

	<p>City Council Meeting May 17, 2021 - 7:00 PM Virtual MINUTES 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. **VIRTUAL PARTICIPATION LINK**

1. Virtual Participation Link

The City Council Meeting was held virtually.

A. **Pledge of Allegiance**

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

B. **Roll Call**

Councilmembers virtually present: Deputy Mayor Claude DaCorsi, Bob Baggett, Larry Brown, James Jeyaraj, Robyn Mulenga, Chris Stearns and Yolanda Trout-Manuel.

Mayor Nancy Backus, City Attorney Kendra Comeau, Innovation and Technical Support Specialist Danika Olson, Director of Innovation and Technology David Travis, Police Chief Dan O'Neil and Deputy City Clerk Teresa Mattingly were in Chambers.

The following department directors and staff members attended the meeting virtually: Senior City Staff Attorney Harry Boesche, Director of Community Development Jeff Tate, Director of Public Works Ingrid Gaub, Director of Finance Jamie Thomas, Assistant Finance Director Kevin Fuhrer, Director of Administration Dana Hinman, Director of Human Resources and Risk Management Candis Martinson, Director of Parks, Arts, and Recreation Daryl Faber, Real Estate Manager Josh Arndt, Equity Program Manager Brenda Goodson-Moore and Assistant Director of Innovation and Technology Ashley Riggs.

III. **ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS**

There were no announcements, proclamations or presentations.

IV. **AGENDA MODIFICATIONS**

There were no modifications to the agenda.

V. **NEW BUSINESS**

There was no new business.

VI. **CITIZEN INPUT, PUBLIC HEARINGS AND CORRESPONDENCE**

A. **Public Hearings - (No public hearing is scheduled for this evening.)**

B. **Audience Participation**

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

1. Virtual Participation

Jeff Pechacek, Emily Wittman, Robert Henry, Matt Welch, MaryAnn O'Connell, Way Scarff, Steve Brock, Joe and Lorie Blevins, Kristin Small, Seth Winbolt, Lynne Crist, Robert Pries and Dave Liesse submitted comments in opposition of Ordinance No. 6814.

Catherine Holm, Seth Headley, Marie Anne Harkness, Donald Helts, Greg Saar and Lorena and Joseph Blevins submitted public comments in opposition of Ordinance No. 6818.

Bob Zimmerman provided comments about propane and structural related safety codes.

Julien Loh submitted comments regarding the COVID Bill Assistance Program Puget Sound Energy is offering to qualified customers.

C. **Correspondence**

There was no correspondence for Council to review.

VII. **COUNCIL AD HOC COMMITTEE REPORTS**

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

1. Finance Ad Hoc Committee (Chair Baggett)

Councilmember Baggett, Chair of the Finance ad hoc committee, reported he and Councilmember Jeyaraj have reviewed the claims and payroll vouchers described on the agenda this evening and recommended their approval.

2. Grocery Worker Hazard Pay (Chair Brown)

Councilmember Brown, Chair of the Grocery Worker Hazard Pay ad hoc committee, reported he, Deputy Mayor DaCorsi and Councilmember Jeyaraj met on May 12, 2021.

VIII. **CONSENT AGENDA**

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

A. Minutes of the May 3, 2021 Regular Council Meeting

B. Claims Vouchers (Thomas)

Claim voucher list dated May 17, 2021 which includes voucher numbers 463296 through 463441 in the amount of \$4,308,162.71 and five wire transfers in the amount of \$525,093.37

C. Payroll Vouchers (Thomas)

Payroll check numbers 539141 through 539146 in the amount of \$74,796.86, and electronic deposit transmissions in the amount of \$2,291,494.98, for a grand total of \$2,366,291.81 for the period covering April 29, 2021 to May 11, 2021

Deputy Mayor DaCorsi moved and Councilmember Trout-Manuel seconded to approve the consent agenda.

MOTION CARRIED UNANIMOUSLY. 7-0

IX. **UNFINISHED BUSINESS**

There was no unfinished business.

X. **ORDINANCES**

A. Ordinance No. 6814 (Thomas)

An Ordinance adding new Chapters to Title 3 of the Auburn City Code (Revenue and Finance) to be known as Business and Occupation Tax (Chapter 3.53) and Business and Occupation Tax Administrative Code (Chapter 3.54); providing for a referendum process; and providing a severability clause and an effective date

Councilmember Stearns moved and Councilmember Brown seconded to adopt Ordinance No. 6814.

Council thanked the Mayor, Director Thomas and Staff for their work on this Ordinance. Council discussed the lack of business support, Councils responsibility in the budget review and approval process, concerns of implementing new taxes, potential budget cuts, the impacts COVID-19 has had and continues to have on businesses, the need to replenish revenue sources and the importance of moving forward with this Ordinance.

MOTIONED CARRIED 5-2 (Deputy Mayor DaCorsi and Councilmember Trout-Manuel voted no.)

B. Ordinance No. 6818 (Council)

An Ordinance Protecting the Health, Safety, and Prosperity of Grocery Workers and the General Public during the existing State of Emergency

Councilmember Brown moved and Councilmember Stearns seconded to adopt Ordinance No. 6818.

Councilmember Jeyaraj motioned to amend Ordinance No. 6818, Section 1. under "Grocery business" item 1, strike 250 and add 500, Section 3.A. strike 250 and add 500, and Section 4 pages 85 and 86 strike the word "four" and add "three".

"Grocery business" means a retail store operating in Auburn that:

1. Has ~~250~~ 500 or more employees worldwide, and is primarily engaged in retailing groceries for offsite consumption including but not limited to the sale of fresh produce, meats, poultry, fish, deli products, dairy products, canned and frozen foods, dry foods, beverages, baked foods, and/or prepared foods; and

Section 3. Employer coverage.

For the purposes of this ordinance, covered employers are limited to grocery businesses that employ ~~250~~ 500 or more employees worldwide regardless of where those employees are employed, including but not limited to chains, or integrated enterprises.

Section 4. Hazard pay requirements. Employers shall provide each employee with hazard pay at a rate of ~~four~~ three dollars per hour for each hour worked in Auburn. No employer shall, as a result of this ordinance going into effect, take steps to reduce employee compensation so as to prevent, in whole or in part, employees from receiving hazard pay at a rate of ~~four~~ three dollars per hour for each hour worked in Auburn in addition to those employees' other compensation. Employers shall maintain records to establish the reason(s) for any reduction in employee compensation. Employers bear the burden the proof to show that the additional compensation is hazard pay for the purposes of working during the COVID-19 emergency.

There was no second to the motion. The motion died on the floor.

Councilmember Brown motioned to amend the number of employees from 250 to 500. Councilmember Stearns seconded to amend the Ordinance.

"Grocery business" means a retail store operating in Auburn that:

1. Has ~~250~~ 500 or more employees worldwide, and is primarily engaged in retailing groceries for offsite consumption including but not limited to the sale of fresh produce, meats, poultry, fish, deli

products, dairy products, canned and frozen foods, dry foods, beverages, baked foods, and/or prepared foods; and

Section 3. Employer coverage.

For the purposes of this ordinance, covered employers are limited to grocery businesses that employ ~~250~~ 500 or more employees worldwide regardless of where those employees are employed, including but not limited to chains, or integrated enterprises.

Council discussed providing a reasonable accommodation for stores that cannot afford to pay hazard pay.

MOTION TO AMEND FAILED 3-4 (Councilmember Brown, Councilmember Jeyaraj and Councilmember Stearns voted yes.)

Original Ordinance motion:

MOTION FAILED 3-4 (Councilmember Brown, Councilmember Jeyaraj and Councilmember Stearns voted yes.)

C. Ordinance No. 6820 (Gaub)

An Ordinance relating to the management of the Auburn Municipal Airport, repealing Chapters 2.18 and Section 12.56.010, and amending sections within Chapters 2.33, 12.02, and 12.56 of the Auburn City Code

Councilmember Stearns moved and Councilmember Jeyaraj seconded to adopt Ordinance No. 6820.

MOTION CARRIED UNANIMOUSLY. 7-0

D. Ordinance No. 6821 (Gaub)

An Ordinance relating to the operations of the Auburn Municipal Airport, repealing Chapter 8.36 and various sections of Chapter 12.56, amending various other sections of Chapter 12.56, and adding a new section to the Auburn City Code

Councilmember Stearns moved and Councilmember Baggett seconded to adopt Ordinance No. 6821.

MOTION CARRIED UNANIMOUSLY. 7-0

XI. RESOLUTIONS

A. Resolution No. 5593 (Comeau)

A Resolution reviewing a schedule of prices for services provided by the Auburn Valley Humane Society to ensure competitive service prices

Councilmember Jeyaraj moved and Councilmember Trout-Manuel seconded to adopt Resolution No. 5593.

MOTION CARRIED UNANIMOUSLY. 7-0

B. Resolution No. 5596 (Comeau)

A Resolution authorizing the Mayor to execute an Ingress, Egress, and Air Rights Easement burdening City owned property for the benefit of Auburn City Center Senior Living Associates, LLC

Councilmember Jeyaraj moved and Councilmember Brown seconded to adopt Resolution No. 5596.

MOTION CARRIED UNANIMOUSLY. 7-0

XII. MAYOR AND COUNCILMEMBER REPORTS

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

A. From the Council

Deputy Mayor DaCorsi reported he attended the Growth Management Policy Board Meeting.

Councilmember Trout-Manuel reported she met with the Regional Domestic Violence Task Force.

Councilmember Baggett reported he attended the South County Area Transportation Board (SCATBd) Meeting and the Regional Transit Committee (RTC) Meeting.

Councilmember Stearns reported he attended an affordable housing event and a National League of Cities briefing on the American Rescue Plan.

B. From the Mayor

Mayor Backus thanked Jessica Rowe and the Revive Church for organizing the National Day of Prayer. She reported being selected for the Puget Sound Regional Council Project Selection Task Force, attended the City of Auburn Town Hall, Kinship Caregiver Appreciation Day in Kent and had a check in with Marc Dones, CEO of the King County Regional Homelessness Authority. She also reported that the first Community Court date is scheduled for Thursday, May 27, 2021.

XIII. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:07 p.m.

APPROVED this 7th day of June, 2021.

NANCY BACKUS, MAYOR

Teresa Mattingly, Deputy City Clerk

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.