to the higher probability of pursuits occurring at night, and the fact that most pursuits are terminated, makes it difficult for officers to obtain these characteristics.

Summary:

- 1) The number of pursuits in the City of Auburn tends to fluctuate like other crimes reported. 2008-2014 were recorded as low years with averages in the teens. The next five years (2015-2019) there was a significant increase in the number of pursuits. 2020 has the second most pursuits recorded in a calendar year, and the highest recorded captures of any prior year. In 2023, the legislature relaxed the pursuit laws enacted in 2021 slightly, to allow pursuit based upon reasonable suspicion instead of the higher standard of probable cause. The crimes that could be pursued also changed slightly to include all degrees of DV assault, along with the previously allowed violent felonies, sex offenses, escape, and DUI. To date, there continues to be modifications to police practices and the legislation that governs them.
- 2) In the years leading up to 2023, the average length of pursuits had drastically declined. This was due to a change in the department pursuit policy of not engaging in pursuits for minor crimes. In addition to this change, this had likely contributed to the increase in the number of pursuits as many suspects are aware of the “No Chase Policy”. Again, in 2021, considerably restrictive legislative changes prevented officers from pursuing nearly all violators. However, the distance of the pursuits increased slightly due to the severity of the crimes for which pursuit was allowed.

Initiative 2113 will become law on June 6, 2024. This will restore autonomy to law enforcement agencies within the state. This initiative will remove restrictions previously implemented by the legislature regarding Police pursuits. It will allow the Department to implement a pursuit policy that is determined by the Chief of Police, and can be modified as needed based upon local crime trends, performance by the officers, and the standards and expectations of the community.

- 3) In terms of what the officers knew at the time each pursuit was initiated, a vast majority were for felony crimes.

- 4) The Auburn Police Department has a highly efficient method of capturing pursuit data for subsequent analysis and training. The department should continue evaluating what information should be captured, and how that information should be recorded.
- 5) There are current discussions pertaining to the modification of the pursuit policy to allow for greater discretion for officers and supervisors on pursuits for crimes that are less severe. This is being prompted by Initiative 2113. There are always underlying reasons why suspects flee from the police. We do not know the extent of the reasons for motorists to flee, such as warrants, weapons violations, and other felonies. As mentioned in #4 (above), the “real” reasons suspects are fleeing should be recorded on those suspects who are captured and are willing to speak.
- 6) Supervisors were very involved in monitoring the 2023 pursuits. This year, 5 of 17 pursuits (30%) were terminated by the first line supervisor after approval had initially been given to pursue. Officers have self-terminated and have noted several times that they would have pursued under previous legislation and have made the correct decision not to do so. This is commendable for both supervisors and Officers as it shows that they have adjusted to the legislative changes. Based upon this previous action it is reasonable to believe that they will adjust accordingly in June 2024.
- 7) No officers received discipline as a result of their action or decisions during a pursuit in 2023.

Training

For many years, EVOC,(Emergency Vehicle Operators Course), training consisted of eight hours for each officer, every three years. During the eight hours, the officer received training in the Pursuit Policy, vehicle placement, auto-cross, high speed tactical driving, pursuit scenarios, and the Pursuit Immobilization Technique (PIT).

For the past four years, there has been a slight change. To capture officer attention, EVOC training was shortened to four hours of intensive high speed, PIT, and scenario-based training, spike deployment training, as well as slow speed training. This change allowed the department to provide the training with greater frequency per officer. We are currently legislatively mandated to provide EVOC training to every officer every two years. The change in training that was made four years ago actually placed us in a position where we were doing this prior to the mandate.

During these training sessions at Pacific Raceways, EVOC instructors have the officers continue to perform high speed training and the PIT maneuver until both the officer and instructor are confident that the officer is thoroughly familiar with these techniques. The intent of training at Pacific Raceways is to get more officers through this critical high risk – low frequency training, and on a more frequent basis. This is even more important now that this critical task is less frequent.

The EVOC Commander and several instructors review department pursuits and collisions. A determination is made to consider additional training for the officers that are found to be involved in preventable collisions. This training will be provided by EVOC staff and documented after the determination is made what type of training will occur.

There is currently a consideration to provide basic EVOC training to new recruits to give them this important training prior to annual training in October or November. This is problematic at times as finding a location that will allow the training is challenging. However, we have recently reached an agreement with the Auburn School District that allows the Department to use specific school parking lots for EVOC training when the schools are on an extended break.

We have been sending our new hires to EVOC training prior to the academy if they are in that period between being hired and attending the academy.

As discussed in #2 above, there will be a legislative change June 6 due to Initiative 2113. This will allow greater discretion by the officer and supervisor in their respective decisions to pursue or allow the pursuit. Many of our current officers have only worked under the current legislative constraints. This compels the EVOC staff to spend additional time training these officers the decision process necessary to be successful and safe during a pursuit.

We will be providing Supervisors with what will be the current departmental policy and training them first. We will ask the Supervisors to prioritize EVOC training during patrol briefings, and ensure that they continue to closely monitor each pursuit. EVOC training will then be tailored to match the existing legislation.





AUBURN POLICE DEPARTMENT 2023 ANNUAL USE OF FORCE REVIEW



**THE AUBURN POLICE
DEPARTMENT IS A
STATE ACCREDITED AGENCY**



Report prepared by Commander Shaun Feero

The purpose of this annual report is to document and summarize all Uses of Force that were completed by Auburn Officers during the 2023 calendar year. This report compares statistics from previous years through 2023, which adds context and helps us identify trends that we can address in future training. The report will compare Use of Force incidents vs. Use of Force Allegations; types of injuries sustained by both suspect and officer; and force used when presented with different scenarios (i.e. officer about to be assaulted, suspect fled, etc.).

In 2023, Auburn Police Officers responded to 68,026 CAD incidents (69,072 in 2022) and completed 14,820 case reports (15,412 in 2022). Officers made 2,683 arrests (2,343 in 2022) with 2,087 of those arrestees being booked into SCORE (1,768 in 2022), and issued 5,885 infractions/citations (4,972 in 2022).

There were 163 incidents where officers were required to use force. Of the 163 incidents there were 161 Use of Force reports completed by officers in 2023 compared to 133 in 2022. Force reports exceed incidents because at times multiple officers used force on one suspect. Of the 163 incidents, there were 94 reported injuries by the suspect. All injuries were photographed and noted and most were minor scrapes, bruises, small lacerations, K-9 contacts, and complaints of pain with no visible injury.

It is important to understand that there are times when it takes two or more officers using force on one suspect in order to gain compliance and get the suspect in custody. When that occurs each officer is required to complete a force report which then generates multiple force reports for one incident. Table #1 below depicts the ratios in comparison to the force incidents.

Only .24% of subjects contacted resulted in force being used.

Table 1	2022	2022 Ratio (88)	2023	2023 Ratio (163)
CAD	69,072	1/785 (.13%)	68,026	1/417 (.24%)
Cases	15,412	1/175 (.57%)	14,820	1/90 (1.08%)
Arrests	2,343	1/27 (3.76%)	2,683	1/16 (5.73%)
Bookings	1,768	1/20 (4.98%)	2,087	1/12 (7.24%)

The above table effectively shows that our officers use de-escalation techniques well. As you can see only 161 subjects out of 68,026 who were contacted, compelled the officer to use force.

Table #2 below shows the ratio comparison from 2022 regarding force reports completed.

Only .23% of contacts resulted in a use of force report being completed.

Table 2	2022	2022 Ratio (133)	2023	2023 Ratio (161)
CAD	69,072	1/519 (.19%)	68,026	1/422 (.23%)
Cases	15,412	1/116 (.86%)	14,820	1/92 (1.07%)
Arrests	2,343	1/18 (5.68%)	2,683	1/16 (5.66%)
Bookings	1,768	1/13 (7.52%)	2,087	1/12 (7.16%)

USE OF FORCE COMPARISON

The Auburn Police Department reports uses of force using an electronic reporting system. If there is any allegation of excessive force, by policy an internal investigation may be ordered by the Chief of Police. The following chart is a snapshot comparison of total excessive force allegations for each year compared to the number of force reports.

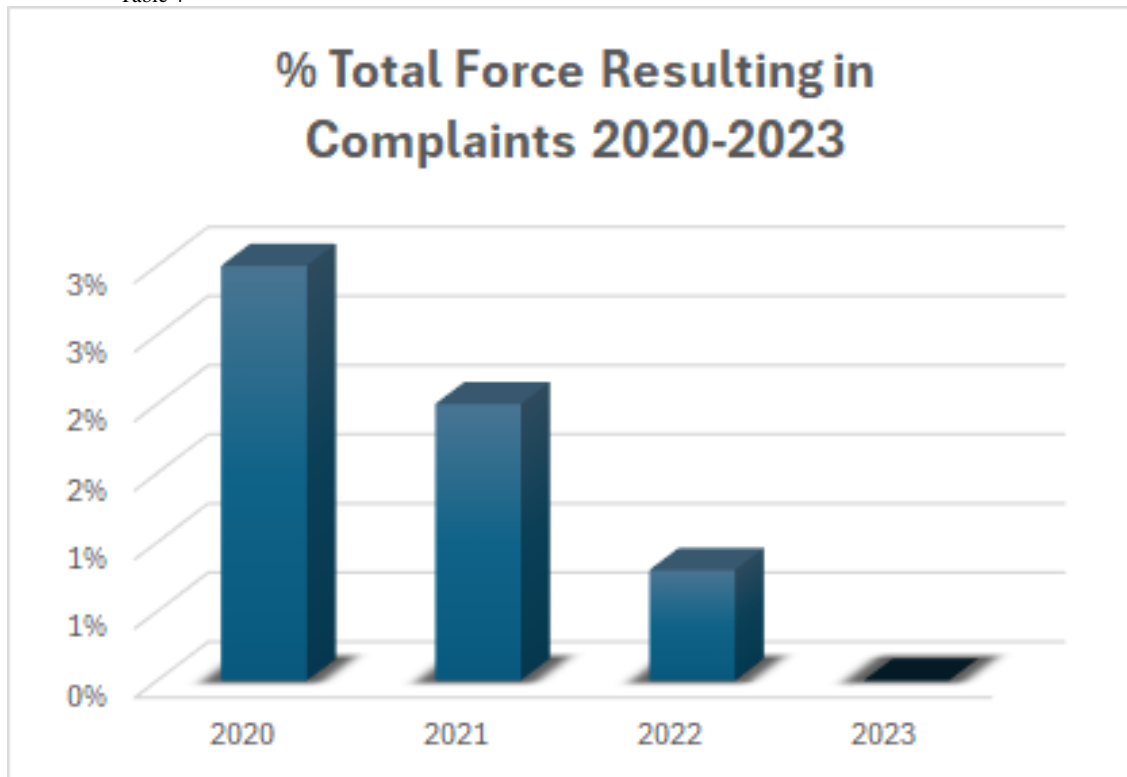
Force Report Comparison 2020-2023

In 2023, we received no allegations of inappropriate and/or excessive applications of force. All use of force incidents were reviewed and none were determined to be excessive or outside of policy. Table #3 shows there were 0 incidents that resulted in allegations of excessive force. Table #4 then reflects these same numbers in a percentage of allegations which is 0% in 2023.

Table 3

Year	Use of force reports	Excessive Force Allegations	Sustained Allegations
2020	231	7	2
2021	130	3	1
2022	133	1	1
2023	161	0	0

Table 4



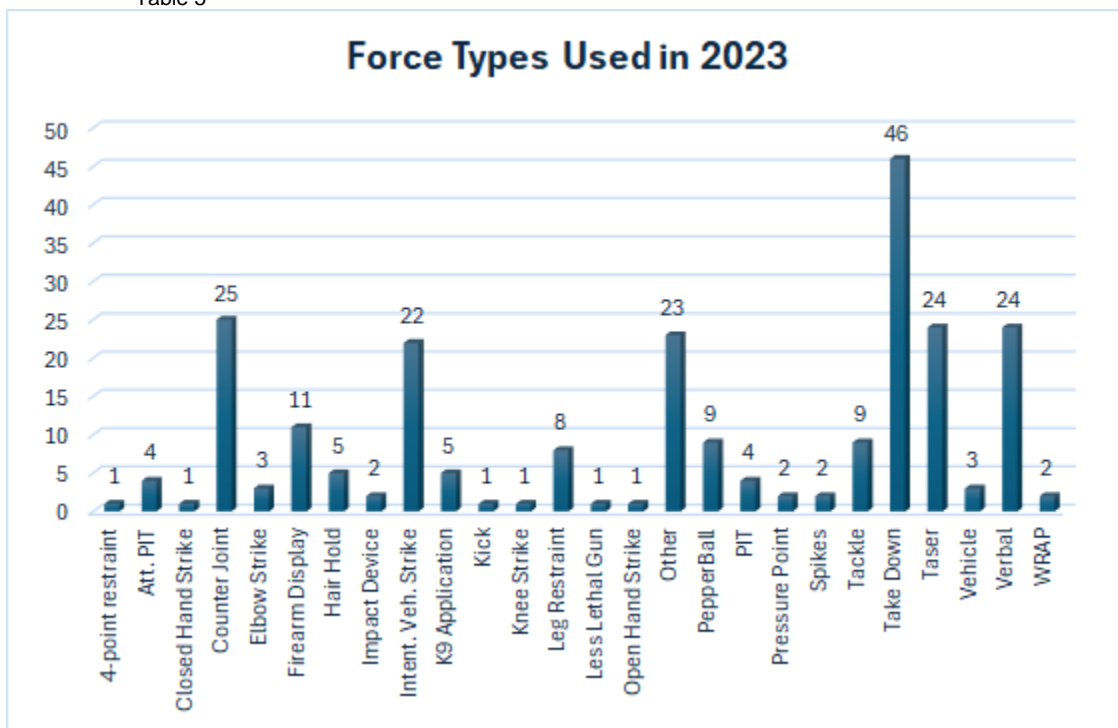
Types of Force Used

The use of force types listed below are techniques that the officers are trained to use depending on the type of resistance the subjects are exhibiting. Take Down is the most used type of force our officers use which is also the least invasive type of force. **PIT** is Pursuit Immobilization Technique which is used during pursuits in an attempt to end the pursuit as quickly as possible in order to reduce potential injury and take the suspect into custody. An **Intentional Vehicle Strike** is authorized by policy in certain situations which entails the officer striking a suspect vehicle with his/her patrol car at slow speed in order to pin the vehicle so that it cannot continue to flee. There were a total of 239 force types documented in 2023.

Force Types Used in 2023

Table #5 below shows each force type that can be used by an officer, and shows the number of times that particular type of force was used in 2023.

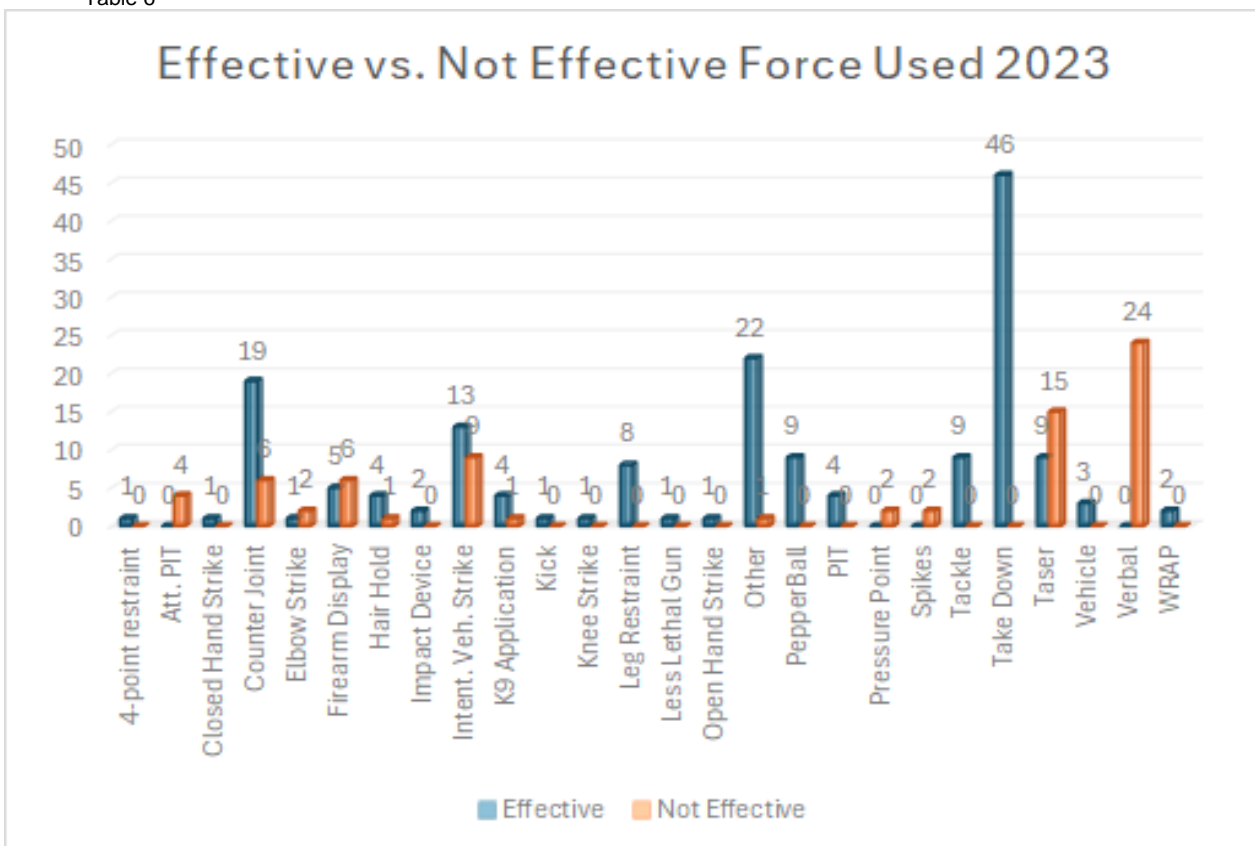
Table 5



Effective vs. Not Effective

Not every type of force is always effective, and at times multiple types of force are used on one person during the same incident. Table #6 shows the effectiveness of the types of force and also shows when a force type is ineffective. As you can see officers use verbal skills first quite often, and when that is ineffective the officer is then compelled to use a different type of force.

Table 6



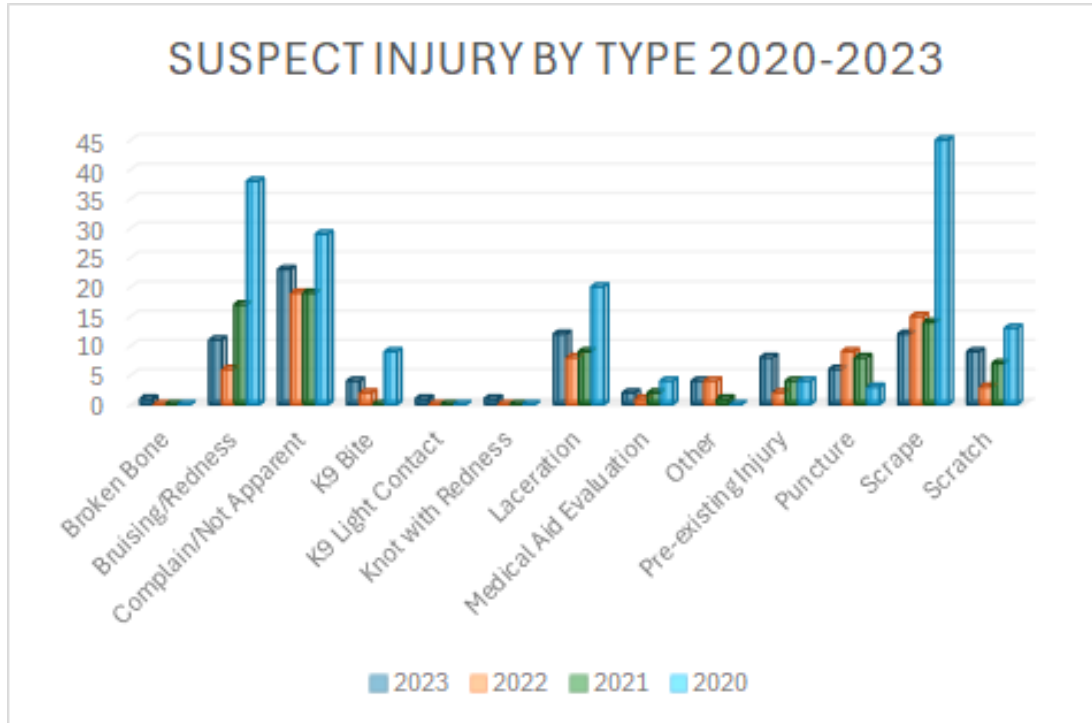
Force Used Resulting in Injuries

In 2023, injuries were reported by the suspect in 57% of all uses of force. Officers received minor injuries in 14% of the incidents. Injuries to suspects can include abrasions, contact from K9's, or general complaints of pain. All complaints of injuries are required to be documented and photographed. Officer injuries included bruising, minor punctures, scrapes and scratches. Table #7 and #8 compare these numbers to previous years. There were no fatal injuries or injuries resulting in serious bodily injury due to use of force.

Table 7

	Total Force Reports	Suspects Injured	Officers Injured	% of total of suspects injured
2020	231	88	35	38%
2021	130	63	19	48%
2022	133	62	18	47%
2023	163	94	23	57%

Table 8



Time of Day

The below tables depict the Auburn Police Departments use of force incidents by time of day. As in previous years documented, the majority of the occasions that officers are compelled to use force occur between the hours of 6:00 PM and midnight. Table #9 focuses on the year 2023 only and Table #10 compares the times to previous years.

Table 9

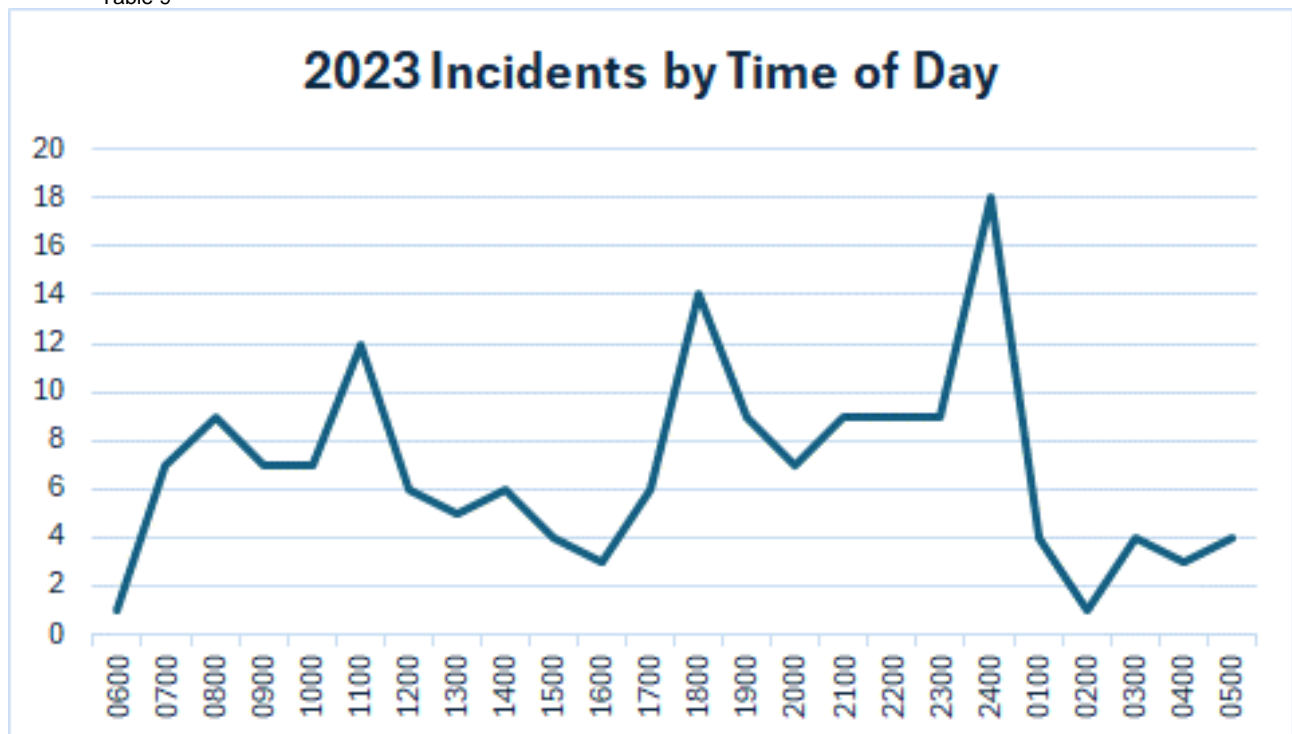
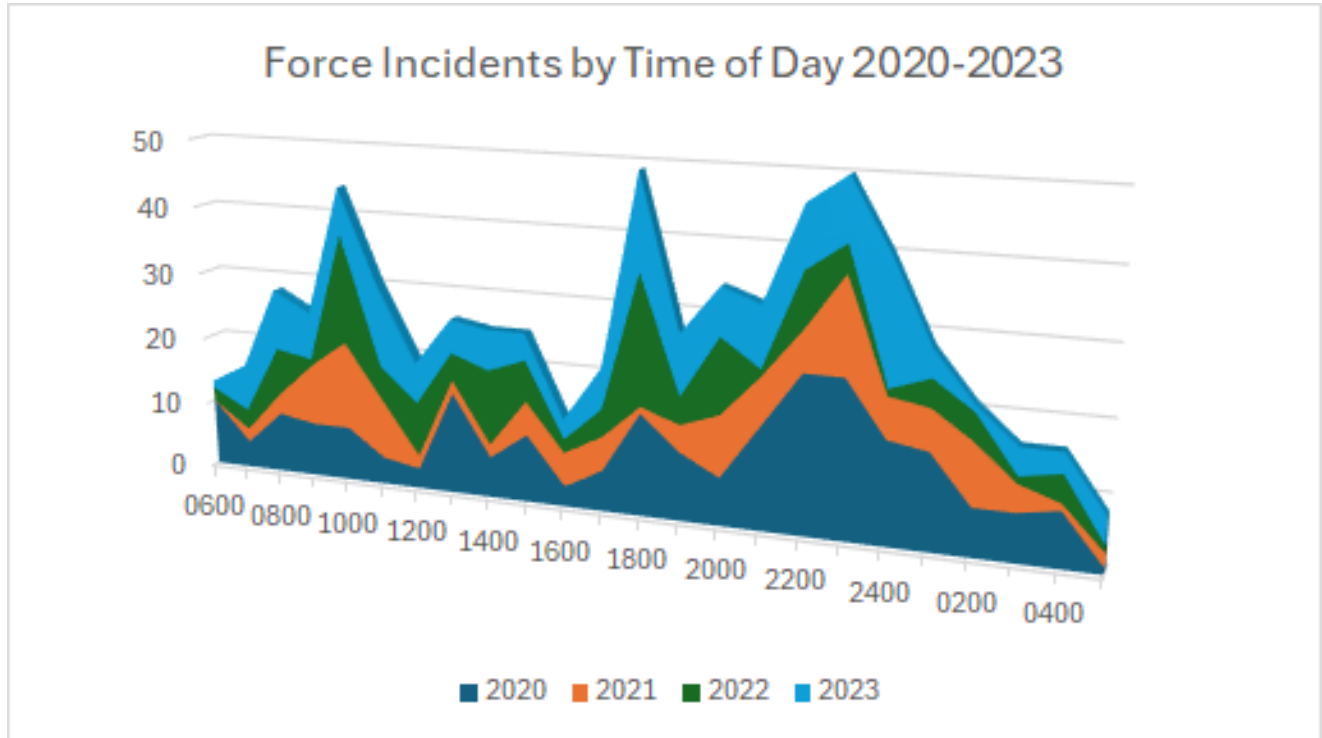


Table 10



Reason for Use of Force

Table #11 below shows the reasons that an officer(s) were compelled to begin to use force resulting in the 161 force reports.

Table 11

	2023	2022	2021	2020
Attempting to Escape	88	67	43	92
Officer About to be Assaulted	5	9	10	21
Other	7	4	10	10
Refusing Commands	47	30	44	78
Officer Assaulted	12	8	9	23
Subject with Weapon	5	9	8	3
Other About to be Assaulted	0	4	5	4

Citizen Resistance During Force Encounter

Table #12 below shows the different resistance citizens were giving to an officer during a use of force encounter. Most of the time there are multiple types of resistance provided by a subject during a force encounter. In 2023, there were 439 documented forms of resistance during force encounters.

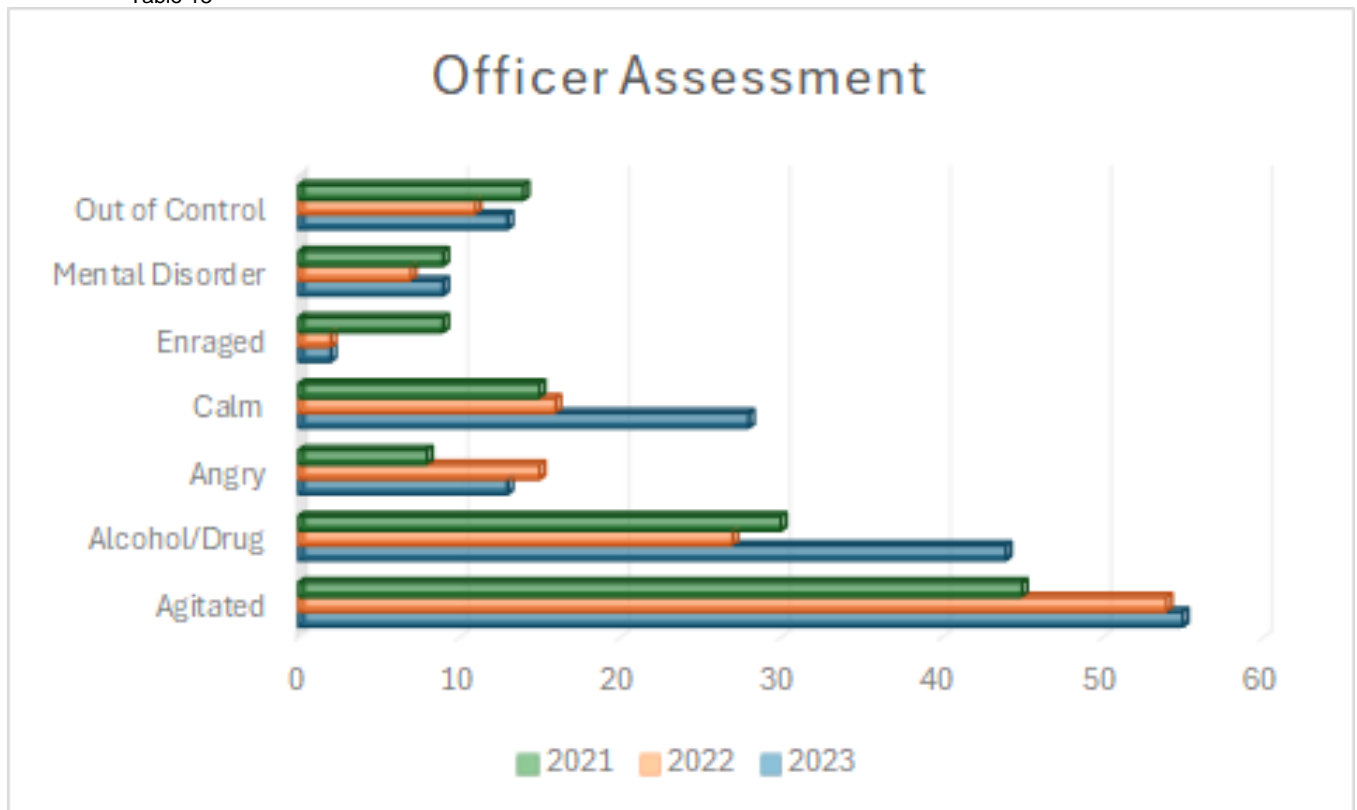
Table 12

	2023	2022	2021	2020
Officer Assaulted/Threat to be Assaulted	23	31	35	49
Assaulted Other/Other About to be Assaulted	6	17	7	10
Fighting Stance	12	23	23	31
Subject Trying to Flee	83	64	44	75
Muscular Tension/Pulled Away	145	135	135	274
Other	45	29	37	40

Officer Assessment of Citizen Prior to Force Being Used

The below table is what the officer was observing or perceiving of the citizen prior to being compelled to use force.

Table 13



Use of Force Demographics

Table 14 depicts the race of the citizen the officer(s) were compelled to use force on. These numbers are in relation to 68,026 contacts our officers had in 2023 which resulted in only 163 incidents of force.

Table 14

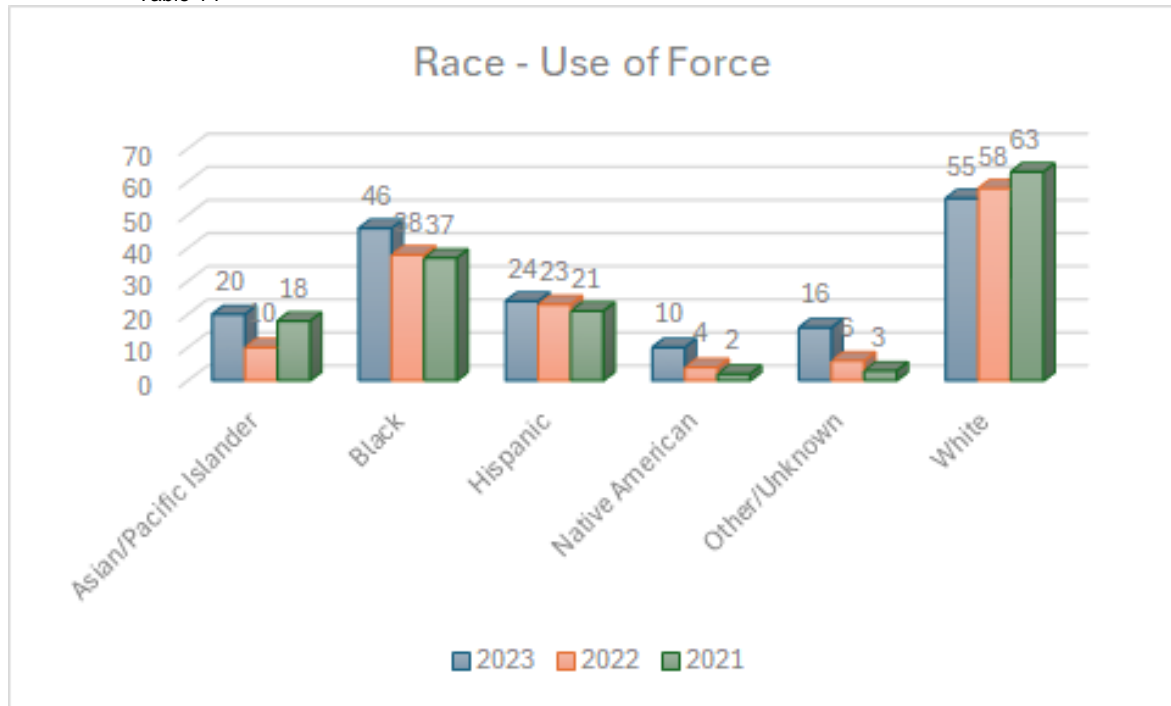
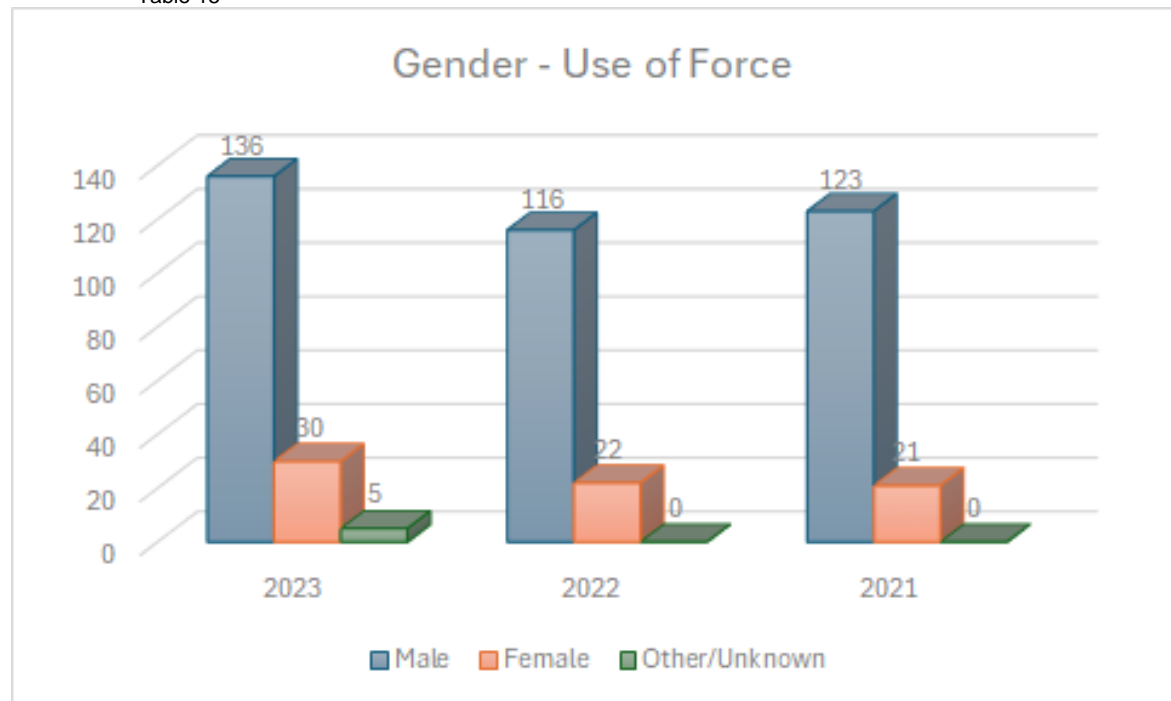


Table 15 depicts the gender of the citizen the officer(s) were compelled to use force on.

Table 15



Summary

It is clear from the report that Auburn Officers contact many subjects throughout the year and make many arrests. Calls for service were down by over 1,000. Subsequently, force incidents continue to be low compared to the amount of contacts our officers make each year. New police legislation in 2021 significantly impacted/limited circumstances in which officers were allowed to contact and detain subjects. These restrictions were loosened and updated a bit, allowing for more subjects beginning to be detained in 2022 and continuing into 2023.

The most compelling statistics in this report are that the calls for service, arrests, and bookings are high numbers and by percentage the use of force does not occur often. In 2023, only .24% of CAD incidents required force to be used on a subject. Officers continue to receive annual defensive tactics/use of force training, as well as training on de-escalation techniques. This training encompasses classroom, hands-on, and scenario based training. Each Officer has completed the 40 hour Crisis Intervention Training as well as completing yearly refresher training as required. Auburn PD has a cadre of Patrol Tactics Instructors (PTI) that allow for additional de-escalation tactics training.

At the start of 2021 we created a Use of Force Committee which is comprised of Commanders, Sergeants, and officers who are highly trained in police use of force encounters. We also are now part of the Department of Justice FBI Use of Force database. Uses of force that result in serious bodily injury (as defined by the Department of Justice) or death will be reported in the FBI database. Any use of force that results in great bodily harm (as defined by the Revised Code of Washington), death, or appears to be out of policy, will be reviewed by the Use of Force Committee and is required to be reported to the Washington State Criminal Justice Training Commission (CJTC). After the Use of Force Committee reviews the incident involving force, a representative from the committee provides a report to the Chief. The goal of the Use of Force Committee is to provide a more detailed analysis than is already done and to analyze force trends in order to enhance training, reduce injuries and ensure our citizens remain protected.



AUBURN POLICE DEPARTMENT 2023 ANNUAL CIA REVIEW

Auburn Police Department

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C E L E B R A T I O N

AUBURN VALUES

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Auburn Police Department

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Commendations

<i>Year</i>	<i>Total Commendations</i>	<i>Letter of Commendation</i>	<i>Medal of Distinction</i>	<i>Life Saving</i>	<i>Medal of Valor</i>	<i>Medal of Merit</i>	<i>Tactical Medal</i>
2020	167	16	3	10	0	0	0
2021	124	2	0	7	2	2	1
2022	44	6	0	3	0	0	1
2023	67	8	0	2	0	0	2

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Internal Investigations

Year	CAD Incidents	Internal Investigations	Inv. With Misconduct	Total Employees	Emp. With Misconduct
2020	73,998	9 (.01%)	6	9	6
2021	72,944	6 (.008%)	5	7	5
2022	69,072	6 (.009%)	4	4	3
2023	68,026	4 (.005%)	2	5	2

Internal Investigations

	External Sources	Internal Sources	Total Combined
Total Investigations	1	3	4
Sustained Misconduct	0	2	2

Supervisory Investigations

Year	CAD Incidents	Supervisory Inv/ Inquiries	Inquiries with Unacceptable Performance	Involved Employees	Employees with Unacceptable Performance
2020	72,998	21 (.03%)	12	21	11
2021	72,994	10 (.01%)	2	14	2
2022	69,072	9 (.01%)	4	11	5
2023	68,026	4 (.005%)	2	13	2

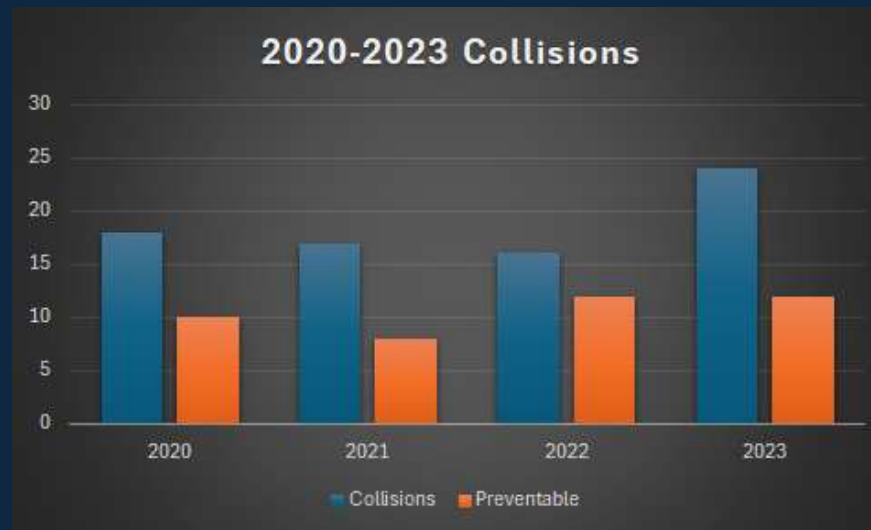
Allegations

Allegation	Total	No Misconduct/	Misconduct/	No Conclusion/ Pending
		Acceptable	Unacceptable	
		Performance	performance	
Violation of General Policy	9	4	5	1
Discourtesy	1	0	1	1
Code of Conduct	1	1	0	0
False Arrest	0	0	0	0
Excessive Force	0	0	0	0
ACCESS Violation	1	0	0	1
Conduct Unbecoming	1	0	1	0
Core Values	1	0	1	0
Fail to Meet Job Expectations	1	0	1	0
Foot Pursuit Policy	0	0	0	0
Vehicle Pursuit Policy	0	0	0	0
Totals	15	5	9	3

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Collisions

- 13 - Driver Inattention
- 3 - Improper Backing
- 1 - Other
- 7 - Other driver at fault



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Collisions cont.

The below chart depicts the corrective action dispensed to the employees in preventable collisions. Some officers also received additional training where it was appropriate.



Combined Discipline

The following chart depicts action taken for misconduct, whether from an Internal Investigation or Supervisory Investigation, for each employee involved.



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Outside Agency Investigations

To ensure that our investigations are unbiased, there are times when an outside agency may be asked to investigate serious allegations of misconduct made against agency staff, especially those that may be of a criminal nature. This provides Auburn citizens with confidence and allows for unbiased transparency into actions, activities, and decisions made by the Auburn Police Department. In 2023 there was one allegation of criminal misconduct investigated by the Puyallup Police Department and one allegation of sexual harassment investigated by a City hired firm. Both investigations were not sustained.

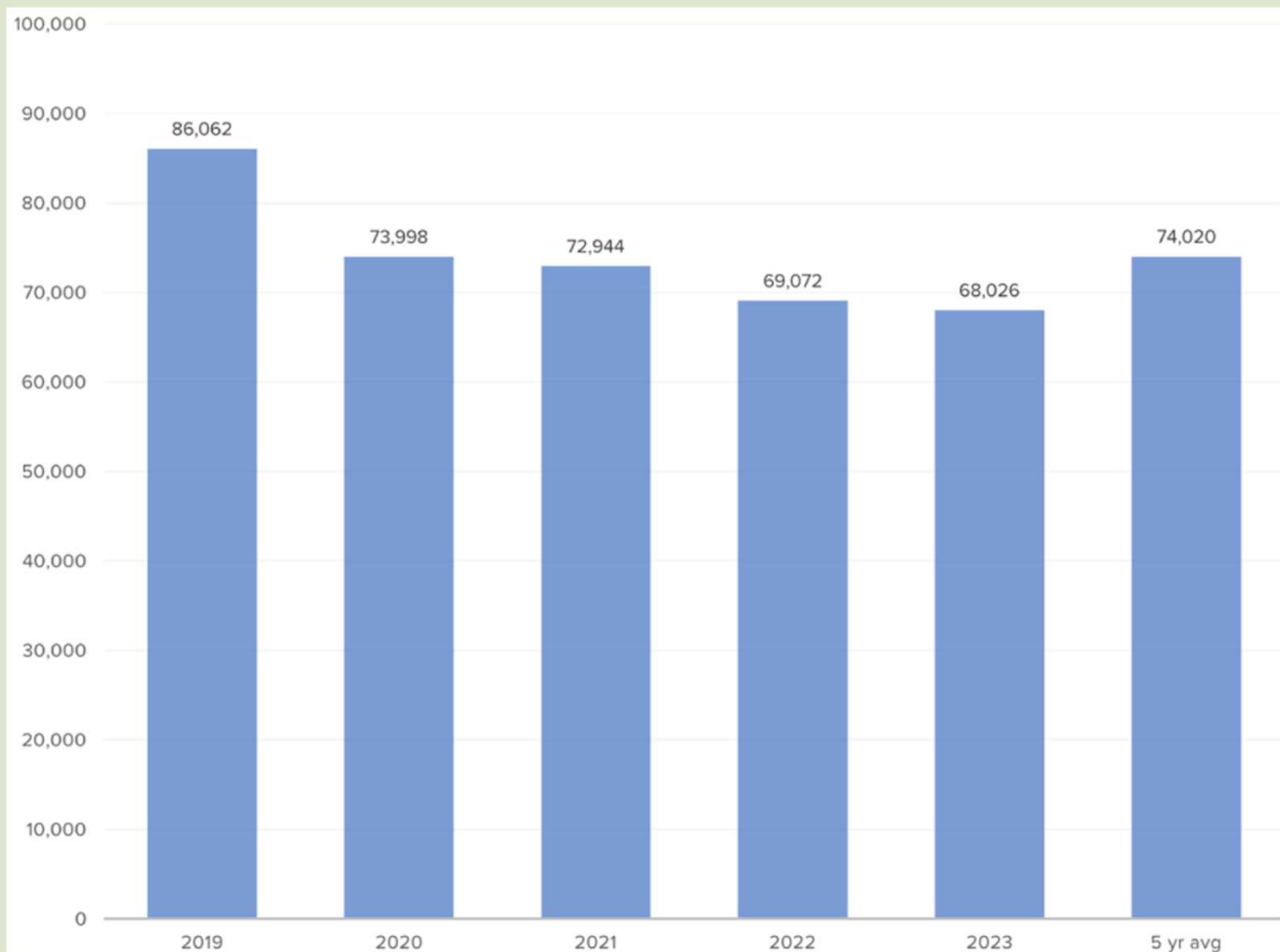


POLICE DEPARTMENT ANNUAL REPORT HIGHLIGHTS

Auburn Police Department

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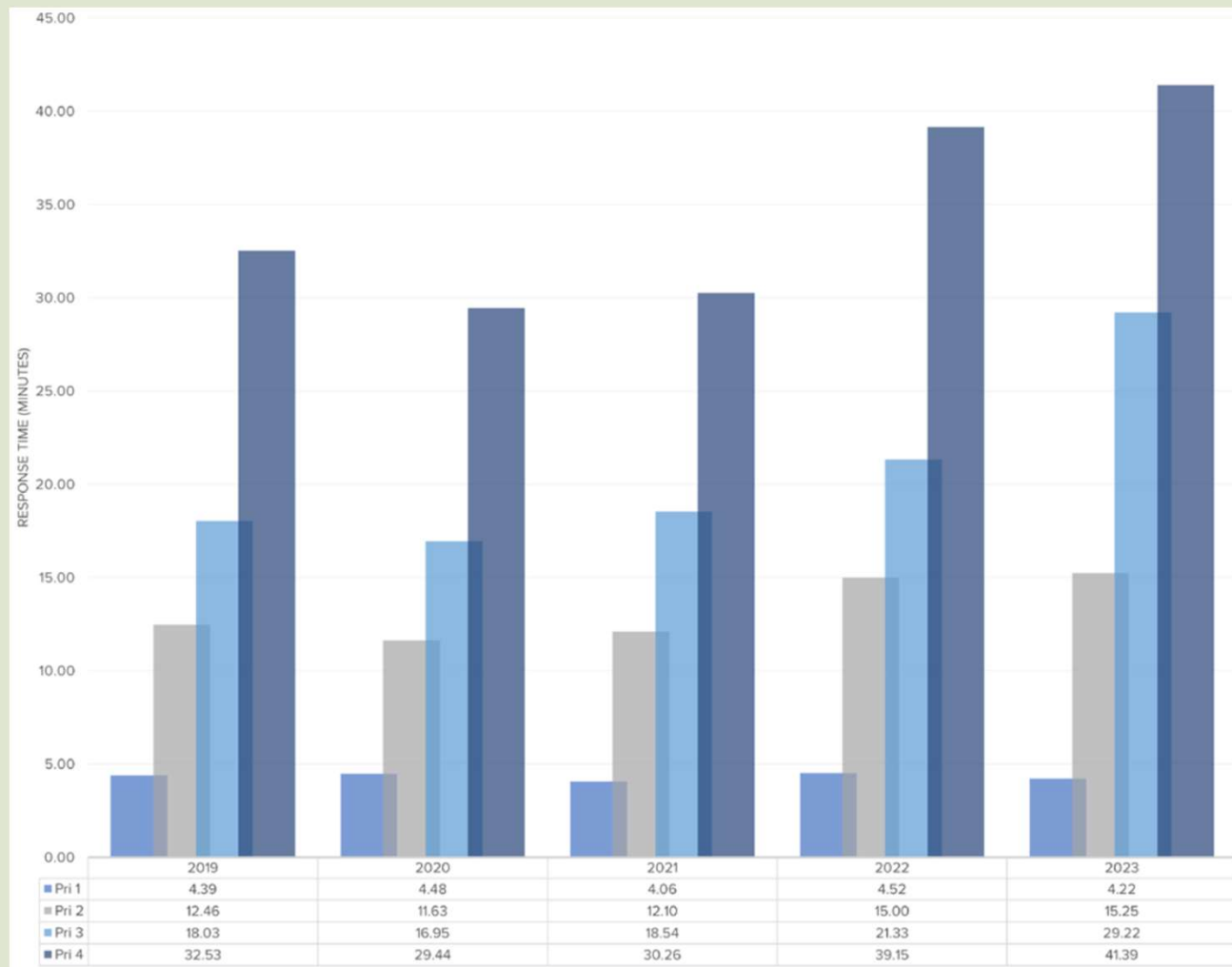
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ANNUAL CALL VOLUME

CALLS FOR SERVICE
Computer Aided Dispatch (CAD) calls for service have decreased over the past 5 years.

Auburn police received 68,026 calls in 2023. Increasing online reporting, which was updated in 2020, has helped lead to decrease in calls.



AVERAGE RESPONSE TIMES

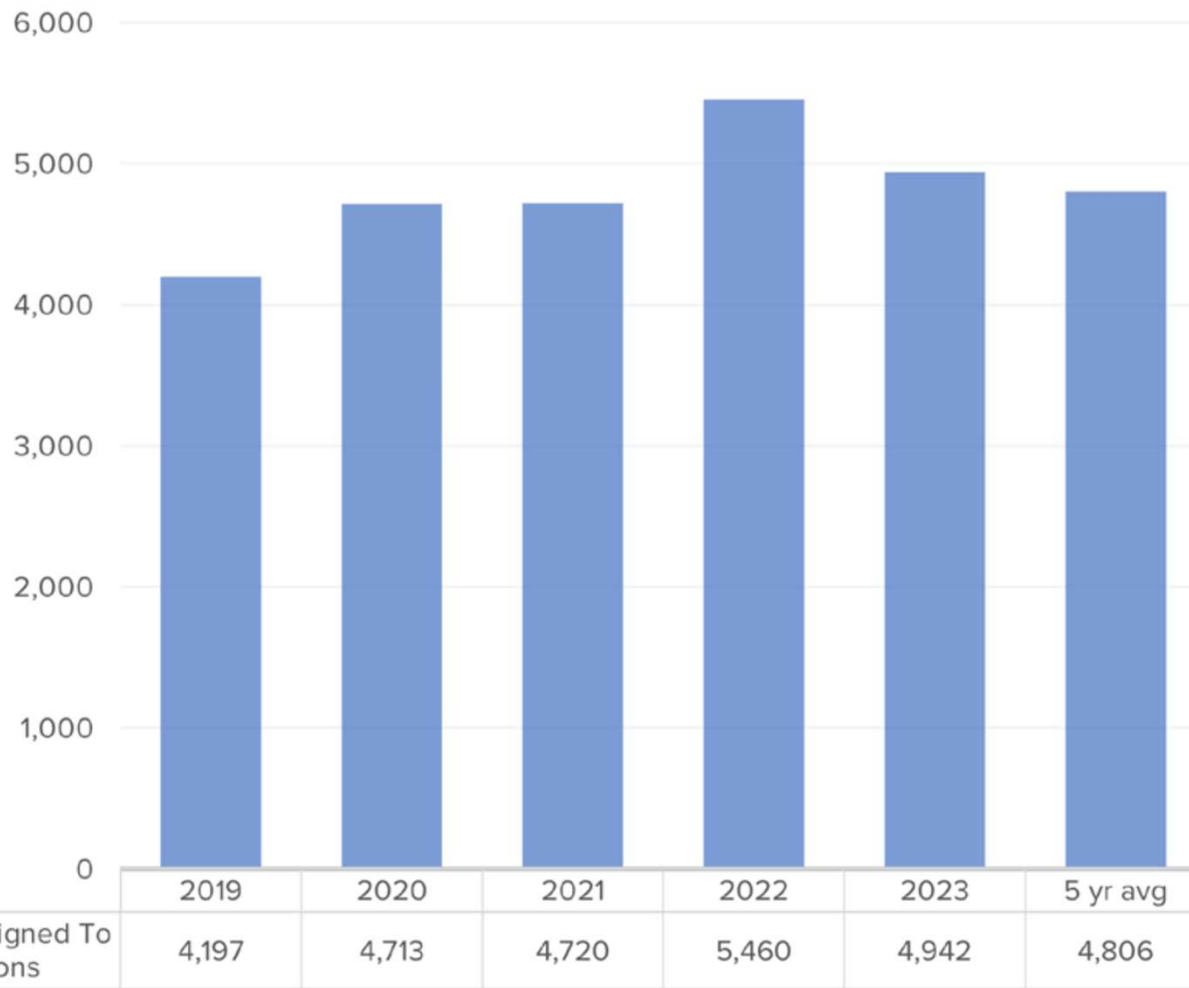
DEFINITION OF RESPONSE TIMES PRIORITY RATINGS

PRI 1 = Highest priority, confirmed hazard which could result in extensive loss of life or property

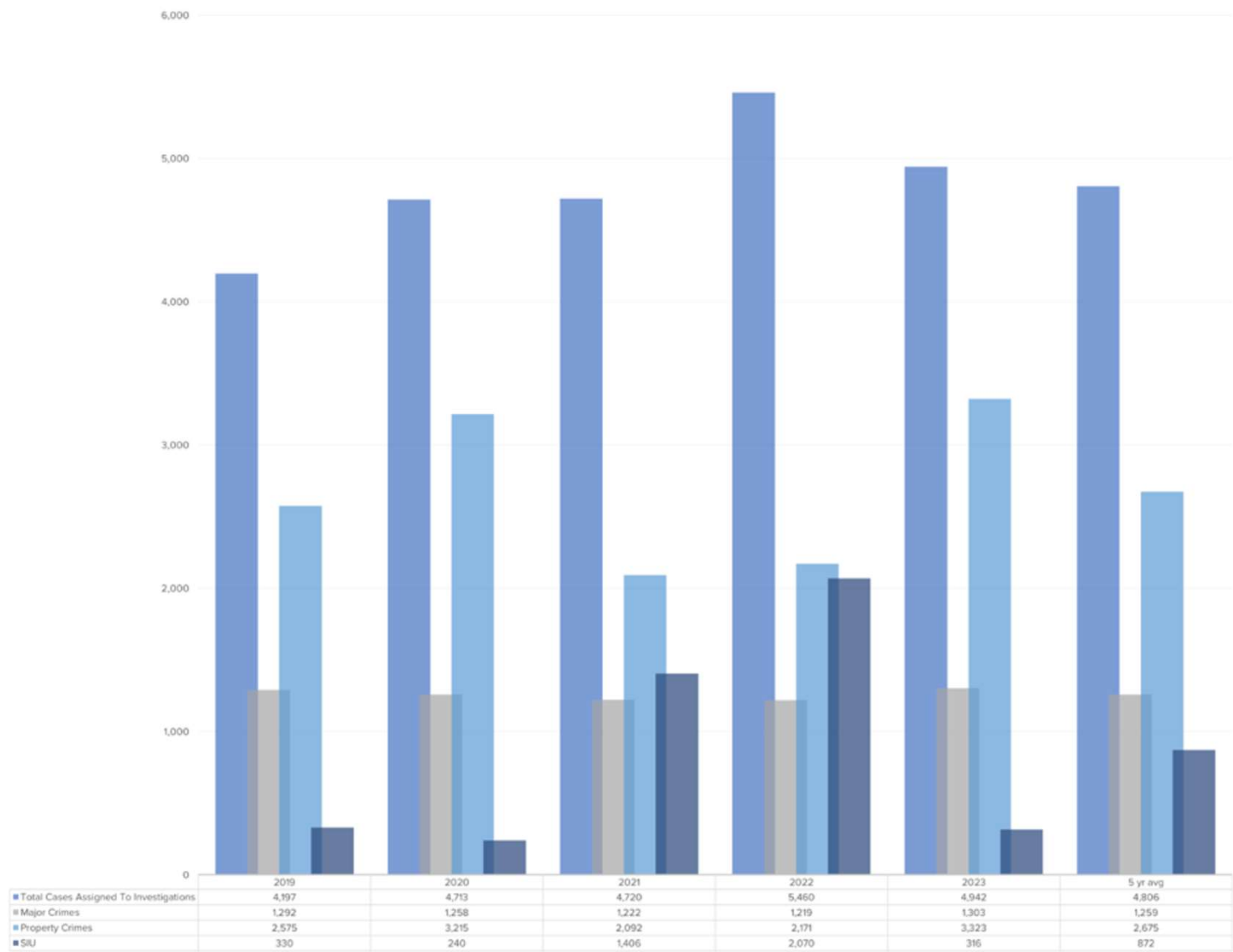
PRI 2 = Minimal hazard with considerably less potential for loss of life or property

PRI 3 = Low hazard, non-life threatening

PRI 4 = Police reports or cold calls



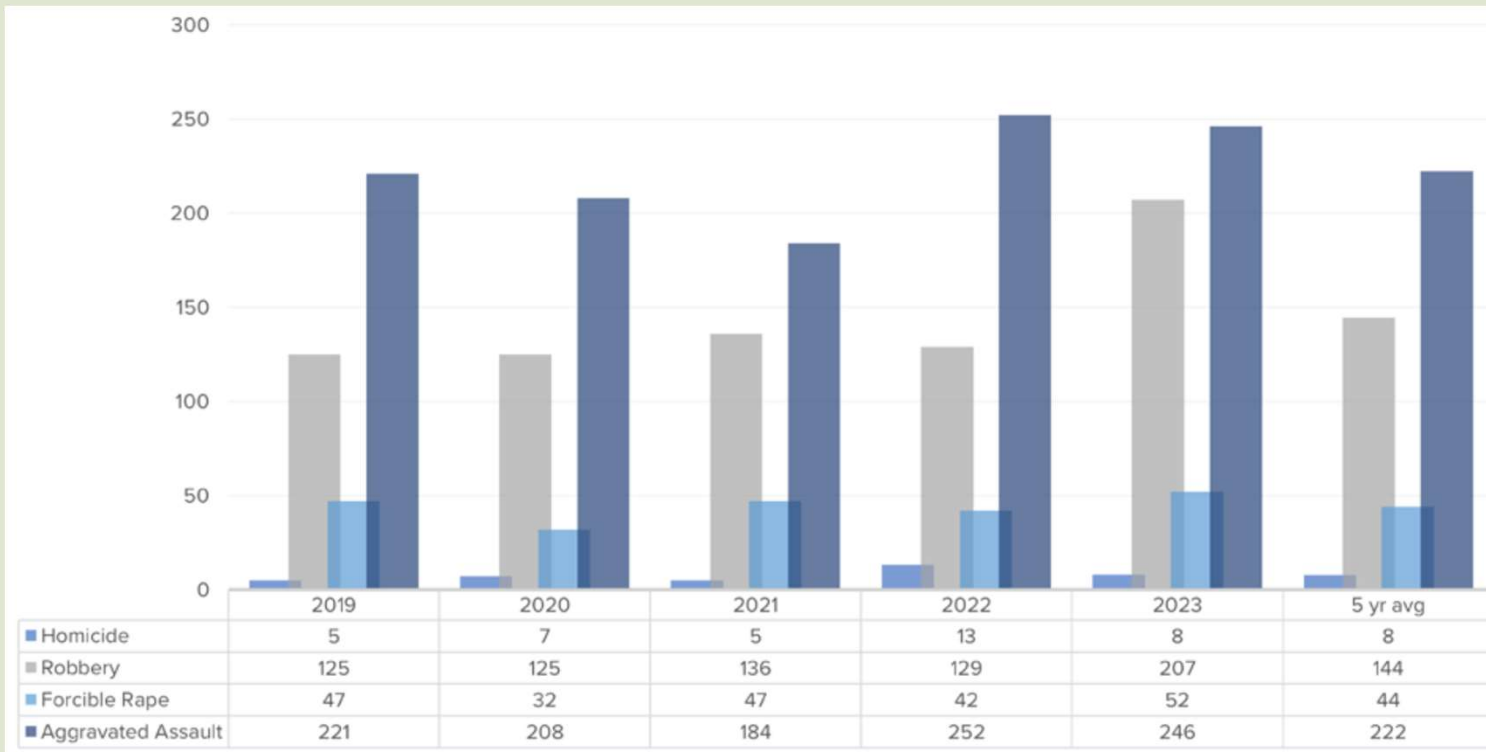
TOTAL FELONY CASES ASSIGNED



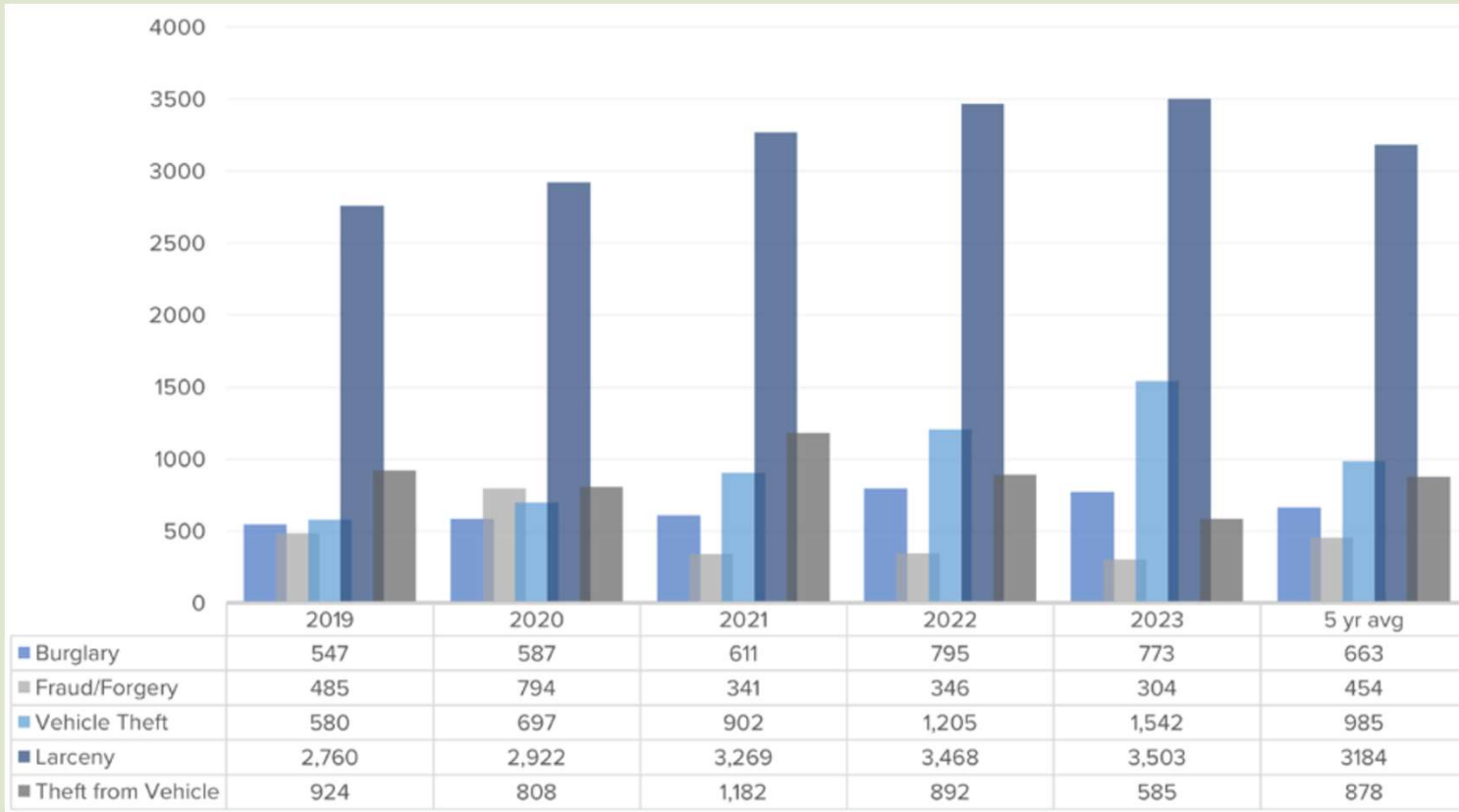
CASE DISTRIBUTION

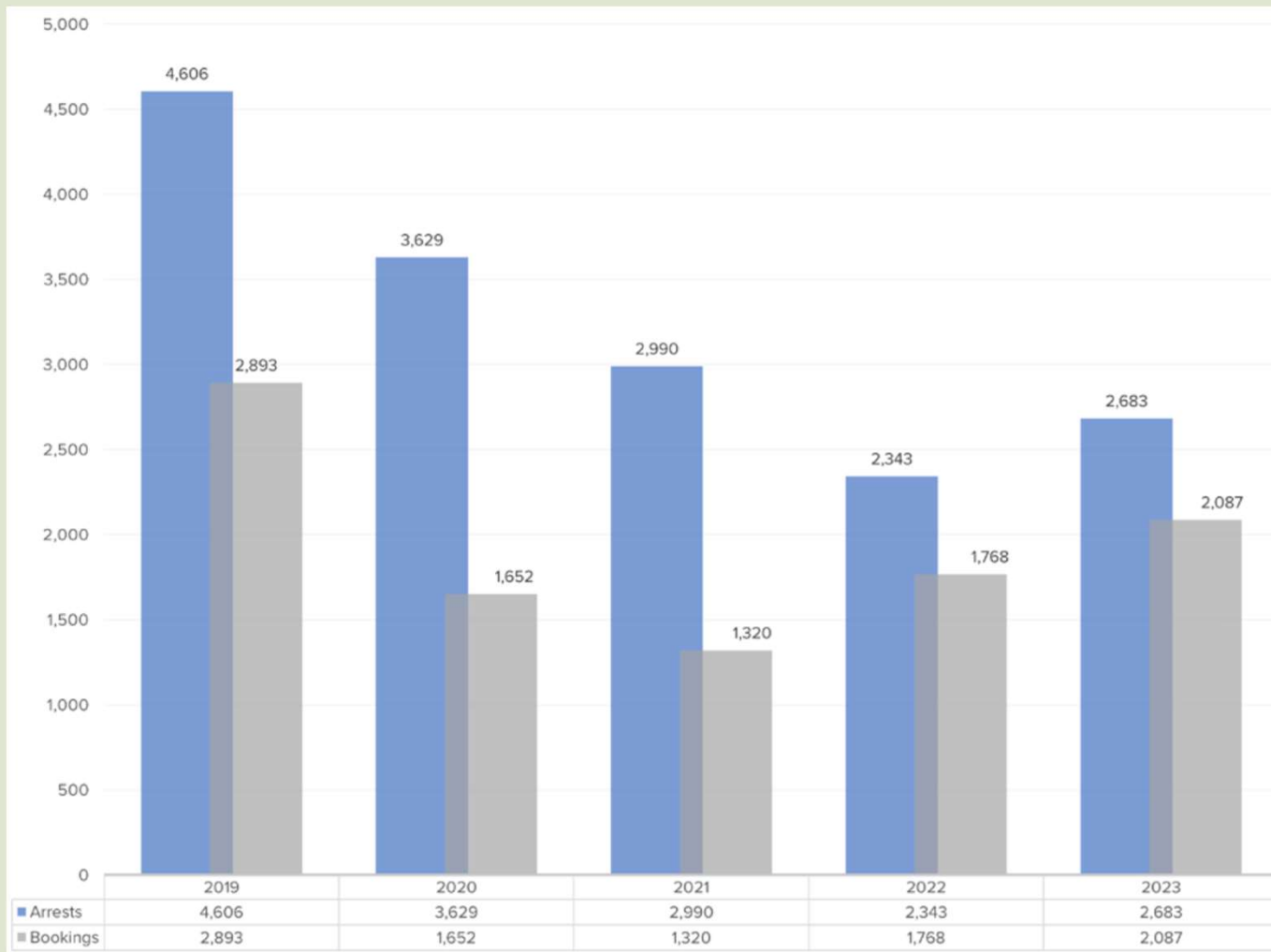
4942 Felony Cases
1303 Major Crimes
3323 Property Crimes
316 SIU

PERSON CRIMES



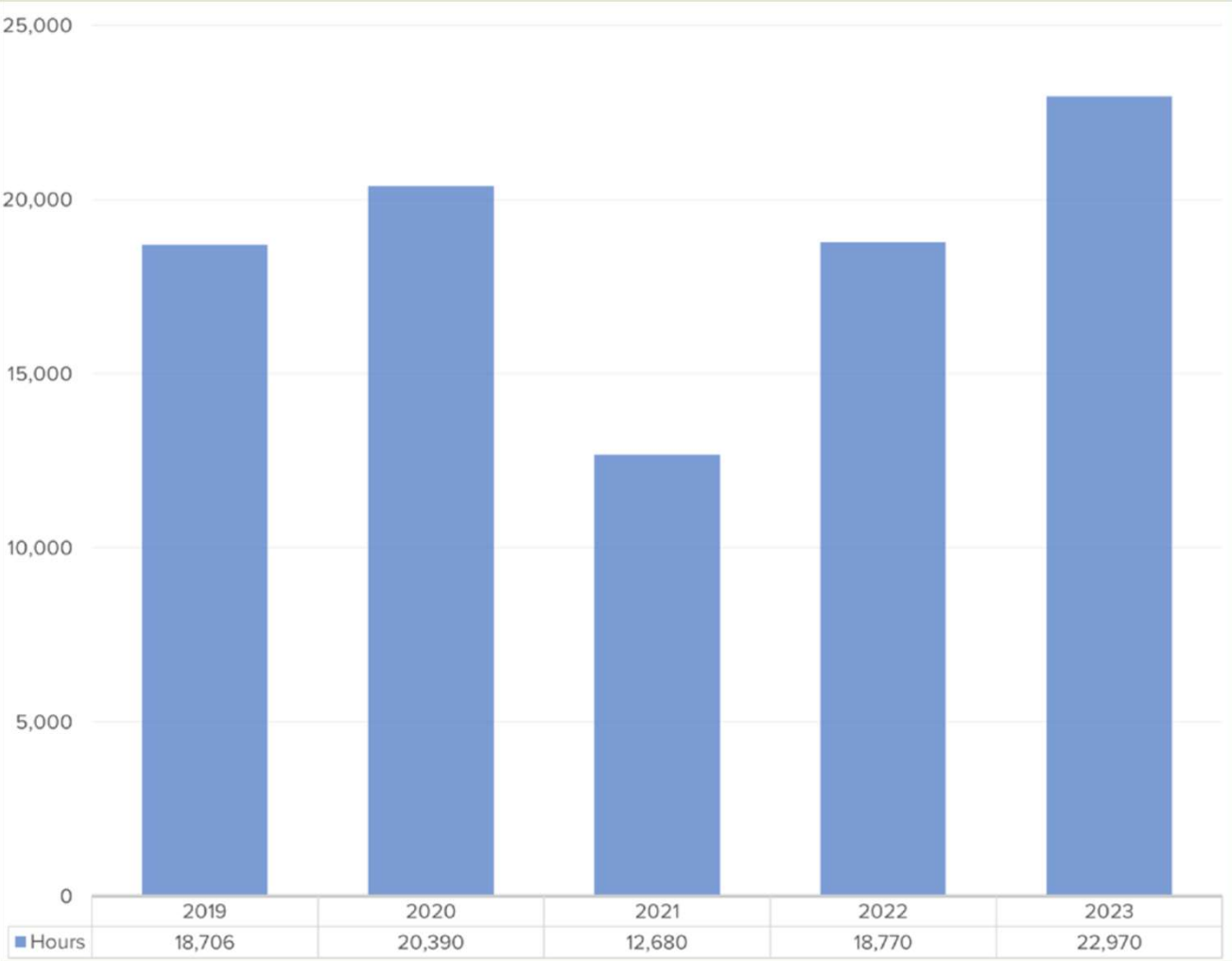
PROPERTY CRIMES





**TOTAL
ARRESTED
PERSONS**

TOTAL
TRAINING
HOURS





AUBURN POLICE DEPARTMENT 2023 ANNUAL USE OF FORCE REVIEW

Auburn Police Department

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253-288-3163

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Contacts vs. Use of Force Incidents

It is important to understand that there are times when it takes two or more officers using force on one suspect to gain compliance and get the suspect into custody. When that occurs, each officer is required to complete a force report which then generates multiple force reports for one incident. Table #1 depicts the ratios in comparison to the force incidents.

Only .24% of subjects contacted resulted in force being used.

Table 1	2022	2022 Ratio (88)	2023	2023 Ratio (163)
CAD	69,072	1/785 (.13%)	68,026	1/417 (.24%)
Cases	15,412	1/175 (.57%)	14,820	1/90 (1.08%)
Arrests	2,343	1/27 (3.76%)	2,683	1/16 (5.73%)
Bookings	1,768	1/20 (4.98%)	2,087	1/12 (7.24%)

Contacts vs. Use of Force Incidents

Table #2 below shows the ratio comparison from 2022 regarding force reports completed.

Only .23% of contacts resulted in a use of force report being completed.

Table 2	2022	2022 Ratio (133)	2023	2023 Ratio (161)
CAD	69,072	1/519 (.19%)	68,026	1/422 (.23%)
Cases	15,412	1/116 (.86%)	14,820	1/92 (1.07%)
Arrests	2,343	1/18 (5.68%)	2,683	1/16 (5.66%)
Bookings	1,768	1/13 (7.52%)	2,087	1/12 (7.16%)

Force Complaints

In 2023, we received no allegations of inappropriate and/or excessive applications of force. All use of force incidents were reviewed, and none were determined to be excessive or outside of policy. Table #3 shows there were 0 incidents that resulted in allegations of excessive force. Table #4 then reflects these same numbers in a percentage of allegations which is 0% in 2023.

Table #3

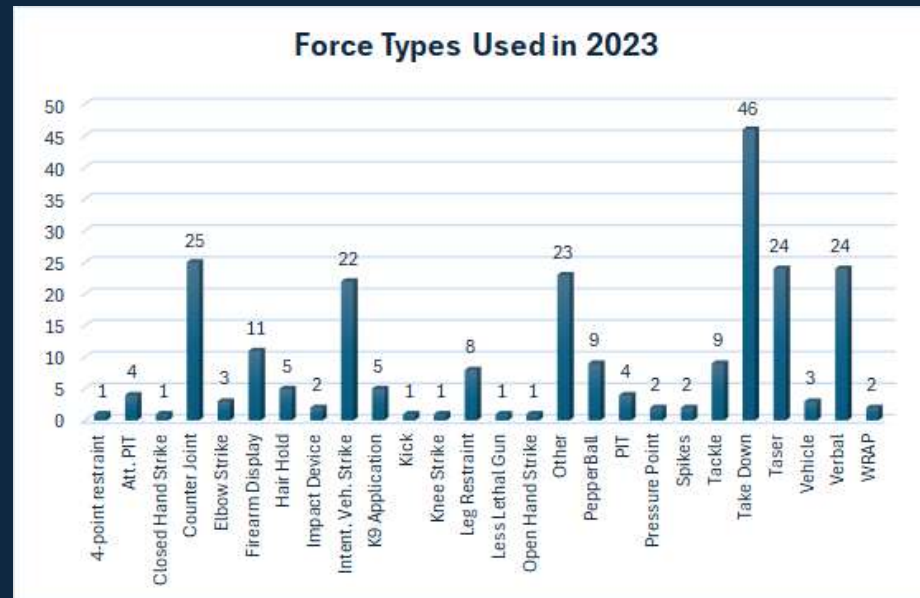
Year	Use of force reports	Excessive Force Allegations	Sustained Allegations
2020	231	7	2
2021	130	3	1
2022	133	1	1
2023	161	0	0

Table #4

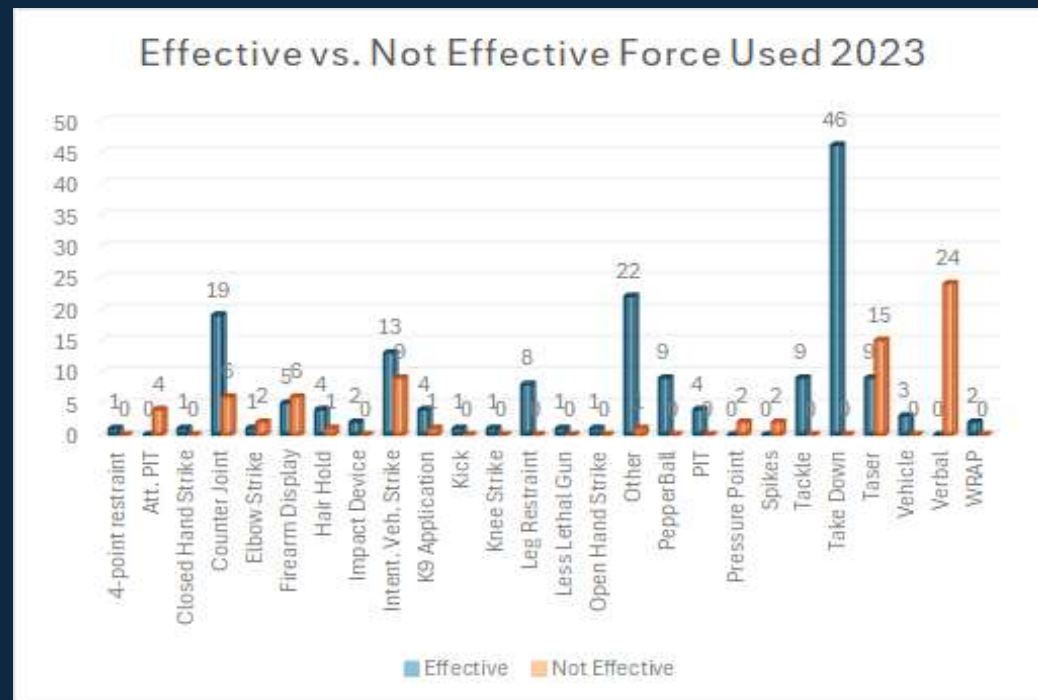


Force Types

The below chart shows each force type that can be used by an officer and shows the number of times that force was used in 2023.



Effective vs. Not Effective



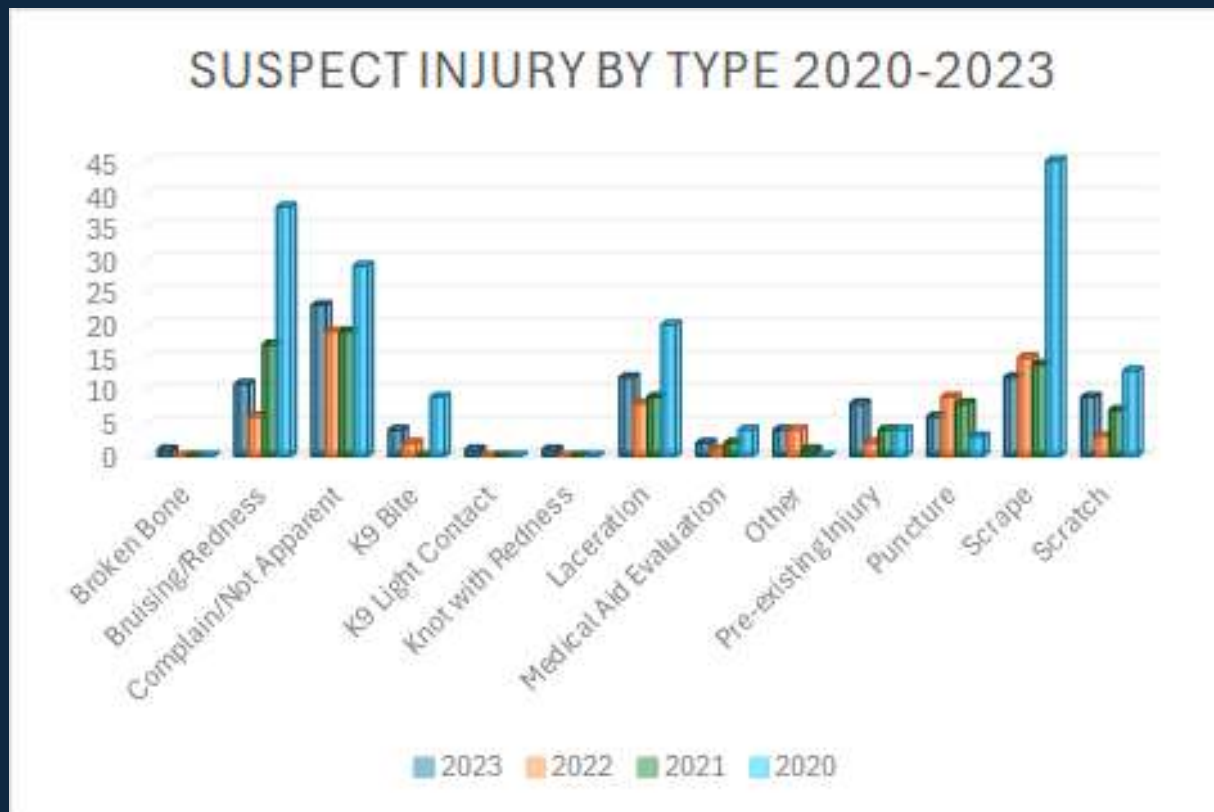
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Force Resulting in Injury

	Total Force Reports	Suspects Injured	Officers Injured	% of total of suspects injured
2020	231	88	35	38%
2021	130	63	19	48%
2022	133	62	18	47%
2023	163	94	23	57%

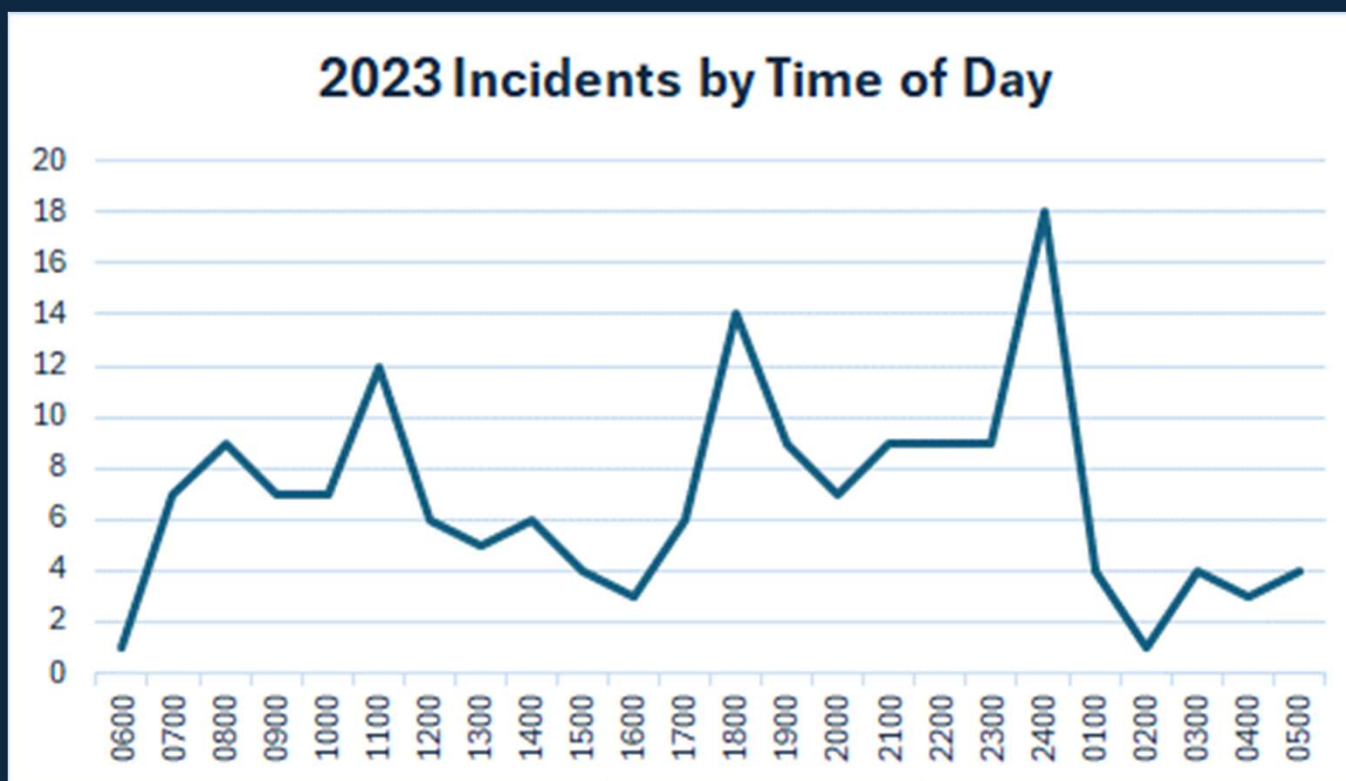
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Force Resulting in Injury cont.



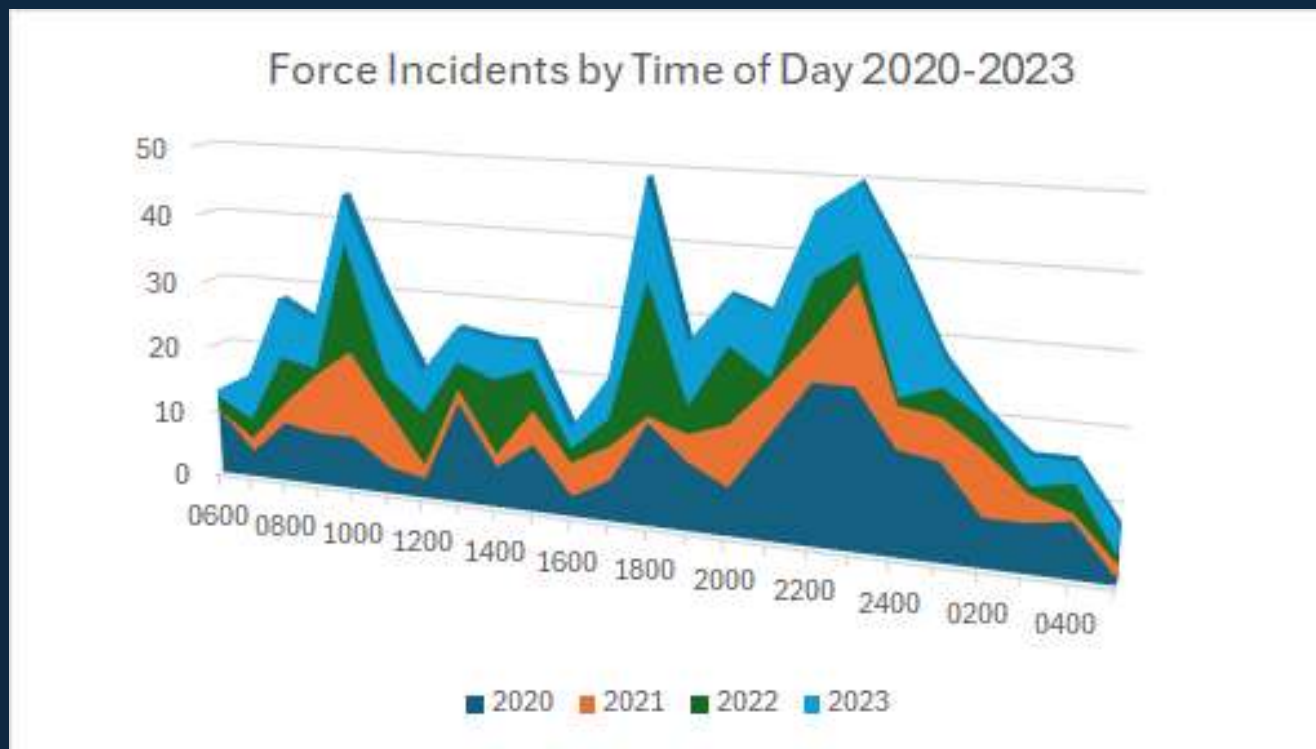
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Time of Day



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Time of Day cont.



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Reason for Force

	2023	2022	2021	2020
Attempting to Escape	88	67	43	92
Officer About to be Assaulted	5	9	10	21
Other	7	4	10	10
Refusing Commands	47	30	44	78
Officer Assaulted	12	8	9	23
Subject with Weapon	5	9	8	3
Other About to be Assaulted	0	4	5	4

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Resistance During Force Encounter

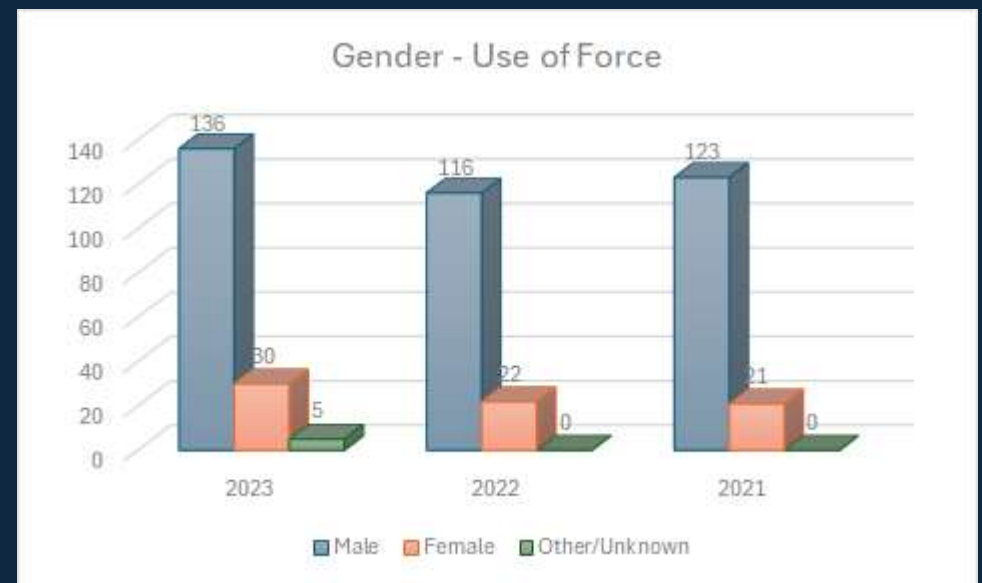
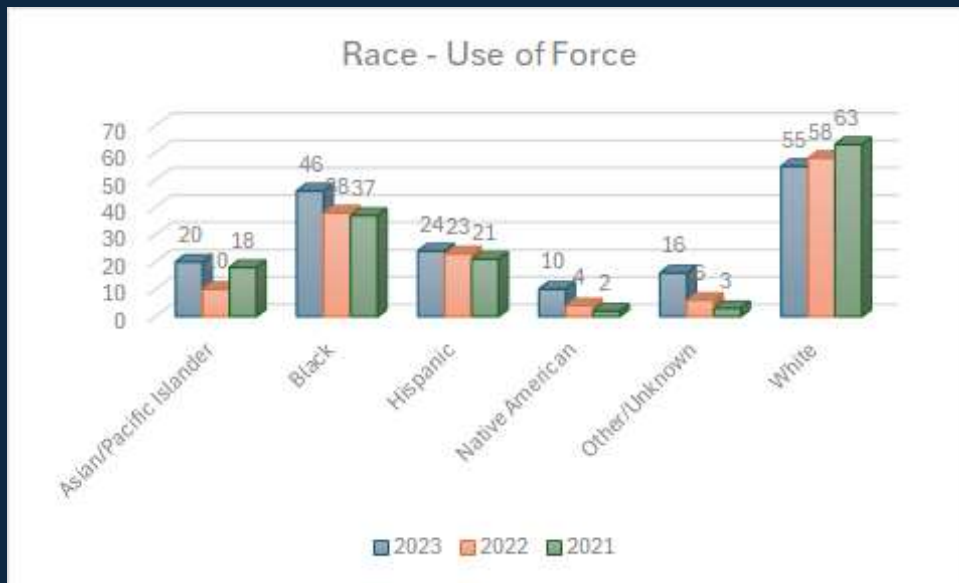
	2023	2022	2021	2020
Officer Assaulted/Threat to be Assaulted	23	31	35	49
Assaulted Other/Other About to be Assaulted	6	17	7	10
Fighting Stance	12	23	23	31
Subject Trying to Flee	83	64	44	75
Muscular Tension/Pulled Away	145	135	135	274
Other	45	29	37	40

Officer Assessment Prior to Force



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Use of Force Demographics





AGENDA BILL APPROVAL FORM

Agenda Subject:

Briefing - Special Planning Areas (Krum) (30 Minutes)

Department:

Community Development

Attachments:

[Powerpoint Presentation](#)

[Comprehensive Plan Policy Excerpts](#)

Date:

April 10, 2024

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For discussion only.

Background for Motion:**Background Summary:**

The City's Comprehensive Plan establishes several Special Planning Areas. Special Planning Areas define additional planning and land use considerations above and beyond standard land use regulations. The Comprehensive Plan identifies 3 categories of Special Planning Areas: Identified Areas, Designated Areas, and Adopted Areas. This presentation will elaborate on these categories and identify their locations within the City.

Reviewed by Council Committees:

Councilmember: Tracy Taylor

Staff:

Jason Krum

Meeting Date: April 22, 2024

Item Number:

CITY COUNCIL STUDY SESSION

SPECIAL PLANNING AREAS

**PRESENTED BY DEPARTMENT OF
COMMUNITY DEVELOPMENT
JEFF TATE
APRIL 22, 2024**

Department of Community Development
Planning • Building • Development Engineering • Permit Center
Economic Development • Code Enforcement

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SPECIAL PLANNING AREAS - OVERVIEW

Special Planning Areas are subareas within the city that allow for the refinement and recognition of existing unique characteristics within a district. Subareas are intended to anticipate, support, and guide long-term growth and redevelopment through planned development and a unique vision for how that area should look and function in the future. It can also be used to provide flexibility when there is uncertainty regarding how an area may be most appropriately developed in the future.

SPECIAL PLANNING AREAS - TYPES

Identified Areas – Contains a generalized written narrative in the Comprehensive Plan but has not been mapped nor has a specific written plan been adopted. It is anticipated that these areas are deserving of a future effort to geographically define the area and write/adopt a specific written plan.

Designated Areas – These are areas that are generally mapped in the Comprehensive Plan but have not gone through an effort to write and adopt a specific plan.

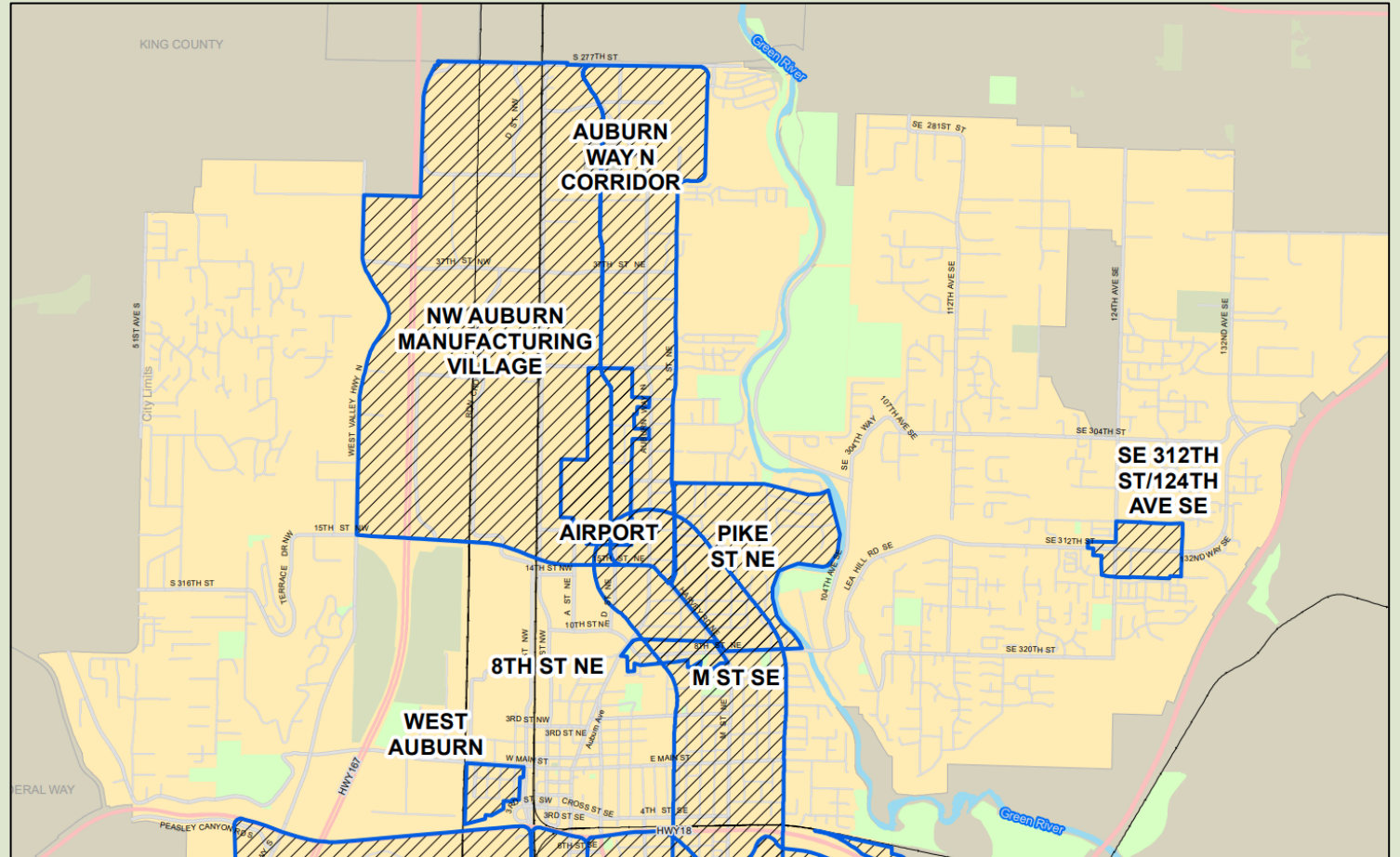
Adopted Areas – These are areas that are geographically defined in the Comprehensive Plan and for which a written Sub Area Plan has been adopted by City Council.

SPECIAL PLANNING AREAS – IDENTIFIED AREAS

- Auburn Golf Course
- Les Gove Campus
- GSA/Boeing
- Emerald Downs
- Green River College
- Auburn High School
- Mary Olsen Farm

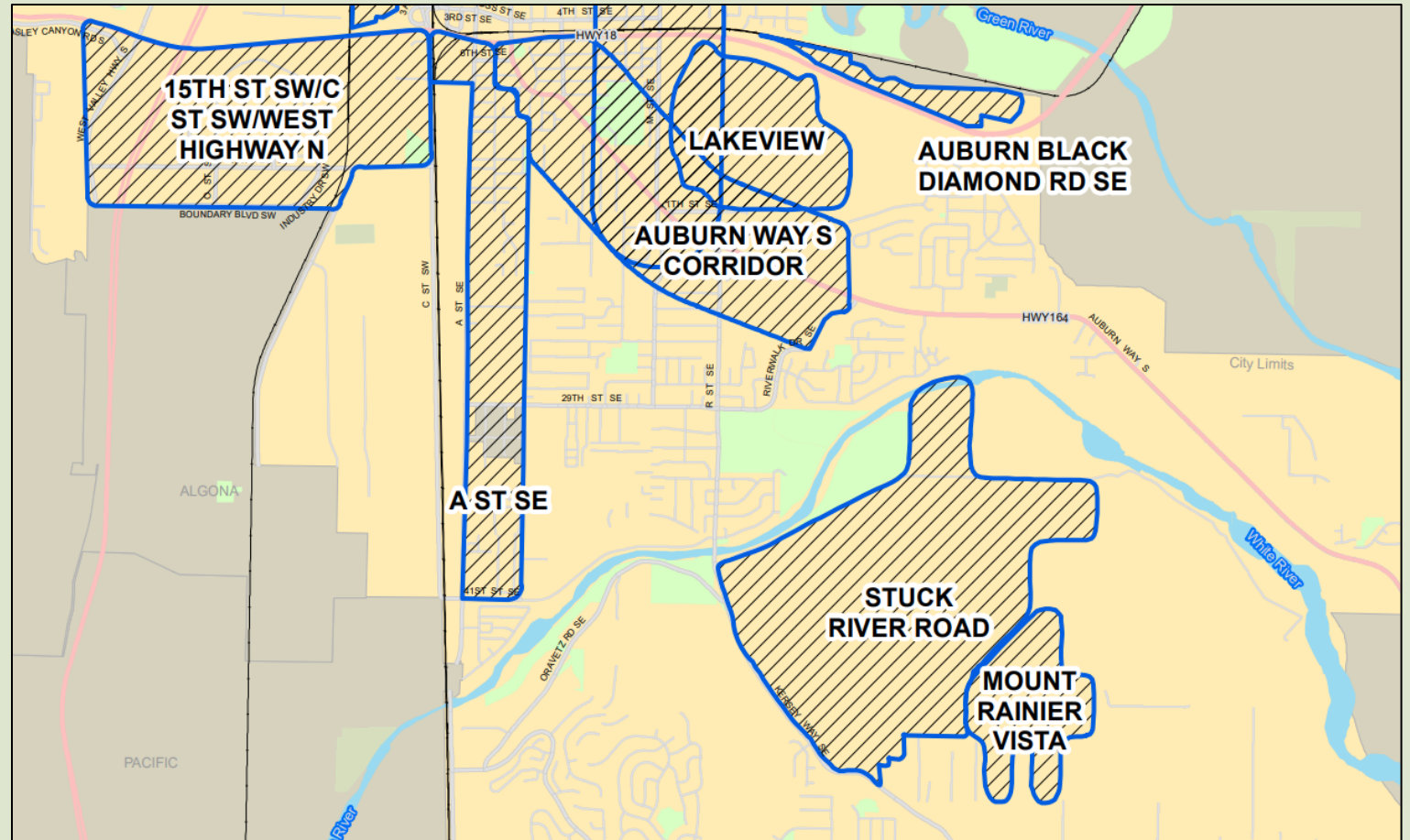
SPECIAL PLANNING AREAS – DESIGNATED AREAS

- Auburn Way North (AWN) Corridor
- NW Manufacturing Village
- Auburn Municipal Airport
- Pike Street NE
- SE 312th/124th Ave
- M St SE (between AWN and AWS)
- 8th Street NE
- West Auburn



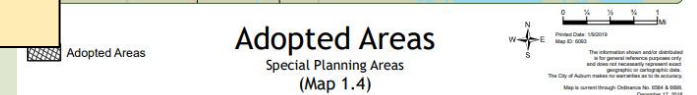
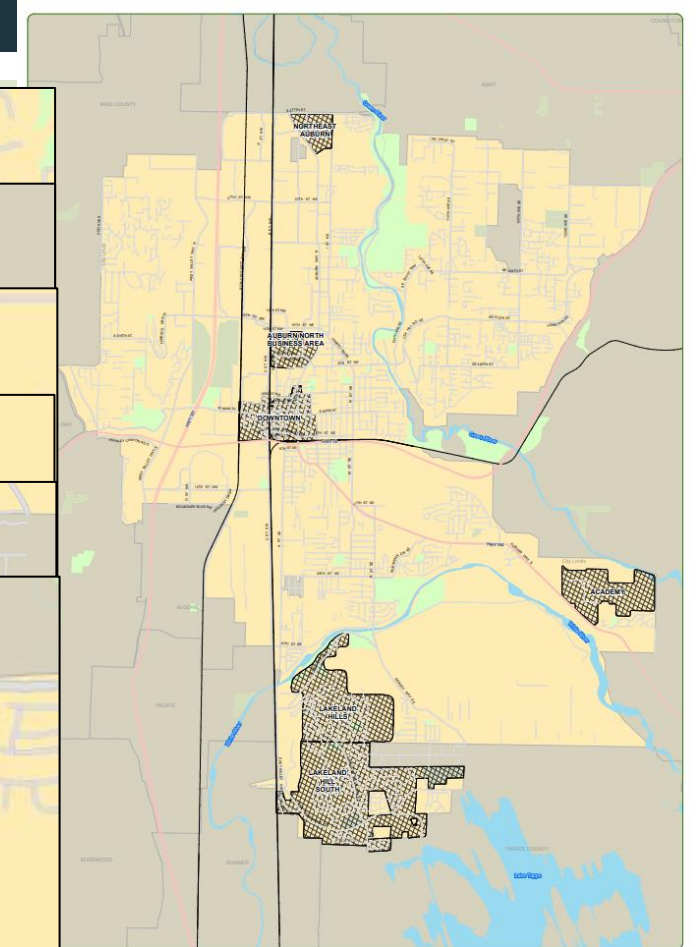
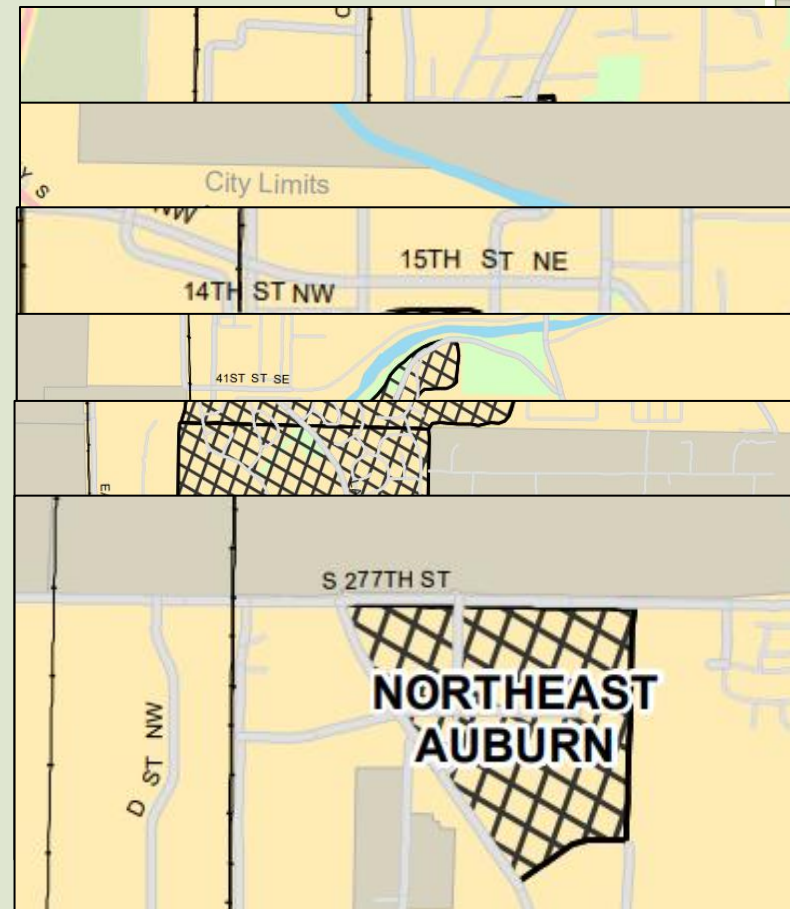
SPECIAL PLANNING AREAS – DESIGNATED AREAS (CONTINUED)

- 15th St SW/West Valley Hwy N
- A St SE (corridor)
- BNSF Rail Yard
- Auburn Way South (AWS) Corridor
- Lakeview
- AWS/Auburn Black Diamond Rd.
- Stuck River Road
- Mt. Rainier



SPECIAL PLANNING AREAS – ADOPTED AREAS

- Downtown (Ordinance No. 5549)
- Auburn Adventist Academy (Resolution No. 2254)
- Auburn North Business Area (Resolution No. 2283)
- Lakeland Hills (Resolution No. 1851)
- Lakeland Hills South (County H.E. Case Z15/ UP70)
- Northeast Auburn (Ordinance No. 6183)



Questions?

Department of Community Development

Planning • Building • Development Engineering • Permit Center
Economic Development • Community Services • Code Enforcement

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Subarea Policies.

LU-124 Each subarea will contain its own vision, goals, policies and strategies.

LU-125 BNSF Rail Yard - This approximately 150 acre Special Planning Area is located in the south-central portion of the City and surrounded by SR-18 to the North, Ellingson Road to the South, C Street SW to the west and A Street SE to the East. The Special Planning Area should consider both sides of C Street and A Street. Consideration should be given to:

- The needs of Burlington Northern.
- Providing pedestrian, bicycle and vehicular access across the site to connect the southeast and southwest sides of the city.
- Providing a more visually appealing “entry corridor” into the City from the south along A and C Streets.
- Allowing for a mix of uses including single and multifamily development and commercial and industrial uses where appropriate

LU-126 Stuck River Road - A portion of the Stuck River Road Special Planning Area is currently the site of a large sand and gravel mining operation. This area and other adjacent land comprising a total of approximately 664 acres has been designated as a long term resource area (mineral resource area), so development of the Special Area Plan for this area should be a low priority as mining is expected to continue on this site for as long as 30 years. The land uses for the Stuck River Road Special Planning Area will be determined through the subarea planning process and the City Council’s adoption of the subarea plan. Potential land uses applied through the subarea planning process could include single-family residential, multi-family residential, commercial, institutional, and recreational. Some light industrial uses may be appropriate for consideration and designation through the subarea planning process if the uses are “industrial or business park” in character, conducted entirely within an enclosed building, and exhibit a high degree of performance standards and are non-nuisance in nature and if appropriately limited in extent and location. A mix of housing types ranging from single family residential to multi-family residential is appropriate for this planning area. The subarea plan should be adopted taking into consideration the period during which mining is expected and the intent of the ultimate development of the area. An active permit has been processed by the City with respect to the mining activity on a portion (approximately 664 acres) of the mineral extraction operation. The permit process should continue, however, any permit for mining in the mineral resource area should be granted for the life of the resource, with reviews conducted periodically (every five years) to determine whether changes in the originally proposed mineral extraction operation have arisen and give rise to the need for additional or revised permit conditions to address the new impacts (if any) of any such changes. Any permit applications for additional acreage within the mineral resource area shall be processed by the City. Development of this area should not occur until adequate public facilities are available to support the development consistent with City concurrency policy. The City recognizes the potential for expanding the Stuck River Road Special Planning Area to include additional land east of Kersey Way and north of the Covington-Chehalis power line easement, and will consider a proposal by all affected property owners. If the area is expanded, the number of non-multiple family, non-manufactured home park dwellings units

may be increased proportionate to the increase in acreage. Any such proposal shall specifically apportion the types and quantities of development to occur within each separate ownership.

LU-127 Lakeview - The Lakeview subarea is currently the site of two independent sand and gravel mining operations. While mining activity continues in the eastern operation, indications in 1995 are that the western operation has ceased. Activity in the western portion is now limited to a concrete batch plant and future site reclamation. Following reclamation, the area should be developed as a primarily single family residential neighborhood of low to moderate urban density. A planned development would be particularly appropriate for this approximately 235 acre site. The permitted development density of the site will depend heavily upon the ability of the transportation system near the site to handle the new uses. Consideration shall be given to the environmental, recreational and amenity value of White Lake, the historical and cultural significance, as well as tribal ownership and jurisdiction of the Muckleshoot Tribe in the development of the Lakeview Plan element. Permit applications have been accepted and are currently being processed by the City with respect to the mining activity on the eastern portion of the area. The permit process should continue, however, any permit for continued mining in this portion of the area should be limited to 10 years to encourage completion of the mining, and subsequent reclamation by the property owner in preparation for development. The Lakeview Plan element should be adopted prior to the City's acceptance or processing of any other permit applications for the mining operation in the Lakeview Special Planning Area. The environmental information and analysis included in the Final Environmental Impact Statement for Lakeview (November 1980), shall be considered in the development of the Lakeview Plan element. While heavy commercial or industrial uses would not be appropriate as permanent uses of this area, conversion of the area now zoned for heavy industry to office commercial (or similar) uses would be appropriate.

LU-128 Mt. Rainier Vista - This 145 acre subarea is located south of Coal Creek Springs Watershed. Overall development of the Mt. Rainier Vista subarea plan shall be consistent with the following conditions: 1. Primary consideration in use and development of the property shall be given to protection of Coal Creek Springs' water quality. Development types, patterns and standards determined to pose a substantial risk to the public water source shall not be allowed. 2. The maximum number of dwelling units will be determined as part of any sub-area plan process. Dwelling units shall be located within portions of the property where development poses the least risk of contamination for Coal Creek Springs. Lands upon which any level of development would have a high risk for contaminating the water supply shall not be developed, but would be retained as open space. The development pattern shall provide for a logical transition between areas designated for rural uses and those designated for single family residential use. All dwelling units shall be served by municipal water and sanitary sewer service, and urban roads. If 53rd Street S.E. is the major access to serve the Special Planning Area, the developer will be responsible for developing the street to urban standards, from the property owners' eastern property line that abuts 53rd Street, west to the intersection of 53rd and Kersey Way. 3. Percolation type storm sewer disposal systems shall not be permitted. All surface water drainage shall be conveyed consistent with the City's current storm drainage standards. Treatment of stormwater shall occur prior to its discharge to any surface water body, consistent with standard public works or other requirements in general effect at the time of development. 4. The site shall be zoned temporarily, at one unit per four acres, until the sub-area plan is completed and the long-term urban zoning determined. 5. The Mt. Rainier Vista special planning area boundary may be modified through the development of the subarea

plan. 6. The Mt. Rainier Vista and Stuck River Road Special Planning Areas shall be coordinated subarea plans.

Designated Areas - Areas of Concern Policies.

LU-129 AWS/Auburn Black Diamond Rd – The area between Auburn-Black Diamond Road and the Burlington Northern Railroad currently lacks urban facilities necessary to support urban development. Major development proposals shall be carefully assessed under SEPA to ensure that the development can be supported by the available facilities. Once property owners are able to demonstrate to the City that they can provide urban services (municipal water and sewer service, urban roads and storm water management) necessary to support the intensity of development proposed within the entire area, the Plan designation and zoning for this area should be changed to an urban residential or commercial classification. The appropriate classification(s) shall be determined after a review of the development proposal and the pertinent Comprehensive Plan policies. LU-130 Pike Street NE – The area located north of 8th NE, east of Harvey Road, and south of 22nd NE is inadequately served by residential arterials. No increase in density or other development which would increase traffic demand in this area should be approved.

LU-131 8th Street NE – The areas paralleling 8th Street NE located between Auburn Way and M Street are designated for multiple family residential while 8th Street NE is designated as a minor arterial. However, the road is not currently constructed to this standard and is not able to support current traffic demand adequately. The Plan designation would greatly increase traffic volumes. Implementation of the Plan designations should not occur until 8th Street NE is constructed to the adequate arterial standard and water service is upgraded. Up zones should not be granted from current zoning until these stems are upgraded or guaranteed.

Designated Areas - Economic Development Strategy Areas Policies.

LU-132 The City should adopt a formal subarea plan for each of the seven economic development strategy areas (listed below) as an element of the Comprehensive Plan. Each economic development strategy area subarea plan should identify the uses, intensities, and infrastructure development necessary to support the types of business and activities that are most consistent with community aspirations. Each subarea plan should address and include policies regarding the expected level of housing density (or residential growth targets) and employment growth targets. • Auburn Way South Corridor • Auburn Way North Corridor • NW Auburn Manufacturing Village • 15th St. SW/C St. SW/W Valley Hwy. N • A St. SE • SE 312th St. /124th Ave SE • M St. SE between Auburn Way N and Auburn Way S.

Adopted Areas Policies.

LU-133 Adoption or revision of a subarea plan will be treated as a comprehensive plan amendment and will comply with the Growth Management Act, Countywide planning policies, Vision 2040, and the Core Comprehensive Plan.

LU-134 Adventist Academy - Adopted under Resolution No. 2254 on November 14, 1991. The Auburn Adventist Academy is Special Planning Area (Adopted Area) is a multi-use campus operated by the Western Washington Conference of Seventh-Day Adventists. The Campus plays a large role in the Western Washington Conference of SeventhDay Adventists' private elementary and secondary education

system in Washington and hosts many community events as well as an annual regional camp meeting for Adventists from Washington and around the world. The Campus previously housed Harris Pine Mill, a furniture manufacturer, for many years. The Mill provided financial benefit to the Academy's budget and provided employment opportunities, learning experiences, and vocational education for Academy students. The Academy continues to include in its plan industrial uses that support the mission of the school financially. The reuse of existing mill buildings and redevelopment of buildings lost to a fire in 1989 are the focal points of the current industrial development. In addition to institutional and industrial uses, the Academy is also operating a landing strip and associated aircraft hangars for student aviation and flight training. A single family subdivision is located to the south of the airstrip. In addition to these uses, the Academy wishes to allow development of uses such as multi-family and senior housing and assisted living and memory care which will generate perpetual revenue through a long-term land lease on a portion of the Campus lying generally north of Auburn Way South and south of 32nd Street S.E. that will directly aid its mission. The financial benefit from these uses will allow funding an endowment, subsidize student tuition, provide financial aid for students needing tuition assistance, for new educational programs, for additional faculty, facility maintenance and upgrades, and other needs. The plan focuses on providing predictability to planning, zoning, subdivision, and development decisions within the Special Planning Area (Adopted Area) made by the City.

LU-135 Auburn North Business Area - Adopted under Resolution No. 2283 on March 2, 1992. The Auburn North Business Area Special Planning Area Plan was the result of a comprehensive planning study due to increased development pressure north of the Central Business District. Since the Central Business District, which contains Downtown, the core of Auburn, is adjacent to these areas, future development in this area is crucial. A comprehensive and cohesive direction was also needed based on increased development proposals and rezone requests. In addition to development concerns, many of the considerable undeveloped parcels contain wetlands. All of these factors made development controls beyond zoning and development regulations advisable.

LU-136 Lakeland Hills - Adopted under Resolution No. 1851 on April 18, 1988. Lakeland Hills area lies between the Stuck River and the southern City limits of Auburn in the most southwestern part of the City. The area consists of planned residential and commercial subdivisions, and is predominately residential in nature, offering a range of housing types, including single family and multi-family dwellings. The Lakeland Hills Plan was intended to provide long-term predictability to both the City and potential developers. As a planned community, development and design must be consistent with the policy guidance of the Lakeland Hills Plan.

LU-137 Lakeland Hills South - Approved under Pierce County Hearing Examiner Case Z15/UP70. Lakeland Hills South lies south of the Lakeland Hills special plan area and is the most southwestern part of the City. The area is predominately residential, allowing for a range of housing types, with commercial uses, including Lakeland Town Center, in the center. Nonresidential uses, including civic, religious, and municipal services are allowed throughout the area through an Administrative Use Permit. Unlike Lakeland Hills, Lakeland Hills South was accepted into Auburn as a Planned Unit Development (PUD). The Lakeland Hills PUD, originally the Lakeland Hills South Planned Development District (PDD), was approved under Pierce County Hearing Examiner Case no Z15-UP70 in 1990. Lakeland Hills South PUD is intended to provide enhanced flexibility to develop a site through innovative and alternative development standards. As a PUD, specific development and design standards are prescribed.

LU-138 Auburn Downtown Plan (Urban Center) - Adopted under Ordinance No. 5549 on May 21, 2001. Downtown Auburn is the business, governmental, and cultural hub of Auburn, its physical and cultural heart. Many stores, restaurants, service providers, and small offices are well-represented throughout this district. Downtown hosts many community events and activities, such as the weekly Auburn International Farmers Market in the summer, Soundbites! Concert Series (in the City Hall Plaza) and the Veterans Day Parade. Downtown features public art that includes temporary installations such as Pianos on Parade and a permanent outdoor Downtown Sculpture Gallery with rotating pieces. This dynamism is possible because the district is a collection of uses that coexist in close proximity to one another. Due to the value, importance, and complexity of this district, The Auburn Downtown Plan identified four general needs to be addressed by the plan:

- Update of the existing plan in order to continue Downtown revitalization
- Concern over the reopening of Stampede Pass
- Multiple large projects proposed for Downtown
- Scarce private investment

In conjunction with project-based items, a regulatory element that emerged from the goals of the Auburn Downtown Plan was the Downtown Urban Center (DUC) zoning district, which was established in 2007. While the DUC zoning district is intended specifically to address the needs of downtown, though the implementation of policies identified by the Downtown Auburn Plan, many challenges related to public and private investment, development, and strategic planning have yet to be addressed as downtown has evolved.

LU-139 Northeast Auburn Special Plan Area – Adopted under Ordinance No. 6183 on June 5, 2008. The Plan was prepared in fulfillment of the policies included in the Comprehensive Plan for the area between Auburn Way North and the Green River, south of 277th Street (52nd Street NE) and north of approximately 37th Street NE in the City of Auburn (Map No. 14.2). The planning area was narrowed to an area covering approximately 120 acres, north of 45th Street NW and between Auburn Way North and the existing I Street NE right-of-way. The Northeast Auburn/ Robertson Properties Special Area Plan focuses on proposed development of the Auburn Gateway project area, a 60-acre group of properties owned or under consideration for purchase by Robertson Properties Group, owners of the Valley 6 Drive-In Theater. The plan calls for a mix of office, retail, and multifamily development under a new zoning designation (C-4, Mixed Use Commercial) for the central portion of this planning area, created to accommodate mixed use development. The plan calls for phased development in coordination with the provision of new roads, stormwater and other utilities, and flood management measures.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Economic Development Update (Krum) (20 Minutes)

Department:

Community Development

Attachments:

[Economic Development Presentation](#)

Date:

April 5, 2024

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For discussion only.

Background for Motion:**Background Summary:**

Economic Development staff will present on a quarterly basis an update on items being worked on throughout the year. This presentation will focus on the first quarter of 2024 and include general information as an introduction to Economic Development for newer Councilmembers.

Reviewed by Council Committees:

Councilmember: Tracy Taylor

Staff:

Jason Krum

Meeting Date: April 22, 2024

Item Number:

ECONOMIC DEVELOPMENT DIVISION
INTRODUCTION TO
ECONOMIC DEVELOPMENT

&

1ST QUARTER 2024 UPDATE

PRESENTED BY DEPARTMENT OF
COMMUNITY DEVELOPMENT
JENN FRANCIS, EC DEV MANAGER
APRIL 22, 2024

Department of Community Development
Planning • Building • Development Engineering • Permit Center
Economic Development • Code Enforcement

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CITY OF AUBURN'S ECONOMIC DEVELOPMENT DIVISION

Jenn Francis
Economic Development Manager



Emerson Folker
Economic Development Coordinator



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ECONOMIC DEVELOPMENT DIVISION



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ECONOMIC DEVELOPMENT VISION

Auburn is a community that has a robust and diverse economy where businesses seek to locate, people desire to visit, and residents enjoy a range of commercial offerings.

Businesses that locate in Auburn find it easy to enter the marketplace, encounter ideal conditions for their long-term success, and become rooted and involved in the community.

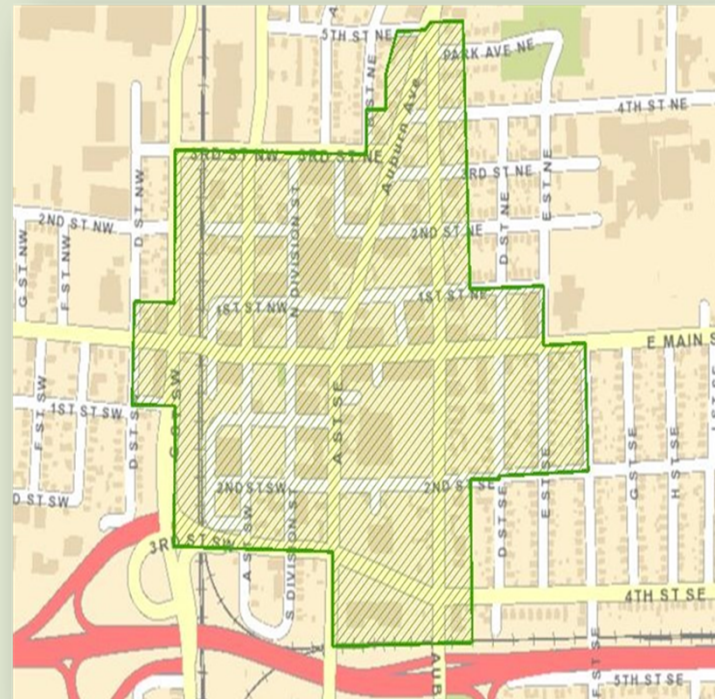
Visitors continue to return to Auburn because of its high-quality natural resources, parks, public spaces, and commercial attractions.

Residents choose to live in Auburn because of the diverse, family wage employment opportunities, and access to entertainment, restaurant, retail, and services.

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DOWNTOWN ENGAGEMENT

- Economic Development Division work closely with the downtown business & property owners
- Primary point of contact for downtown businesses.
- Downtown consist of roughly 220 businesses.



NEW DOWNTOWN BANNERS



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BUSINESS IMPROVEMENT AREA (BIA)

BIA Funding: Receives \$90,000 annually from the City B&O Tax.

Board Members: The BIA is governed by a board consisting of these current members (John Rottle, Giovanni DiQuattro, Bill Cowart, Ronnie Roberts, and Darren Jones).

Board Meetings: BIA board members meet second Thursday of the month from 1 to 2 pm.

Downtown Projects: BIA has contributed over \$100,000 for projects in the downtown.

- Downtown Planters
- Murals in Downtown
- Downtown Lighting
- Bike Racks

All these projects are implemented and managed by DAC.

DOWNTOWN AUBURN COOPERATIVE

The DAC works closely with the City and BIA to support downtown businesses and the surrounding community.



Planters



Lighting



Murals

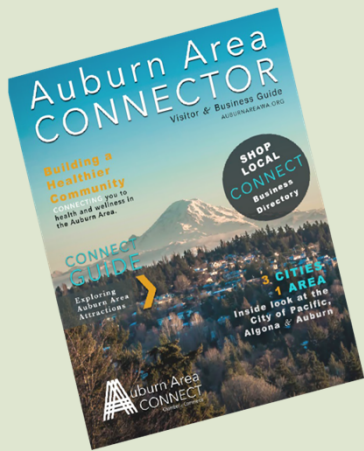
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DOWNTOWN NETWORKING – MIX & MINGLE



AUBURN AREA CONNECT CHAMBER OF COMMERCE

The Auburn Area Connect Chamber of Commerce works with the City, legislators, and the community.



CANDIDATE
FORUM



BUSINESS CONNECT EVENTS



BUSINESS
CONNECT
events



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GREEN RIVER COLLEGE SMALL BUSINESS CENTER



The Green River College Small Business Center houses both the Small Business Development Center (SBDC) and the Procurement Technical Assistance Center (PTAC). Both help any business, at any stage, in any industry, reach the next level of success. Our Small Business Center offers no cost, one-on-one advising and low-cost business education in:

- Business funding and expansion
- Government contracting
- Buying or selling a business
- Marketing
- Business start-up and management



GREATER SEATTLE PARTNERS



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TOURISM

Benefits of Tourism

- Injects Dollars From Outside Auburn Into Our Local Economy
- The City receives a Lodging Tax
- Cultivates Civic Pride
- Community Benefit To Auburn Residents
- Positively Impact Shoulder Season (Sept – May)
- Ensure Economic Vitality of Auburn Businesses



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OUTLET COLLECTION MARKETING CAMPAIGN



PACIFIC RACEWAYS



DON'S PLACE GOOD NEIGHBOR AGREEMENT



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ECONOMIC DEVELOPMENT ELEMENT OF THE CITY OF AUBURN COMPREHENSIVE PLAN

Coming Soon!



OUR GOAL IN ECONOMIC DEVELOPMENT

Economic development programs should be viewed as a way to shape the character of the City's future economy.



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QUESTIONS?

**JENN FRANCIS
ECONOMIC DEVELOPMENT MANAGER**

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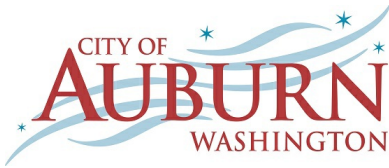
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AGENDA BILL APPROVAL FORM

Agenda Subject:

Housing Policy Update (Krum) (20 Minutes)

Department:

Community Development

Attachments:

[Powerpoint Presentation](#)

Date:

April 11, 2024

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For discussion only.

Background for Motion:**Background Summary:**

The City initiated efforts to carry out a Housing Action Plan in 2020. This effort was multi-phased that started with a multi-city partnership to collect specific south King County housing data and trends that were intended to inform policy options customized to each city. The next phase was to develop an action plan that included a menu of policy options that were designed for Auburn to consider. Many of the policy options included tools that were intended to increase housing supply and housing options and included recommendations to consider zoning policies and regulations that embraced more accessory dwelling units and more middle housing options. In 2023 the State legislature enacted HB 1110 which requires most cities to adopt the same types of middle housing tools in their communities. HB 1110 is aligned with the Housing Action Plan that was already created in advance of enactment of the bill. This effort has given the City a head start when meeting the compliance deadlines for HB 1110 and allows the City to genuinely state that it had already made middle housing commitments prior to adoption of HB 1110.

The purpose of this presentation is to provide more detail about how these actions are shaping up in the form of zoning and housing policies that are being incorporated into the 2024 Comprehensive Plan update that is before the Planning Commission and that will be transmitted to the City Council in Q3 of 2024.

Reviewed by Council Committees:

Councilmember: Yolanda Trout-Manuel

Staff:

Jason Krum

Meeting Date: April 22, 2024

Item Number:

CITY COUNCIL STUDY SESSION

HOUSING POLICY UPDATE

**PRESENTED BY DEPARTMENT OF
COMMUNITY DEVELOPMENT
JEFF TATE
APRIL 22, 2024**

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HOUSING POLICY UPDATE - OVERVIEW

- **Housing Inventory and Assessment**
- **Housing Action Plan**
- **Housing Action Plan Implementation**
- **2023 State Legislation**
- **City Comprehensive Plan – Land Use and Housing**

PHASE 1 – HOUSING ASSESSMENT & INVENTORY

- **City Initiated in 2020**
- **Funded through a State Grant**
- **Partnership with Kent, Federal Way, Renton, Burien &**
- **Coordinated Through SKHHP**
- **Data Collection**
- **Inventory**
- **Cross Region Understanding**
- **City Specific Information**

PHASE 2 – HOUSING ACTION PLAN

- **City Initiated in early 2021**
 - **Funded by a State Grant**
 - **Auburn Specific**
 - **Creates a Menu of Housing Policy Options**
 - **Focus on Increasing Supply and Type of Housing**
 - **Focus on Housing that Meets Income Targets**
 - **Adopted by City Council Under Resolution 5592**
- Adopted on July 6, 2021**

PHASE 3 – HOUSING ACTION PLAN IMPLEMENTATION

- **City Initiated in 2023**
- **Funded by a State Grant**
- **Auburn Specific**
- **Effort to Select From Menu of Housing Policy Options**
- **Intended to Inform Update of City Comprehensive Plan Land Use and Housing Element**

2023 STATE LEGISLATION – HB 1110 AND 1220

- **State Initiated in 2023**
- **Applies to Most Cities**
- **HB 1110 - Focused on Increasing Housing Supply, Housing Type, and Meeting Affordability Targets**
- **HB 1220 – Focused on Simplifying Creation of Accessory Dwelling Units**
- **Aligns Well with City Initiated Actions**

COMPREHENSIVE PLAN – LAND USE AND HOUSING

- **City Initiated in late 2023**
- **Incorporated into 2024 Land Use and Housing Element Updates**
- **Presented to Planning Commission on April 2, 2024**
- **Planning Commission Public Hearing Held on April 16, 2024**
- **Planning Commission Recommendation to be Transmitted to City Council in Q3 of 2024**

COMPREHENSIVE PLAN – LAND USE AND HOUSING

Major Changes Proposed – Concepts:

- Zoning and Density
- Middle Housing Options
- Accessory Dwelling Units
- Mixed Use High Density Centers
- Incorporates Transit Oriented Development
- High Emphasis on Downtown Growth

COMPREHENSIVE PLAN – LAND USE AND HOUSING

Major Changes Proposed – Specifics:

- **Middle Housing Allowed in Residential Zones. This means 4-Plex and 6-Plex Development without the need to meet density.**
- **Density only applies to Single Unit Construction. Residential Densities increased.**
- **ADU's allowed in all zones and much easier to permit.**
- **Several areas identified along Auburn Way North to resemble current downtown; locations based on transit service.**

Questions?

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