



Burien
WASHINGTON

CITY COUNCIL MEETING AGENDA

June 6, 2011

SPECIAL MEETING, Miller Creek Conference Room, 3rd Floor

For the purpose of holding an Executive Session to discuss potential litigation

6:15 p.m.

and

COUNCIL MEETING, Council Chambers, 1st Floor

7:00 p.m.

400 SW 152nd Street

Burien, Washington 98166

PAGE NO.

- | | | | |
|---|---|---------------------|-----|
| 1. CALL TO ORDER | 2. PLEDGE OF ALLEGIANCE | 3. ROLL CALL | |
| 4. AGENDA CONFIRMATION | | | |
| 5. PUBLIC COMMENT | Individuals will please limit their comments to three minutes, and groups to five minutes. | | |
| 6. CORRESPONDENCE FOR THE RECORD | a. Letter Dated May 20, 2011, from Sam Pace Regarding Shoreline Master Program. | | 3. |
| | b. Email Dated April 29, 2011, from Scott Schaefer Regarding A note from The B-Town Blog on Journalism. | | 11. |
| 7. CONSENT AGENDA | a. Approval of Minutes: Council Meeting, May 23, 2011. | | 13. |
| 8. BUSINESS AGENDA | a. Discussion on Draft Vision for Burien. | | 19. |
| | b. Motion to Approve Appointments to the Business and Economic Development Partnership. | | 23. |
| | c. Motion to Approve a Settlement Agreement with Frank Coluccio Construction Company, Resolving All Claims Against the City in the Coluccio v. Burien Litigation. | | 25. |
| | d. Motion to Appoint Voting Delegate to the 2011 Association of Washington Cities (AWC) Annual Business Meeting. | | 31. |
| | e. City Business. | | 35. |
| 9. COUNCIL REPORTS | | | |
| 10. ADJOURNMENT | | | |

COUNCILMEMBERS

Joan McGilton, Mayor
Rose Clark

Brian Bennett, Deputy Mayor
Lucy Krakowiak

Gerald F. Robison
Jack Block, Jr.
Gordon Shaw

RECEIVED

MAY 23 2011

CITY OF BURIEN



12410 SE 32nd St. #100
Bellevue, WA 98005

May 20, 2011

Mayor McGilton and
Burien City Council
C/o Mike Martin, City Manager &
Monica Lusk, City Clerk
400 SW 152nd Street, Suite 300
Burien, WA 98166

RE: Burien Shoreline Master Program

Dear Mayor McGilton and Members of the City Council,

I'm writing to you on behalf of the SEATTLE *KingCounty* REALTORS® to encourage the City Council to stand firm, and to reject the errant request from the Department of Ecology (DOE) that the City of Burien modify its Shoreline Master Program to conform to the recommendations that were submitted to the City Council by the Burien Planning Commission.

Our request that you reject the Department of Ecology's position is based on the following three factors:

1. The record upon which the Planning Commission based its recommendation did not include the wealth of additional information, additional testimony, additional data and additional analysis that was submitted to, carefully considered by, and persuasive for, the Burien City Council. As a result, the recommendation approved by the Planning Commission and preferred by DOE is substantively - and fatally - flawed.

A partial list of the kinds of information, testimony, data and analysis not considered by the Planning Commission, but which were submitted to, and carefully considered by, the Burien City Council include (but are not limited to) the following: ¹

- The testimony of experienced scuba divers with personal, detailed, first-hand knowledge of the underwater condition of Burien's marine shoreline, how that condition has continued to improve over time, and favorably comparing and contrasting Burien's underwater marine shoreline to other Puget Sound marine shorelines known to the diver.
- Testimony regarding other first-hand observations concerning the continual

¹ WAC 173-26-201 (3)(b) expressly authorized the City to solicit, incorporate and use such information (including information, experience and anecdotal evidence provided by interested parties) as part of the master program amendment process. The WAC indicates such information should be solicited through the public participation process, which is what the Burien City Council did.

CFTR: 06/06/11

improvement in Burien's marine shorelines, together with testimony from a variety of witnesses regarding the improving habitat conditions, and the increasing populations of wildlife, in the near-shore areas.

- The results of a physical survey of existing marine shoreline setbacks. This analysis was submitted to the City Council on or about May 3rd, 2010, well after the Planning Commission had finalized and approved its recommendation on March 30th.

This analysis (which was generated in large part to respond to the deficiencies in the work underlying the draft approved by the Planning Commission) was submitted to the City Council on behalf of the *Burien Marine Homeowners' Association* (BMHA).

It was - and remains - critically important for at least three reasons:

1. The analysis demonstrated the Planning Commission's recommendation to impose new 65-foot restrictions (50' + 15') would have transformed approximately 75% of the *existing* single family homes into non-conforming uses;

2. Those single family homes are *expressly* designated as a *preferred shoreline use* under Washington's Shoreline Management Act. Stated another way: As applied, the recommendation approved by the Planning Commission and preferred by the Department of Ecology would have produced a result clearly inconsistent with state law; and

3. The basis for suggesting new 65-foot buffer/set-back regulations in the draft approved by the Planning Commission was not well supported. Additionally, efforts during the Planning Commission's process to rationalize new 65-foot regulations by way of passing references to generalized literature supportive of 100' - 300' buffers in undisturbed environments near freshwater rivers are:

- (a) Not relevant to the kind of city-specific analysis of Burien's marine shorelines and shorelands that are mandated by state statute, and

- (b) Not relevant to the rather unique marine shoreline conditions in Burien where the primary marine shoreline uses are single family homes and city park lands. Unlike many other marine areas in Puget Sound, Burien's marine shoreline uses do not include shipping or industrial uses that may carry larger risks of future degradation.

- On or about June 7th Carl Hadley of Cedarock Consultants, Inc. provided the City Council with a scientific environmental analysis and report he had prepared entitled, "*The Use of Science to Develop Marine Buffer Recommendations in Burien.*"
- On or about July 19th the BMHA provided the City Council with a 14-page document outlining new significant and broad data regarding development conditions in Burien's

marine areas. The memo itself was constrained to just 14 pages out of respect for the enormous challenge the City Council appeared to be confronting as a result of the volume of new information and data the Council was receiving in response to the fatally-flawed draft that was delivered to the City Council by the Planning Commission.²

- A *White Paper* on the State's Shoreline Management Act and how municipalities should - and should not - act to ensure their Shoreline Master Program is consistent with state law. I submitted the White Paper on behalf of the SEATTLE *KingCounty* REALTORS®, with assistance from the Washington REALTORS®. (All our local SKCR REALTOR® members are also members of our state association, the Washington REALTORS®)
- Detailed written comments I submitted to the City Council from the REALTORS® in the form of a 12-page letter dated July 23, 2010, which addressed:
 - The inadequacy of the inventory data on which the draft approved by the Planning Commission was based
 - The lack of data indicating or demonstrating a continuing degradation to shoreline functions below current conditions in Burien
 - The fact that unsupported proposals for new prophylactic regulations on Burien's existing *statutorily preferred shoreline uses* (such as existing single family homes) would likely violate state law
 - The fact that the recommendation the City Council received from the Planning Commission proposed statutorily impermissible treatment of bulkheads and other appurtenances that are serving existing single family homes
 - The untenable proposal in the draft for new *buffers* and *vegetative buffers* that were not justified in the absence of some showing of continuing degradation of shoreline functions below current levels
 - The problematic proposal in the draft to unilaterally convert existing transportation easements to other purposes for public access to shorelines, and
 - The importance under state law of non-regulatory approaches to enhancing shoreline ecological functions.

As we followed - and participated in - the City Council's extensive public process, it appeared to us that much of the additional information, testimony, data and analysis were submitted to the

² On or about December 8, 2010, at DOE's Hearing on Burien's SMP Update, the Burien Marine Homeowners Association (BMHA) provided the Department of Ecology with a more in-depth report on the data (about 35 pages) to address any potential DOE concerns about the abbreviated summary of data that had been provided to the City Council on July 19th.

City Council as a result of three factors:

1. Residents of the greater Burien community (who know their City *extremely well*) appeared to recognize very quickly that the draft that was approved by the Planning Commission was clearly inconsistent with their own personal observations (made over many, many, years) of the condition of Burien's shorelines and near-shore areas.

As their knowledge of the details of the draft approved by the Planning Commission became more widely understood, the inadequacy of the Planning Commission's well-intended but fatally-flawed effort became all the more glaring.

In contrast to the detailed analysis of the Burien marine shoreline developed by the BMHA, which included an at-site review of every marine lot/parcel in the City, it appeared that no member of the City's *Shoreline Advisory Committee* (SAC), no member of the City's *Planning Commission* (PC), and no one from the *Department of Ecology* (DOE) had traveled the length of Burien's marine shorelines.

2. Residents became concerned with the speed at which the Planning Commission moved forward without really engaging on the concerns a ground swell of residents were expressing about the quality and incompleteness of the work that had been done on the update of Burien's SMP. In particular, there was concern that both the Shoreline Advisory Committee and the Planning Commission failed to really engage on the issues central to the concepts of "Ecological Function" and "No Net Loss."³

As a result, significant deficiencies remained in the draft proposal the City Council received following the Planning Commission's approval of the draft in late March.

3. To their very considerable credit, the Mayor (Hon. Joan McGilton) and the other members of the Burien City Council empowered the residents of Burien to inform and enlighten the Council by providing the very best Public Process for update of a City's Shoreline Master Program that we have seen to-date in any of King County's 39 cities.

³ In contrast, the Burien City Council attempted to discuss these matters multiple times, and inquired about these topics at the Council's SMP "Science Forum" on June 7th and the Council's SMP "Policy Forum" on June 14th. The issues were of particular concern to our REALTOR® Association - and we raised our concerns publicly and on the record with the City Council - because:

- The Legislature had changed the legal standard for SMP updates from "Best Available Science" (a concept central to much of GMA) to "No Net Loss" (which is a new *No Additional Harm* Shorelines standard adopted by the Legislature). This legislative change to the law occurred while Burien's SMP was being updated;
- The Shoreline Advisory Committee and the Planning Commission had not adequately engaged on these critically important environmental and statutory concepts; and
- The consulting firm that assisted the City in its update of Burien's SMP had not updated its work in a way that appeared to adequately address the Legislature's change in the law regarding "No-Net-Loss" as the applicable standard for updates of Shoreline Master Programs.

2. During the City Council's very extensive Public Process, representatives from the Department of Ecology were consistently and repeatedly unable to satisfactorily address well-informed and very pointed questions about the Department's views and assertions regarding Burien's Shoreline Master Program (SMP) update when members of the City Council and the public "drilled-down" to get answers.

On June 7, 2010, the City Council held a forum on shoreline "Science." A second City Council forum on shoreline "Policy" was held on June 14th.

Because of the important role the Department of Ecology plays in the SMP update process, representatives from the Department of Ecology were invited to be present, and participated at both forums:

- Dr. Taylor represented DOE at the June 7th Science Forum, and
- Bob Fritzen represented DOE at the Policy Forum on June 14th.

City Council members and residents not only heard what DOE's representatives had to say, they also had the opportunity to pose questions to DOE's representatives. At the June 7th forum Dr. Taylor essentially indicated she didn't know enough about Burien to be able to comment in a meaningful way regarding potential shoreline buffers in Burien.

The substantive vacuum - or void - in Ecology's responses to pointed questions was roundly characterized as "disappointing." Examples of the general nature of inquiries the Department of Ecology representatives were unable to satisfactorily address included, but were not limited to:

- What quantitative difference in *ecological function* would DOE's preferred alternative (on marine shoreline buffers) make - at the margin - in Burien compared to the City's current marine shoreline buffers, and what is the evidence to support DOE's position in this regard?
- What specific Burien data, if any, does the Department of Ecology have to support its preferred alternative for increasing the size of marine shoreline buffers? (The Department of Ecology appeared to have no accurate local data in this regard and, unlike the residents who provided new data to the City Council, no representatives of Ecology had traveled the length of Burien's marine shorelines.)
- What is the difference between the size of the buffer needed to satisfy the "balancing" approach embodied in the Legislatures' newly adopted Shoreline standard of *No-Net-Loss (No Additional Harm)*, compared to the size of buffer required under the prior Growth Management Act (GMA) standard of *Best Available Science*?

- What is the impact on *ecological function* of city park and single family residential build-out of shorelines (which typify Burien's shorelines), compared to the impact on *ecological function* of build-out to accommodate commercial, industrial and shipping shoreline uses (which typify shoreline development in some other areas of Puget Sound).

3. The Department of Ecology has an important role in the SMP process because an update adopted by a city typically does not become effective until approved by DOE. Even so, the Department of Ecology is unlikely to have the last word on Burien's SMP Update. As a result, the City Council's efforts to remain true to its decision - a decision that is well reasoned and amply justified - is worthy of support at every level of forthcoming review.

The Department of Ecology has a reputation for being involved in the Shoreline Master Program (SMP) updates at various stages of the process, including:

- Consulting behind the scenes with municipal staffs about SMP regulations for the jurisdiction that might (or might not) be well-received by the Department. (aka: DOE's "1st Bite" at the apple).
- Consulting with private-sector environmental consultants that are assisting municipal jurisdictions with SMP updates. Arguably, consultants may be better-positioned to get additional consulting work from jurisdictions if they have a track record of suggesting approaches likely to be accepted by DOE - a result not inconsistent with recommending a jurisdiction simply give DOE what it wants (aka: DOE's "2nd Bite" at the apple).
- Participating in the Planning Commission and/or City Council public process regarding SMP Updates (aka: DOE's "3rd Bite" at the apple).
- Then, once the City Council approves a SMP Update, it goes to the Department of Ecology for the Department's formal approval - as provided for in state statute. (aka: DOE's "4th Bite" at the apple).

The requirement for cities to update their Shoreline Master Programs is imposed on jurisdictions by state statute. The shoreline regulations are viewed as regulations of the state of Washington. Absent of a successful challenge to higher authority (such as the Hearings Board or the State Supreme Court), they must be approved by DOE before taking effect.

As a result, the dynamics of the process typically encourage, or at least facilitate, somewhat of a "greased skid" for approval of SMP updates once a jurisdiction's consultant helps develop a formal recommendation that is approved by the Planning Commission and submitted to the City Council for its consideration.

The prospect of an extended and avoidable commitment of time, staff resources and financial resources if the City's locally-informed proposal is at variance with the preferences of DOE staff members provides an additional incentive for jurisdictions to largely just "go along."

The city of Des Moines' experience with its SMP update provides cities throughout the region with a vivid reminder (and example) of the costs associated with incurring DOE's disfavor.

Moreover, DOE's influence very early in the update process helps to illuminate for jurisdictions an anticipated path of least resistance through DOE.

Against this backdrop and context, the actions by the Burien City Council to endeavor to...

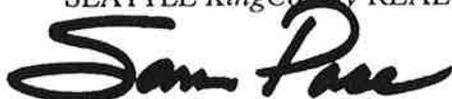
- Be true to the Legislature's newly adopted SMP standard of *No-Net-Loss*
- Fully engage on the issue of shoreline *Ecological Functions*
- Review the local science, local data, local analysis and local marine conditions to ensure Burien's approach to the City's update of the SMP is environmentally sound, reasoned and well-justified by the local evidence
- Give life - not just lip service - to the statutorily preferred shoreline uses identified in state law, including single family homes, protective bulkheads and property rights, among others
- Be fair to the residents and property owners in the city
- Invite DOE's representatives to address the Council on multiple occasions, and to take questions from the Council and the Public; and
- Consistent with WAC 173-26-201(3)(b), to truly engaged the community - even at the risk of incurring the disfavor of DOE officials who fell far short in responding to pointed inquiries from the City Council and the public at the Burien SMP "Science" and "Policy" forums on June 7th and 14th, 2010...

...is nothing short of a responsible, reasoned, remarkable and courageous course of conduct that should be affirmed.

The City Council should stand firm, and if necessary be upheld by the Hearings Board and/or the Washington State Supreme Court in the event the Department of Ecology persists with its errant request that the City of Burien modify its Shoreline Master Program to conform to the fatally-flawed recommendations that were delivered to the City Council by the Burien Planning Commission.

Hopefully it will not come to that. But in this particular situation, it appears the City Council and the residents of Burien have the fortitude (and the community has an abundance of resources and the resolve) to ensure that if necessary the State Supreme Court - and not the Department of Ecology - will have the last word on Burien's exemplary effort to protect its shorelines for future generations in a manner that is consistent with state law.

Sincerely,
SEATTLE *KingCounty* REALTORS®

A handwritten signature in black ink that reads "Sam Pace". The signature is written in a cursive, flowing style.

Sam Pace, JD, MBA, GRI, GC-REP
Housing Specialist
(253) 630-5541

SamPace@concentric.net

29839 - 154th Ave SE
Kent, WA 98042-4557

cc: David Crowell, JD, SKCR Director of Governmental & Public Affairs
SEATTLE *KingCounty* REALTORS® Governmental Affairs Committee
Bill Clarke, JD, Policy Director, Washington REALTORS®

Isa Clausen

From: Public Council Inbox
Sent: Tuesday, May 24, 2011 8:49 AM
To: 'Scott Schaefer'
Subject: RE: A note from The B-Town Blog on 'Journalism'

Thank you for your message to the Burien City Council. It will be included in the Correspondence for the Record for an upcoming Council meeting.

L. Clausen
City Manager's Office

From: Scott Schaefer [<mailto:editor@b-townblog.com>]
Sent: Monday, May 23, 2011 10:05 PM
To: Public Council Inbox
Subject: A note from The B-Town Blog on 'Journalism'

Recently at least two members of the Burien City Council claimed during council meetings that The B-Town Blog was "not real journalism."

I am writing today to not only enlighten those doubters and naysayers, but to share a recent, prestigious award that honors not only this local business, but the community of Burien as well.

At the annual Northwest Excellence in Journalism Awards ceremony at Safeco Field on Saturday, May 21, 2011, The B-Town Blog was named 'Best Hyperlocal Website' by the Society of Professional Journalists (SPJ). This award covers the entire Pacific Northwest, and includes Washington, Oregon, Idaho, Montana and Alaska.

According to the SPJ blog (<http://blogs.spjnetwork.org/region10/>):

"The Northwest Excellence in Journalism contest is held annually by Region 10 of SPJ to honor exceptional journalism in Alaska, Oregon, Washington, Idaho and Montana. The contest is open to SPJ members and nonmembers, and it includes all forms of media (print, online, radio and TV) and media organizations of all sizes. This year's contest honors work produced or published in 2010. More than 2,500 entries from dozens of media organizations throughout the region which were then reviewed and rated by out-of-state judges."

Attached is a photo of the award, in case anyone on the council still doubts this exciting news :)

Cheers,

Scott Schaefer
Founder/Publisher/Editor:

- <http://www.b-townblog.com> -- Named "Best Hyperlocal Website"
- <http://www.waterlandblog.com>
- <http://www.whitecenterblog.com>
- <http://www.normandyparkblog.com>
- <http://www.seatacblog.com>
- <http://www.tukwilablog.com>

Writer/Director/Producer:

QFTR: 06/06/11



SEJ

**FIRST PLACE
Pacific Northwest**

Excellence in Journalism Competition
2010+

ONLINE

BEST SITE, SPECIALIZED GEOGRAPHY (HYPERLOCAL)

STAFF

LOL DUDEZ, LLC

DRAFT



CITY COUNCIL MEETING MINUTES

May 23, 2011

SPECIAL MEETING, Miller Creek Conference Room, 3rd Floor

For the purpose of conducting Business & Economic Development Partnership interviews

6:00 p.m.

SPECIAL MEETING, Miller Creek Conference Room, 3rd Floor

For the purpose of holding an Executive Session to discuss litigation

6:30 p.m.

and

COUNCIL MEETING, Council Chambers, 1st Floor

7:00 p.m.

400 SW 152nd Street

Burien, Washington 98166

To hear Council's full discussion of a specific topic or the complete meeting, the following resources are available:

- Watch the video-stream available on the City website, www.burienwa.gov
- Check out a DVD of the Council Meeting from the Burien Library

SPECIAL MEETINGS

Mayor McGilton called the Special Meeting of the Burien City Council to order at 6:00 p.m. for the purpose of conducting Business & Economic Development Partnership interviews.

Present: Mayor Joan McGilton, Councilmembers Jack Block, Jr., Rose Clark, Lucy Krakowiak, Gerald F. Robison, and Gordon Shaw. Deputy Mayor Brian Bennett was excused.

Administrative staff present: Mike Martin, City Manager.

Interviews were held with applicants Bryan Suter and Lindsay White.

No action was taken.

Mayor McGilton called the Special Meeting of the Burien City Council to order at 6:30 p.m. for the purpose of holding an Executive Session to discuss litigation per RCW 42.30.110(1)(i).

Present: Mayor Joan McGilton, Councilmembers Jack Block, Jr., Rose Clark, Lucy Krakowiak, Gerald F. Robison, and Gordon Shaw. Deputy Mayor Brian Bennett was excused.

Administrative staff present: Mike Martin, City Manager and Craig D. Knutson, City Attorney.

No action was taken.



ADJOURNMENT TO COUNCIL MEETING

The Special Meeting was adjourned at 6:55 p.m.

CALL TO ORDER

Mayor McGilton called the meeting of the Burien City Council to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor McGilton led the Pledge of Allegiance.

ROLL CALL

Present: Mayor Joan McGilton, Councilmembers Jack Block, Jr., Rose Clark, Lucy Krakowiak, Gerald F. Robison, and Gordon Shaw. Deputy Mayor Brian Bennett was excused.

Administrative staff present: Mike Martin, City Manager; Craig Knutson, City Attorney; Scott Kimerer, Police Chief; Kim Krause, Finance Director; Scott Greenberg, Community Development Director; David Johanson, Senior Planner; Larry Blanchard, Public Works Director; Ramesh Davad, Development Review Engineer; and, Monica Lusk, City Clerk.

AGENDA CONFIRMATION

Direction/Action

Motion was made by Councilmember Krakowiak, seconded by Councilmember Shaw, and passed unanimously to affirm the May 23, 2011, Agenda as amended to remove Business Agenda Item 8 "c" Motion to Approve Appointments to the Business and Economic Development Partnership and place on the June 6, 2011, Business Agenda.

PUBLIC COMMENT

Caroline Bobanick, 1805 SW 175th Street, Burien
Ms. Bobanick, Executive Director of the Environmental Science Center (ESC), stated the organization has raised more than \$80,000 for the final phase of construction of the ESC building. Proof of the assets has been rendered to the City to receive the \$150,000 of matching funds pledged by the City Council last October. The formal name for the facility will be the Environmental Science Center at Seahurst Park.

Bob Edgar, 12674 Shorewood Drive SW, Burien
Mr. Edgar stated the renewal of the City Manager's contract provides an opportunity to remind all City employees that it is not tolerable to have anyone onsite during work hours under the influence of alcohol.

Regarding the Growth Management Board Hearing Board's dismissal of the Lake Burien Comprehensive Plan Amendment appeal, he stated that there is a 10 day opportunity to file a motion for reconsideration.

Mark Minium, 218 South 286th Street, Burien
Mr. Minium stated that people make mistakes and pay for them. The City Manager has shown good faith and is fine.

Sam Pace, 29839 154th Avenue SE, Kent
Mr. Pace, on behalf of the Seattle *King County* Realtors[®], distributed to the Council and City staff a letter in which the organization encouraged the City Council to stand firm, and to reject the Department of Ecology's request that the city of Burien modify its Shoreline Master Program.

CORRESPONDENCE FOR THE RECORD

- a. Email Dated May 4, 2011, from Emmett Hoyt Regarding Volunteer Council Advisor Position.
- b. Email Dated May 5, 2011, from Marco Spani Regarding Letter to the Editor.
- c. Email Dated May 9, 2011, from P. Levine Transmitting Letter Sent to the Seattle City Council March 24, 2011.
- d. Email Dated May 9, 2011, from Wayne Sykes Regarding SMP Response.
- e. Email Dated May 19, 2011, from Marco Spani Regarding the Water Belongs to All of Us.

CONSENT AGENDA

- a. Approval of Vouchers: Numbers 28271 – 28418 in the Amounts of \$2,514,762.67.
- b. Approval of Minutes: Council Meeting, May 9, 2011.

Direction/Action

Motion was made by Councilmember Krakowiak, seconded by Councilmember Shaw, and passed unanimously to approve the May 23, 2011, Consent Agenda.

BUSINESS AGENDA

Presentation of the 2010 Annual Police Report

Burien Police Chief Scott Kimerer reviewed the department's goals and highlighted the following from the 2010 Annual Police Report: Part 1 crimes; the violent crime rate comparison with other cities; Part 2 crimes; property crime rate comparison with other cities; dispatched calls for service; cases closed by arrest; traffic accidents; response times; and, complaints against officers.

Quarterly Update by the Business & Economic Development Partnership

Carmen Moore, Business & Economic Development Partnership (BEDP) Chair, noted that the Partnership: (1) believes the next vital step after the visioning process is an economic study of the City; (2) is available to assist in making public comments regarding the Northeast Redevelopment Area (NERA) to the Port of Seattle Commissioners on behalf of the business community; (3) is addressing the economic impact of the current educational system; and, (4) is addressing how the business community can assist and benefit from the City's diversity.

Motion to Approve Appointments to the Business and Economic Development Partnership

This item was rescheduled to June 6, 2011, under Agenda Item 4 "Agenda Confirmation."

Motion to Authorize the Mayor to Sign a Letter Submitting an Alternative Proposal to the Dept. of Ecology Regarding Burien's Shoreline Master Program

Direction/Action

Motion was made by Councilmember Krakowiak, seconded by Councilmember Shaw, and passed unanimously to authorize the Mayor to sign a letter submitting an alternative proposal to the Dept. of Ecology regarding Burien's Shoreline Master Program.

Motion to Amend City Manager Employment Agreement

Direction/Action

Motion was made by Councilmember Krakowiak, seconded by Councilmember Shaw, to approve the second amended City Manager Employment Agreement between Michael H. Martin and the City of Burien. **Motion** passed 5-1. Opposed, Councilmember Krakowiak.

Discussion of Potential Funding Sources for Completion of First Avenue South Phase I

Direction/Action

Councilmembers requested scheduling the appropriation of funds from the Capital Project Reserve Fund to partially complete First Avenue South Phase I on the June 6, 2011, Business Agenda for consideration.

Discussion on Request from Burien Property Owner to Form a Local Improvement District (LID) to Fund Street and Drainage Improvements to South 140th Street

Direction/Action

Councilmembers authorized staff to proceed to work with property owners for submittal of petitions under RCW 35.43 to form a Local Improvement District (LID) to fund street/drainage improvements to South 140th Street.

City Business

Follow-up

Staff will provide the time for the June 13, 2011, Vision for Burien Community Open House.

Review of Council Proposed Agenda Schedule

Follow-up

Staff will schedule: the appropriation of funds from the Capital Project Reserve Fund to partially complete First Avenue South Phase I on June 6, 2011; a discussion on future annexation in late June or July; a discussion on business development in July or August; a discussion on a plan to provide educational opportunities for shoreline homeowner stewardship in July or August; and, a continued discussion on Business and Occupation (B&O) taxes to include alternatives for reducing collection costs and waiving returns for small businesses.

COUNCIL REPORTS

Councilmember Clark noted she will be meeting with the King County Library System Board of Trustees along with Councilmembers Block and Robison on May 24, 2011, at 1:30 p.m. to discuss their intended consolidation of White Center and Boulevard Park libraries.

Councilmember Clark announced the Highline Forum meeting that will be held on May 25, 2011, at 2:30 p.m. in the Chambers at which a presentation on air quality will be given.

ADJOURNMENT

Direction/Action

MOTION was made by Councilmember Krakowiak, seconded by Councilmember Shaw, and passed unanimously to adjourn the meeting at 8:45 p.m.

Joan McGilton, Mayor

Monica Lusk, City Clerk

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Discussion on Draft Vision for Burien		Meeting Date: June 6, 2011
Department: City Manager	Attachments: • Vision Framework	Fund Source: Activity Cost: Amount Budgeted: Unencumbered Budget Authority:
Contact: Jenn Ramirez Robson		
Telephone: (206) 439-3165		
Adopted Initiative: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Initiative Description: Advance visioning project	
<p>PURPOSE/REQUIRED ACTION: The purpose of this agenda bill is for the Council to review and discuss the draft Vision Framework document. The Vision Steering Committee and project staff are looking for high-level feedback on the framework. No action is required at this time. Council feedback will be given to the Vision Steering Committee, which meets on June 7.</p> <p>BACKGROUND (Include prior Council action & discussion): The vision framework is the result of meetings, public forums, and surveys over the past several months on what Burien residents want their community to be in the next few decades. The visioning effort will provide the City with sense of direction and framework for evaluating future policy decisions and will help shape the long-term future of Burien.</p> <p>Next steps:</p> <ul style="list-style-type: none"> • The Vision Steering Committee will consider the Vision Framework and any feedback on June 7. • Project staff will create a draft Vision based on direction from the Council and Steering Committee. The draft Vision will be available online and at public events. • The public can view and comment on the draft Vision at an Open House at City Hall on June 13. • The draft Vision will be on display at the city's booth at the Wild Strawberry Festival on June 18 and 19. • The Council is scheduled to consider and adopt the final Vision for Burien on June 20. <p>OPTIONS (Including fiscal impacts):</p>		
Administrative Recommendation: n/a		
Committee Recommendation:		
Advisory Board Recommendation:		
Suggested Motion: No action required at this time		
Submitted by: Administration _____ City Manager _____		
Today's Date: June 2, 2011		File Code: \\File01\records\CC\Agenda Bill 2011\060611cm-1 Vision for Burien.docx

Core Values / Issue Options – DISCUSSION DRAFT ONLY

Community

- **Welcoming:** Burien welcomes all new residents, but also values self-sufficiency
- **Friendly:** Burien residents know their neighbors and work together!
- **Engaged:** Burien values engaged and connected citizens
- **Stable:** Burien encourages stability through a variety of housing choices

Diversity

- **Inclusive:** Burien welcomes residents of all types, and values diversity of all types
- **Multi-Cultural:** Burien celebrates many cultures
- **Multi-Lingual:** Burien helps non-native speakers connect through multi-lingual services

Environment

- **Waterfronts:** Burien protects and nurtures its existing public waterfronts
- **Ecology:** Burien actively protects ecological systems
- **Open Space:** Burien welcomes additional public open space, including play fields
- **Seahurst Park:** Burien treasures its outstanding Seahurst Park
- **Urban Environment:** Burien offers land use and transportation choices to its citizens
- **Urban Environment:** Burien makes sustainable land use and transportation choices

Economy

- **Local Businesses:** Burien encourages local services and supports local businesses
- **Tax Base:** Burien actively encourages private businesses in order to support its tax base
- **Town Center:** Burien supports its eclectic, diverse, and thriving town center

Schools & Kids

- **Schools:** Burien believes that quality public schools are essential to the city's mission
- **Early Childhood & Life-Long Learning:** Burien actively promotes early childhood education and life-long learning opportunities
- **Youth Opportunity:** Burien embraces and nurtures its youth with active after school and other programs

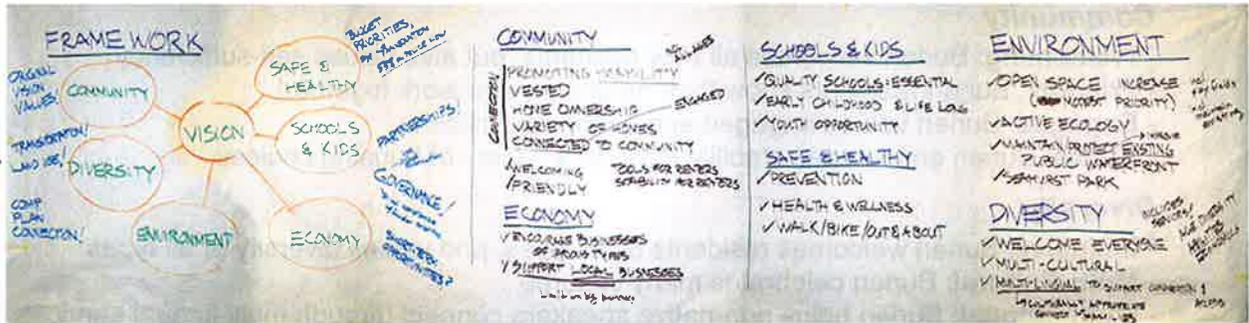
Safe & Healthy

- **Public Safety:** Burien supports public safety with comprehensive prevention and enforcement
- **Health & Wellness:** Burien actively supports community health through environmental and personal services
- **Healthy Mobility:** Burien supports walking and bicycling, encouraging its citizens to be physically active

Governance

- **Progressive:** Burien's city government operates in a transparent & responsive manner
- **Effective:** Burien's city government strives for organizational excellence
- **Partnerships:** Burien seeks partnerships of many types in pursuit of common objectives

Steering Committee / Council Wallgraphic – 5/17/11



Vision Framework – **DISCUSSION DRAFT ONLY**



**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Motion to Approve Appointments to the Business & Economic Development Partnership		Meeting Date: June 6, 2011
Department: City Manager	Attachments:	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Monica Lusk, City Clerk		
Telephone: (206) 248-5517		
Adopted Work Plan Priority: Yes No <input checked="" type="checkbox"/> X	Work Plan Item Description: N/A	
PURPOSE/REQUIRED ACTION:		
<p>The purpose of this agenda item is for Council to make appointments to the Business & Economic Development Partnership. Council held interviews on April 25, May 2 and May 23.</p> <p>Background (Include prior Council Action and Discussions):</p> <p>A call for volunteers to serve on Burien’s Business & Economic Development Partnership advisory board was placed in the Highline Times, Burien City News, on TBC21, the B-Town Blog, White Center Now and on the City’s website. Nine applications were received to fill seven vacancies for expired terms.</p> <p>OPTIONS (Including fiscal impacts):</p> <ol style="list-style-type: none"> 1. Appoint applicants to fill all the advisory board vacancies with the terms noted. 2. Appoint an applicant to fill a vacancy with the term noted, and re-advertise a call for volunteers. 3. Do not appoint any of the applicants, and re-advertise. 		
Administrative Recommendation: Per Council direction.		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion:		
<p style="text-align: center;">Move to appoint _____, _____, _____, _____, _____, _____, and _____ to the Business & Economic Development Partnership to full terms that will begin on June 6, 2011, and end on March 31, 2015.</p>		
Submitted by: Monica Lusk Administration _____	Mike Martin City Manager _____	
Today’s Date: June 1, 2011	File Code: R:/CC/AgendaBill2011/060611cm-3advbdappts bedp	

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Motion to approve a settlement agreement with Frank Coluccio Construction Company, resolving all claims against the City in the Coluccio v. Burien litigation		Meeting Date: June 6, 2011
Department: Legal	Attachments: 1. Proposed Settlement Agreement	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Craig Knutson, City Attorney		
Telephone: (206) 248-5535		
Adopted Initiative: Yes X No	Initiative Description: Defend Frank Coluccio Construction case (1 st Ave. So, Phase I)	
PURPOSE/REQUIRED ACTION: This agenda item is for the City Council to consider a settlement agreement with Frank Coluccio Construction Company, resolving all contractor and subcontractor claims against the City in the Coluccio v. Burien litigation.		
BACKGROUND (Include prior Council action & discussion): There are a number of unresolved issues between the City of Burien and Frank Coluccio Construction Company and its subcontractors, regarding payment for work performed on the 1 st Ave. South Improvement Project. The issues relate primarily to cost overruns, most of which were attributable to utility conflicts during the project. The amount of the claims against the City is in excess of \$8,000,000. Attached is a proposed agreement with Frank Coluccio Construction Company that will settle all outstanding claims for slightly less than \$3,000,000. The settlement was reached following two days of mediation with mediator Christopher Soelling, which concluded on May 23, 2011. The settlement agreement provides for the following: (1) Payment by the City in the amount of \$2,750,000 to Frank Colluccio Construction Company, which is in addition to the \$190,355 already paid for settlement of the claim of subcontractor TransTech Electric, Inc; (2) Payment to be in two increments: \$1,000,000 on June 10, 2011 and \$1,750,000 on July 8, 2011; and (3) Mutual release and dismissal of all claims on the project and in the the Colluccio v. Burien litigation. Approval of the settlement agreement will resolve the City's liability exposure for the 1 st Ave. So. Improvement Project and the Colluccio v. Burien litigation. The settlement will avoid the uncertainties and expense of a lengthy and complex jury trial scheduled for August, 2011 and the potential for significant excess costs of 12% prejudgment interest and plaintiff's attorney fees. The Finance Department is proposing to use the General Fund to make the initial \$1,000,000 payment and a line of credit from Key Bank to make the \$1,750,000 payment. This will be followed by a bond issue that will fund the entire settlement and the unfunded part of the project. The City expects to receive reimbursement from Seattle City Light and Comcast for a substantial amount of the settlement that is allocated to utility and telecommunications work. If the City Council formally approves the settlement agreement, the reimbursement invoices will be sent to Seattle City Light and Comcast as soon as possible.		
OPTIONS (including fiscal impacts): 1. Approve the settlement agreement as presented. 2. Do not approve the settlement agreement as presented.		
Administrative Recommendation: Approve the settlement agreement as presented.		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: Move to approve the settlement agreement with Frank Colluccio Construction Company and authorize the City Manager to sign the agreement.		
Submitted by: Craig Knutson Administration _____	Mike Martin City Manager _____	
Today's Date: June 1, 2011	File Code: \\File01\records\CC\Agenda Bill 2011\060611ls-Coluccio Settlement Agreement.docx	

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT ("Agreement") is entered into this _____ day of May, 2011 between Frank Coluccio Construction Company ("Coluccio") and the City of Burien ("Burien"), jointly (the "Parties"), for the purpose of resolving all outstanding issues relating to the contract between Coluccio and Burien for Burien's 1st Avenue South Improvement Project, Phase I ("Project").

WHEREAS, Burien undertook a road improvement project in 2006, referred to as the 1st Avenue South Improvement Project, which involved 14 blocks of 1st Avenue South and included underground sewer and water installation, underground installation of utility lines for Puget Sound Energy ("PSE"), Seattle City Light ("SCL"), Qwest, Comcast, and Burien, general sidewalk and street improvements and connection of underground utilities to customers in the area; and

WHEREAS, Coluccio was the low bidder and was awarded a contract for all of the work associated with the Project (the "Contract"); and

WHEREAS, Coluccio has filed a lawsuit ("Lawsuit") in the King County Superior Court, Cause No. 10-2-07215-2, in which it has included claims related to its own work and also for the work performed by its subcontractors, Active Construction Inc. ("ACI"), TransTech Electric, Inc. ("TransTech") and Terra Dynamics, Inc. ("Terra"); and

WHEREAS, Coluccio and Burien desire to settle all claims related to Coluccio's own work and the work of all of its subcontractors brought by Coluccio in the Lawsuit. Through mediation with Chris Soelling, the Parties have reached an agreement to settle issues relating to the Project and all issues in the Lawsuit.

NOW, THEREFORE, for mutual consideration and pursuant to the terms set forth in this Agreement, Coluccio and Burien agree as follows:

1. Burien shall pay Coluccio \$2,940,355 for all work performed by Coluccio and all of its subcontractors for the Project and in full and final settlement of all claims of any kind or nature, past, present or future, in any way arising out of the Project and which were brought or which could have been brought in the pending lawsuit in the King County Superior Court, Cause No. 10-2-07215-2 on behalf of itself and all of its subcontractors (the "settlement"). This settlement amount includes amounts previously paid to Coluccio relating to claims on behalf of TransTech Electric, Inc. in the amount of \$190,355.00, which included a Coluccio markup of \$12,453.00. Therefore, a net amount of \$2,750,000.00 is due pursuant to this settlement.

2. Attached as Attachment A is a listing of the claims brought by Coluccio, identifying the claims and the amounts being paid for the various claims through the settlement. Burien agrees to defend, indemnify, and hold harmless Coluccio and its subcontractors, including ACI, from any and all claims, demands, actions, damages, taxes, penalties, costs, and attorney fees arising from the allocation in Attachment A.

3. Payment of the remaining \$2,750,000.00 due from Burien to Coluccio shall be in two installments. The first installment in the amount of \$1,000,000.00 shall be made not later

than June 10, 2011 and shall be payable to Coluccio. The second installment in the amount of \$1,750,000.00 shall be paid not later than July 8, 2011 and shall be payable to Coluccio.

4. To the extent it hasn't already done so, Burien shall take all steps necessary to finally accept the Project and release bonds and retainage to the extent and as permitted by applicable Washington State law.

5. This Agreement is binding upon, and shall benefit, each of the Parties above named, together with all partners, parent and subsidiary entities of those parties and partners, as well as all predecessors and successors of any of the foregoing, along with all affiliates of any of the foregoing, and all owners, officers, directors, and employees of any of the foregoing, and their spouses and marital communities, together with all insurers, all attorneys, all successors, heirs, assigns, or transferees, direct or remote, of any of the foregoing.

6. The releases, other conditions, and the consideration identified herein are given in full settlement and compromise of doubtful and disputed claims. It is expressly understood and agreed that none of the Parties or any of their respective insurers, respective owners, spouses, agents, employees, independent contractors, representatives, partners, parent entities, subsidiaries or affiliates, admits any liability to each other by entering into this Agreement, such liability being expressly denied, and the execution or performance of this Agreement shall not be for any purpose construed as an admission of liability.

7. This Agreement contains all the agreements and commitments of the Parties relating to the claims referenced in this Agreement and included in the releases. This Agreement is intended by the Parties as a final expression of their Agreement and, therefore, incorporates all negotiations of the Parties and is the entire agreement of the Parties. This Agreement supersedes and replaces all prior agreements. This Agreement may not be amended, waived or modified in any way without the prior written consent of the Party against whom the amendment, waiver, or modification is sought to be enforced.

8. The Parties declare and represent that in making this Agreement, it is understood and agreed that each has read it carefully, knows the contents and has signed as a free, reasoned and independent act. Each relies wholly upon its own judgment, belief and knowledge and has not been influenced to any extent whatsoever in entering this Agreement by any representations or statements made by any other Party, or by any person or persons representing any other Party.

9. In entering into this Agreement, each Party hereto represents that it has relied upon the advice of an attorney of its own choice concerning the legal consequences of this Agreement; that the terms of this Agreement have been completely read and explained to each Party by its attorneys; and that the terms of this Agreement are fully understood and voluntarily accepted.

10. Should any part, term or provision of this Agreement be decided or declared by the courts to be, or otherwise found to be, illegal or in conflict with any laws of the State of Washington or the United States, or otherwise be rendered unenforceable, or ineffectual, the validity of the remaining parts, terms, portions, or provisions shall be deemed severable and shall not be effected thereby, providing such remaining parts, terms, portions or provisions can be

construed in substance to constitute the Agreement that the Parties intended to enter into the first instance.

11. Except for the promises contained in this Agreement, the parties mutually release each other and their officers, agents, and assignees from any and all claims, known or unknown, arising from the Project.

12. The recitals are included as a part of the Agreement and incorporated herein for that purpose.

13. Each Party represents and warrants that no other person or entity has, or has had, an interest in the claims, demands, obligations, or causes of action referred to in this Agreement and that each Party has the sole right and exclusive authority to execute this Agreement.

14. This Agreement shall be construed in accordance with the laws of the State of Washington, notwithstanding the operation of any conflict or choice of law statutes or decisional law to the contrary.

15. The Parties agree that they may plead this Agreement as a complete bar and defense to all actions which may be commenced by or on behalf of any of the Parties against any of the other Parties with respect to claims which are released under the terms of this Agreement.

16. The Parties agree that any dispute(s) as to the terms of the settlement and/or the formal Settlement Agreement shall be submitted to Christopher Soelling for final resolution. If either Party brings an issue before Mr. Soelling regarding the terms of this Agreement or brings any action to enforce such Party's rights hereunder, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs incurred in connection with such action, whether before Mr. Soelling, in pretrial, trial, arbitration, appeal in any proceeding including bankruptcy, or in any action to enforce a judgment or award.

17. This Agreement may be executed and delivered in separate counterparts, each of which, when all are so executed and delivered, shall be deemed an original and together shall constitute a single instrument.

Frank Coluccio Construction Co.

The City of Burien

By: _____
Joseph Coluccio

By: _____
Mike Martin, City Manager

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Motion to Appoint Voting Delegate to the 2011 Association of Washington Cities (AWC) Annual Business Meeting		Meeting Date: June 6, 2011
Department: City Manager	Attachments: AWC Notification Form	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Lisa Clausen, Government Relations Specialist		
Telephone: (206) 248-5515		
Adopted Work Plan Priority: Yes No <input checked="" type="checkbox"/>	Work Plan Item Description: N/A	
PURPOSE/REQUIRED ACTION:		
The purpose of this agenda item is to name the City's voting delegate for the annual business meeting of the Association of Washington Cities (AWC) during the annual AWC conference on June 23, 2011.		
BACKGROUND (Include prior Council action & discussion):		
The City Council must formally designate up to three persons to serve as the City's voting delegates at the AWC annual business meeting, held during the annual AWC conference. According to the AWC Bylaws, "Each member, prior to the annual membership meeting, shall designate three delegates who shall be duly elected or appointed officials or employees of such member to represent the member in the affairs of the corporation, and shall file with the corporation's Executive Director certificates of such designation prior to the annual member meeting. Members' delegates may be changed at any time, provided the Executive Director receives notice of such change."		
Councilmember Jack Block, Jr., is the only elected or appointed official from Burien who has registered for the 2011 AWC conference.		
To respond to AWC's request to receive notification of each city's voting delegates no later than Monday, June 13, 2011, the Council needs to name the voting delegate prior to that date.		
OPTIONS (Including fiscal impacts):		
<ol style="list-style-type: none"> 1. Name up to three voting delegates. 2. Do not name any voting delegates. 		
Administrative Recommendation: Name a voting delegate for the AWC annual business meeting.		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: Motion to name Councilmember Jack Block, Jr., as the City's voting delegate to the AWC Annual Business Meeting on June 23, 2011.		
Submitted by: Lisa Clausen Administration _____	Mike Martin City Manager _____	
Today's Date: May 31, 2011	File Code: \\File01\records\CC\Agenda Bill 2011\060611cm-2-awcvotingdelegate.docx	



The following are the official
2011 VOTING DELEGATES for:

Thursday, June 23, 2011

4:15 - 5:30 pm

(Please note the new date and time.)

City/Town of Burien

	Name	Title
1.	_____	_____
2.	_____	_____
3.	_____	_____

Mayor's signature: _____

Please return by Monday, June 13, 2011
Return to Michelle Catlin via michellec@awcnet.org or
fax (360) 753-0149

Fill out your form online.

Save it.

Attach it to an email and return it to michellec@awcnet.org.



Burien

Washington, USA

400 SW 152nd St., Suite 300, Burien, WA 98166

Phone: (206) 241-4647 • FAX (206) 248-5539

www.burienwa.gov

MEMORANDUM

TO: Honorable Mayor and Members of the City Council
FROM: Mike Martin, City Manager
DATE: June 6, 2011
SUBJECT: City Manager's Report

I. INTERNAL CITY INFORMATION

A. Slow Down on Ambaum Boulevard SW

Have you noticed while traveling on Ambaum Boulevard SW the new solar-powered radar speed indicators that will tell you to slow down if you are traveling over the posted speed limit? These solar-powered radar devices are part of a grant from WSDOT to assist in areas where speeding is an issue. The City of Burien's Engineering Division will be conducting a speed study to determine if these devices are working. More information will come in the fall.

B. First Ave. S. – Phase 2 Goes Out to Bid

The First Avenue South Phase 2 project has received approvals from the Washington Department of Transportation (WSDOT), and Transportation Improvement Board (TIB) to advertise for bids. The Notice to Contractors was published in the Daily Journal of Commerce and the Seattle Times on May 24th and 26th. Bids will be opened on Tuesday, June 14th; anticipated Bid Award will be prior to the end of June 2011.

C. Alaskan Way Viaduct Construction Mitigation Enhanced Transit Services Summary (Pg. 41)

The attached table summarizes the additional service WSDOT is paying for to mitigate the construction impacts of the Alaskan Way Viaduct Construction. These are the services that have been added as of the February 2011 service change. The ridership response to these additions has been promising with peak period ridership on these routes growing by 22% while ridership trends on other routes in the area have, on the average been flat, or declined.

D. Results from 2011 Spring Recycling Collection Event on May 21, 2011 (Pg. 43)

Attached is a summary of the items collected from the spring Burien/Normandy Park Recycling Collection event.

E. Contracts Over \$25,000 Signed by City

Here is a list of 2011 budgeted contracts that have been signed by the City that are over \$25,000:

- Ball Janik Attorneys for 2011 Federal Lobbying Services for \$47,000
- Beckwith Consulting Group for Parks, Recreation, Open Space (PROS) Plan Update for \$73,000
- Berk & Associates for 2011 Police Services Delivery Analysis for \$50,000
- Brian Douglas Scott Planning and Urban Design for 2011 Citywide Visioning Services for \$35,000
- Discover Burien for 2011 Economic Development and Team Clean Sweep Services for \$98,184
- Duncanson Company, Inc. for 2011 On-Call Survey Services for \$50,000
- Fehr & Peers for Transportation Master Plan Consulting Services for \$160,000
- Gray & Osborne, Inc. for Design Services for the Hazel Valley Sidewalk Improvement Project for \$80,000
- Microflex for 2011 Auditing services for Business Licenses, B&O, and Sales Taxes for \$80,629
- Mike Doubleday for 2011 State Lobbying Services for \$40,000
- Multi-Service Center for 2011-2012 Emergency/Transitional Housing for \$46,262 (includes Burien, Des Moines, Renton, SeaTac, and Tukwila)
- New Futures for 2011-2012 Children and Family Program at three apartment complexes for \$64,000
- Otak, Inc. for 2011-2012 Drainage Master Plan Update for \$125,000
- Pipeline Video & Cleaning for 2011-2012 On-Call Stormwater Video Inspection and Maintenance Services for \$60,000
- Seitel Leeds & Associates for 2011 Information System Management Consulting Services for \$59,000
- The Watershed Company for Best Available Science Review of Non-Shoreline Critical Areas for \$25,990
- TSM Company for 2011 Traffic Signal Management Improvement Project for \$50,000
- Walls Law Firm for 2011-2012 Prosecution and Code Enforcement Services for \$147,000
- Wilson Auto Brokers, Inc. for 2011 Vehicle Purchasing Services for \$96,000

F. Overlay Progress Update

2010-2011 Overlay Program project work is nearing completion on the Ambaum Boulevard SW corridor. Final curb, gutter, sidewalk and storm drain work was completed on Tuesday, May 24th. Weather permitting, lots of activities will be completed soon: pavement repairs will be completed on Thursday, May 26; installation of traffic loops and signal light connections should be completed on June 2; and, asphalt overlay will be placed on consecutive nights beginning Tuesday, May 31 through Friday, June 2. Traffic striping and adjustment of manhole covers, grates and utility valves will follow and will require approximately two weeks of effort. The bottom line – construction on the Ambaum Boulevard SW corridor is expected to be complete by June 20, 2011.

G. Healthy Eating Active Living (HEAL) Grant Update

- The first Technical Advisory Committee (TAC) team meeting for Complete Streets recommendations was on May 9th. Discussion of visioning themes that would pertain to an ordinance for complete streets particularly, safety, community character, economic development, and equality. The next meeting will be in early June.
- The second half of the Complete Streets training dealing with Multi-modal level of service will be scheduled for June. Invitations to staff, council, parks board, planning commission and the community will be sent out when the date is set.
- The HEAL grant TAC team met for the first time on May 23rd. Discussion was focused on the grant outcomes, how visioning is shaping the work and the development of three sub-groups: an internal interdepartmental technical advisory committee to discuss guidelines for food procurement within the city and at city meetings and in the “wellness store” to support health and align with Burien as a center of wellness; an external Food Access technical advisory committee to examine food access in Burien particularly, existing and new policy focusing on community gardens, farmers markets and healthy corner stores and a Joint Use Agreement technical advisory committee to examine what this would look like with Highline School District and possibly SeaTac, Des Moines and Normandy Park. At this time the focus is on opening the school grounds after school hours.
- King County Public Health approved Burien HEAL funds to be used for technical assistance for community engagement focusing on vulnerable and underserved groups. Dori is in process of scheduling training on community engagement which key city staff will be invited to attend.
- Staff will be presenting a matrix tool for evaluating the Comprehensive Plan at the next Communities Putting Prevention to Work –Built Environment Meeting on May 24th.
- Staff is part of the overall grant's Governance Committee and is working on the Strategic Action Team for a Community Transformation Grant which is the daughter grant to HEAL-CPPW.
- The Transportation Master Plan Advisory Committee will have its first meeting on Wednesday, June 1st from 5:30-7:30pm at the Burien Community Center.

H. Preparations Well Underway for Wild Strawberry Festival

Staff from the Burien Parks, Recreation & Cultural Services (PaRCS) Department are nearly completed their work preparing the logistics and entertainment for the 2011 Wild Strawberry Festival, being held June 18 and 19. There will be a greater presence there this year from City Hall, with an official City booth at the event. The weekend's events involve numerous partnerships and collaborations with community groups and others. All the details are available at www.WildStrawberryFestival.org.

I. Permit Update

The expansion for 909 Coffee and Wine was completed and occupancy approved. Their scope of work included the addition of an outside dining area adjacent to the existing restaurant. This also included a remodel of the building at 913 SW 152nd for a new service bar.

J. Draft Vision Open House – June 13

Residents can view and comment on the Draft Vision at an Open House on Monday, June 13, 5:30 – 7:00 p.m. in the first floor multi-purpose room at City Hall in Burien Town Square. The Draft Vision will also be on display at the City of Burien booth at the Wild Strawberry Festival, June 18 & 19 in Town Square. The City Council is scheduled to adopt the vision at its June 20 meeting. For information, go to www.burienwa.gov/vision4burien.

K. Deadline Approaching for Pet License Renewal

Burien dog and cat owners are reminded that City of Burien pet licenses must be purchased or renewed **before June 30**. Pet licenses are required for all dogs and cats 6 months of age or older. Pet owners who currently have King County licenses are required to purchase a City of Burien pet license. Owners who purchased City licenses after July 2010 when the City took over animal care and control from King County must have their City licenses renewed. The cost is \$20 a year for altered pets (documentation required) and \$50 a year for unaltered pets. Senior citizens can obtain lifetime licenses for \$15 (if your pet has been altered). You can license your pet online at www.burienwa.gov/petlicense or at City Hall, 400 SW 152nd St. on the third floor.

L. Art Buzz and Other Exhibits at the Community Center

For the Spring SpEGGtacular, artist Garreth Schuh was commissioned to paint Spring theme murals on the windows at the Community Center. The paintings have been getting quite a positive response; the seniors in particular seem to really love the images. People from other age groups have also been commented approvingly. Mr. Schuh's work has a broad-based appeal, and PaRCS staff get two or three comments daily – by far the most feedback they've ever received on any art exhibits. People are also coming in to see the Highline Historical Society display. In addition, staff have had several request from folks who want to purchase some of the "Outsider Art" currently on display.

II. COUNCIL UPDATES/REPORTS

A. Regional Council Annual Meeting – May 26, 2011

City Councilmember Jerry Robison served as Burien's voting representative at the annual General Assembly meeting of the Puget Sound Regional Council (PSRC). Assembly members heard reports on the PSRC's work over the past year, including the funding of more than \$84 million in transportation projects (with \$15 million for the South Park Bridge) and the launching of a process that will help the agency prioritize which future transportation projects should receive federal funding. The General Assembly also approved the Biennial FY 2012-2013 budget and work program, and elected new officers.

B. Changes Expected in Burien's Federal, State and County Districts (Pg. 45)

Burien can expect changes in all of its Congressional, legislative and King County Council district boundaries, due to the State and County redistricting processes underway this year. The City Council may wish to offer input to the State and County redistricting efforts in the next few weeks or months.

Additional information on the redistricting work affecting Burien, and questions that the Council might wish to consider, are included in the attachment. Maps are also included that show the current districts and changes needed to reach the targets set to achieve equal populations.

C. Request for Help Signing Up Students for College Bound Scholarship (Pg. 51)

Councilmember Rose Clark recently attended a meeting between several cities' representatives and the Executive Director of the Community Center for Education Results (CCER). At that meeting the cities were urgently asked to help with reaching out to 8th graders who are eligible for the "College Bound" scholarship and urging them to sign up.

The attachment provides information on the number of 8th grade students in the Highline School District who are eligible for the scholarship and the number who have signed up as of May 31, 2011. The student must sign the form and their parent must as well. The deadline is June 30, 2011.

D. Advisory Board Meeting Minutes (Pg. 53)

Approved minutes from the following Advisory Board meetings are attached:
March 22 & April 26, 2011 Art Commission meeting minutes.

E. Notices (Pg. 59)

The following attached Notices have been published:

- Notice of Application, Sunny Ausink, Pacific Telecom Services for AT&T, to modify and expand an existing personal wireless service facility (PWSF) on a parking garage (Alder Garage) at Highline Medical Center by relocating one existing antenna, adding three new LTE antennas, adding six remote radio head units and related equipment.
- Notice of Contractors regarding sealed bids to be received by the City of Burien by 2:00 p.m. on Tuesday, June 14, 2011, for 1st Avenue South Improvement Project – Phase II. Details may be found on attached Notice.

Alaskan Way Viaduct Construction Mitigation Enhanced Transit Services Summary

AWV Construction Mitigation Enhanced Transit Service adds as of February 2011
--

Route	Description	Est. Metro Funded Seats Feb 2011*†	Est. WSDOT Funded Seats†	% Increase in Seating Capacity	Daily Service Hours
					Mon-Fri
21X – Arbor Heights/Seattle CBD	Add 6 trips between 7-9 AM and 4:30 and 5:30 PM each weekday	870	350	40%	8.5
54 – White Center, Fauntleroy/Seattle CBD	Add 27 trips between 6:30-8:30 AM and 2-7 PM each weekday	1,620	1,570	97%	30.2
56X – West Seattle/Seattle CBD	Add 4 trips between 7-8 AM and 5-6:30 PM each weekday	700	230	33%	4.4
121 – Normandy Park/ Burien/Seattle CBD	Add 4 trips between 7-8 AM and 3:30-5 PM each weekday	700	230	31%	6.5
21X, 54, 56X, 121 Total Trips Added	41 peak period trips each weekday	3,890	2,380	61%	49.7

*Description of Metro funded seats refers specifically to seats provided by trips run during the peak surcharge period and is estimated by multiplying scheduled trips during the peak surcharge period by 58 and rounded.

†WSDOT funded Seats are estimated by multiplying scheduled bus trips by 58 and rounded.



Olympic Environmental Resources

4715 SW Walker Street Seattle WA 98116

Tel. 206 938-8262 Fax (206) 938-9873

Email: pauldevine@msn.com

TO: City of Normandy Park, City of Burien
FROM: Olympic Environmental Resources (OER)
DATE: May 25, 2011
RE: 2011 Spring Recycling Collection Event Results

We had a good day for the Normandy Park and Burien Spring Recycling Collection Event. Three hundred and ninety-one (391) carloads of recyclable material arrived. The total amount of material collected was 59,227 pounds or nearly 30 tons. The total averages out to 151.5 pounds of material per vehicle. The event also included a compost bin, worm bin, and rain barrel sale for distribution of these items to Normandy Park and Burien residents.

The event included the collection of:

- 11,180 pounds of computers, electronic equipment, and cellular phones. The material will be sorted and recycled by Independent Metals in Seattle.
- 25,780 pounds of bulky and scrap wood. The bulky yard debris and scrap wood was sent to Waste Management's composting/wood processing plant in Auburn.
- 17 propane tanks. The tanks will be re-used through Blue Rhino Cylinder Exchange Service or the tanks will be recycled as scrap metal through Independent Metals (850 pounds).
- 6,550 pounds of reusable household goods. This material was collected by Northwest Center for resale through their retail outlets with the proceeds going to charity programs.
- 275 gallons of used motor oil and petroleum based products. This will be re-refined into new motor oil or reused as bunker fuel (2,035 pounds).
- 50 gallons of used anti-freeze. This toxic liquid will be recycled into new anti-freeze (400 pounds).
- 8 used oil filters. These will be drained of oil and the scrap metal will be recycled (20 pounds).
- 212 used tires. These tires will be re-used if in good condition, if not, chipped and made into such products as garden hoses, playground mats, road bedding, and burned as fuel (5,300 pounds).
- 17 lead acid batteries. The batteries will be dismantled, the acid disposed of

properly, and the cores recycled into new batteries (612 pounds).

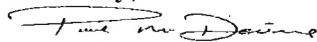
-7250 alkaline batteries. The batteries will be dismantled, the hazardous material disposed of properly, and the cores recycled into new batteries through All Battery (725 pounds).

-19 toilets and sinks. The porcelain material will be processed by Lloyd Enterprises into concrete material (1,425 pounds).

-4,350 pounds of cardboard. The cardboard collected will be recycled by Smurfit in Renton.

Overall we were happy with the way the event went and the amount of material collected. We appreciate the opportunity to work with the City of Normandy Park and the City of Burien. OER looks forward to working on future events in 2011. Thank you.

Sincerely,



Paul M. Devine
General Manager
Olympic Environmental Resources

Status of 2011 Redistricting related to Burien

Burien's Congressional, legislative and King County Council district boundaries will all change due to the State and County redistricting processes this year.

State Process: Congressional and Legislative Districts

Congressional Districts

- Based on the 2010 Census and the population growth in Washington since 2000, the State was awarded a new Congressional District (#10).
- To create the new 10th District and achieve a target population of 672,454 for each (evenly dividing the population), existing districts' population numbers will decrease and their boundaries will shift.
- The 7th District (northern part of Burien, North Highline and Seattle), served by Congressman Jim McDermott, will be reduced by 31,771 (or 4.7%).
- The 9th District (southern part of Burien, east to Renton and south to Olympia/Yelm), served by Congressman Adam Smith, must be reduced by 50,675 (or 7.5%).
- Currently the line between the two districts in Burien essentially follows SW 146th/144th Streets. It is feasible that this line will shift to achieve the target population for the 7th and 9th Districts. Their eastern boundaries could also be adjusted.

Legislative Districts

- Burien is currently in three legislative districts and all three will need to expand to reach the target of 137,236 (new 2010 State population divided by 49 districts).
- The 11th District (Sen. Prentice; Rep.'s Hasegawa and Hudgins) needs to grow by 3,209 (2.3%).
- The 33rd District (Sen. Keiser; Rep.'s Orwall and Upthegrove) will expand by 7,990 (5.8%).
- The 34th District (Sen. Nelson; Rep.'s Cody and Fitzgibbon) will grow by 12,181 (8.9%).
- To achieve the target population; adjustments in the current districts' boundaries will be needed.
- Preliminary unofficial indications are that Burien's legislative district boundaries may all shift south and Burien may remain only in the 34th District. Additional research is continuing.

Possible City Involvement in State Process (Legislative and Congressional Districts)

- The City Council might want to consider a few questions, such as:

- Does the Council wish to express any preference about remaining in two Congressional Districts (both of the current members from the 7th and 9th have successfully advocated for Burien's projects and policy needs)?
 - Does the Council have any preference about remaining in three state legislative districts, or two, or is one acceptable?
- If the Council has no inclination about any boundary issues, they may still wish to provide comments about the Burien community (the Washington State Redistricting Commission invites the public to send "comments and insights" about their community and "what makes it whole").
 - Any participation by the City in the process may be done on-line or at a public forum in June or July; the next nearby forum is the evening of June 13 in Seattle; on June 14 a forum will be in Auburn.
 - City staff will keep track of the Commission's work via the Internet (Website, Listserv).

King County Council Districts

- Burien's Council District #8 has 202,346 residents, based on 2010 Census data.
- District 8 should expand by 12,237 to meet the target population for each district of 214,583.
- The District 8 change is the greatest of all nine districts. (Districts 1, 2, 4, 6, 7 also need to expand; Districts 3, 5 and 9 must shrink.)
- As it determines new District boundaries the King County Districting Committee must consider factors such as city boundaries, natural features, and "communities of related and mutual interest."

Possible City Involvement in County Process

- The King County Districting Committee expects to "consult with local jurisdictions and officials" before it develops "various district plan options."
- City staff will contact Committee staff to determine how the consultation process will occur (i.e. whether all cities will be contacted; how the Committee expects to consult with the cities).
- Whether or not Burien's input is obtained through the Committee's consultation process, the City Council may decide to provide information on their boundary preferences later in the year:
 - The Council may want to examine the Committee's proposed options after they're released for public review, and determine any preference for the Council District 8 boundary lines.
 - If the Council wants to provide input on a preferred option they may do so through on-line written input or at one of the Districting Committee hearings (not yet scheduled).

Status of Redistricting Schedules

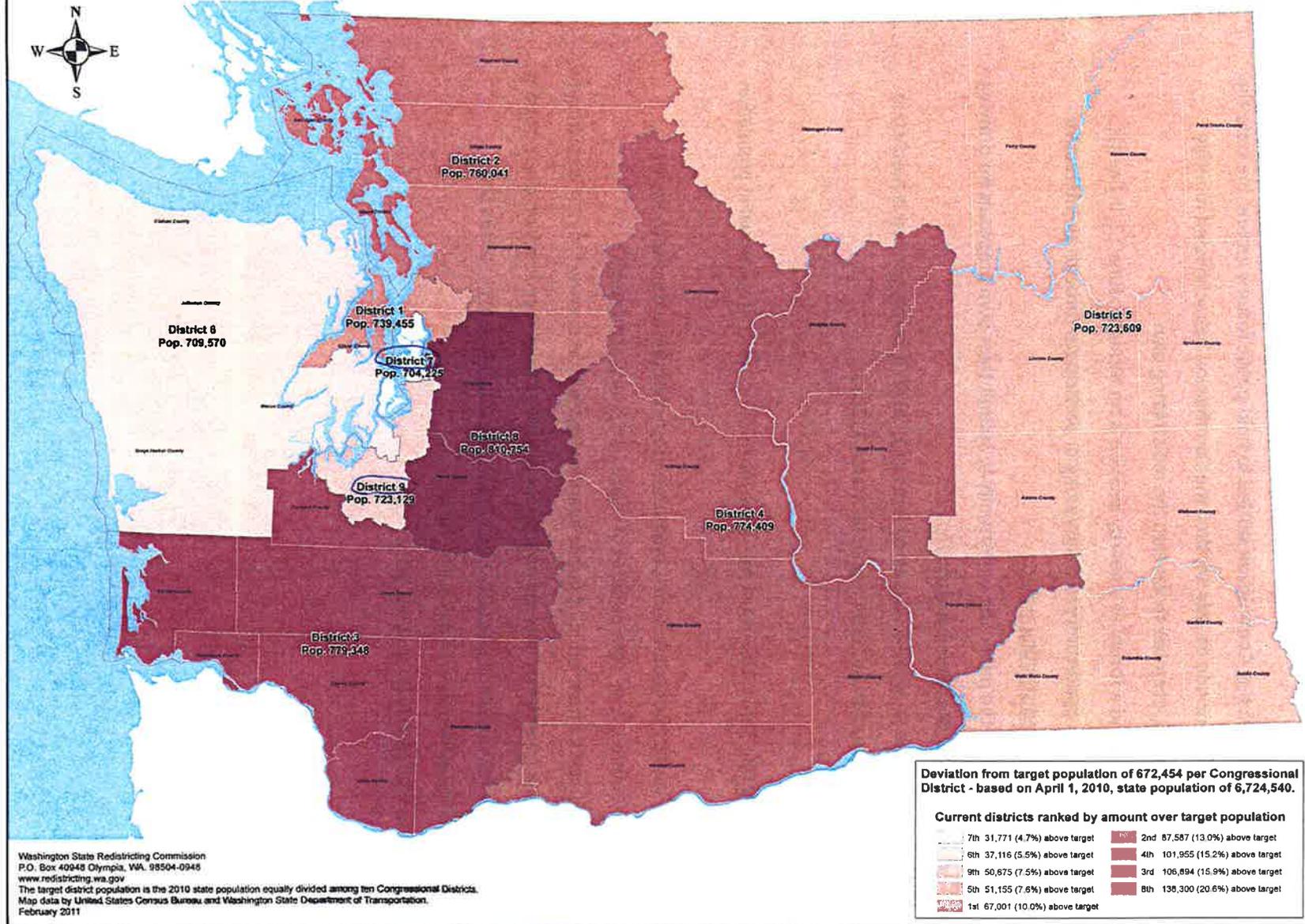
State Process

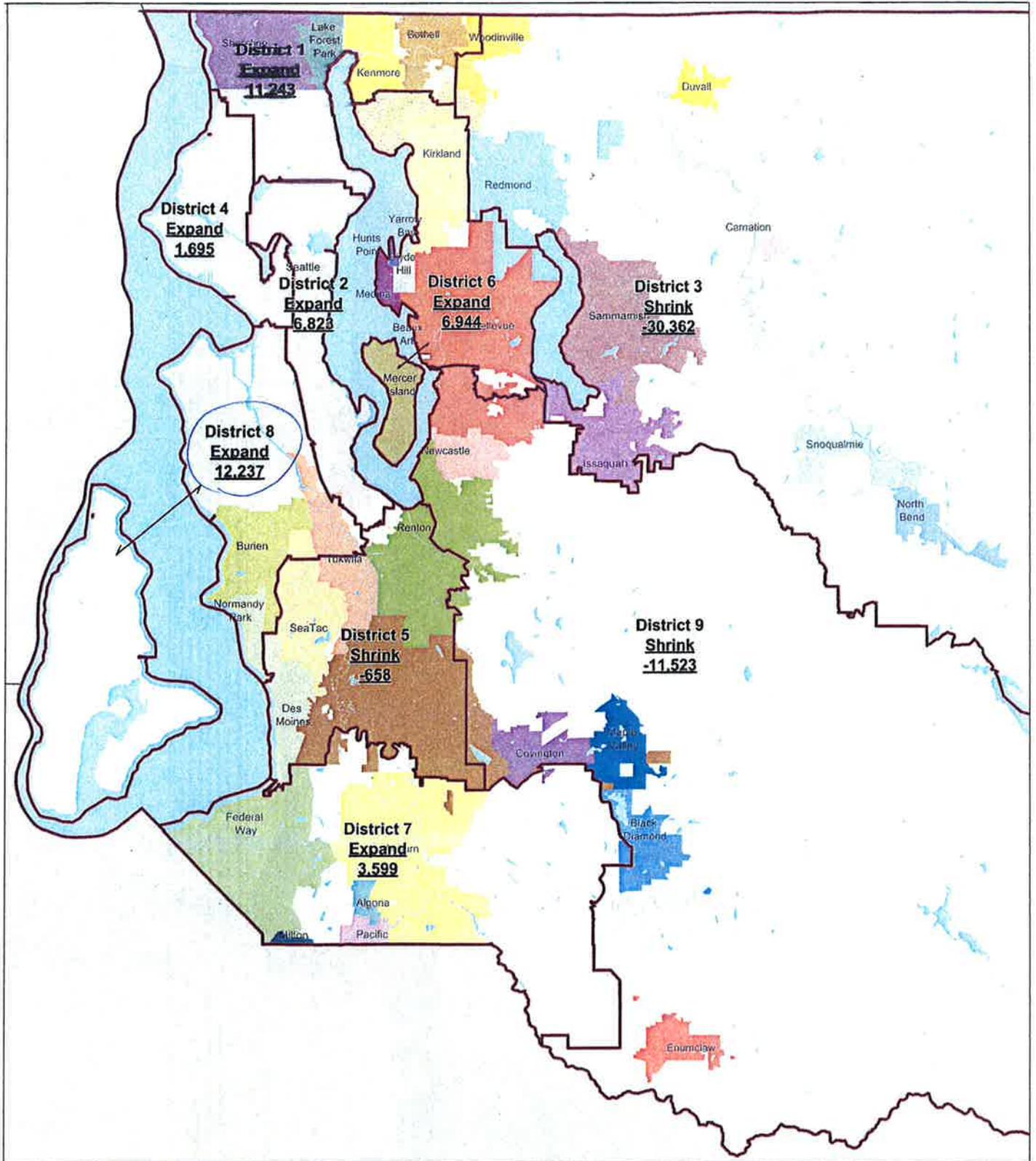
- The Washington State Redistricting Commission started to hold public forums around the state the last week of May and they conclude on July 14; then the Commission has scheduled monthly meetings for August through December to develop the redistricting plan.
- The next opportunity to attend a forum at a nearby location is on Monday, June 13, in Seattle.
- The Public Forums include an opportunity to follow along or participate through an interactive Webcast, available at www.redistricting.wa.gov.
- The State Commission offers the public the opportunity to submit their own proposals for drawing new district boundaries; the deadline is August 15, 2011.
- The Commission is supposed to agree on a plan by January 1, 2012. If no agreement is reached in time, the State Supreme Court must adopt a plan by March 1, 2012.

King County Process

- The King County Districting Committee must make the nine Council districts as equal in population as possible.
- As it determines new District boundaries the Committee must consider factors such as city boundaries, natural features, and "communities of related and mutual interest."
- The Committee concluded its first round of public hearings (three held in early May); it is starting to develop options for new boundaries and will hold public meetings to get feedback on those options.
- The Committee's Webpage (www.kingcounty.gov/operations/districting.aspx) offers the opportunity to provide testimony with an on-line form.
- The deadline for the final plan is January 15, 2012.

Washington State Congressional Districts: Census 2010 Deviation from Target Population

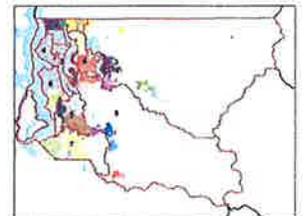




2005 Council Districts Population Change Required

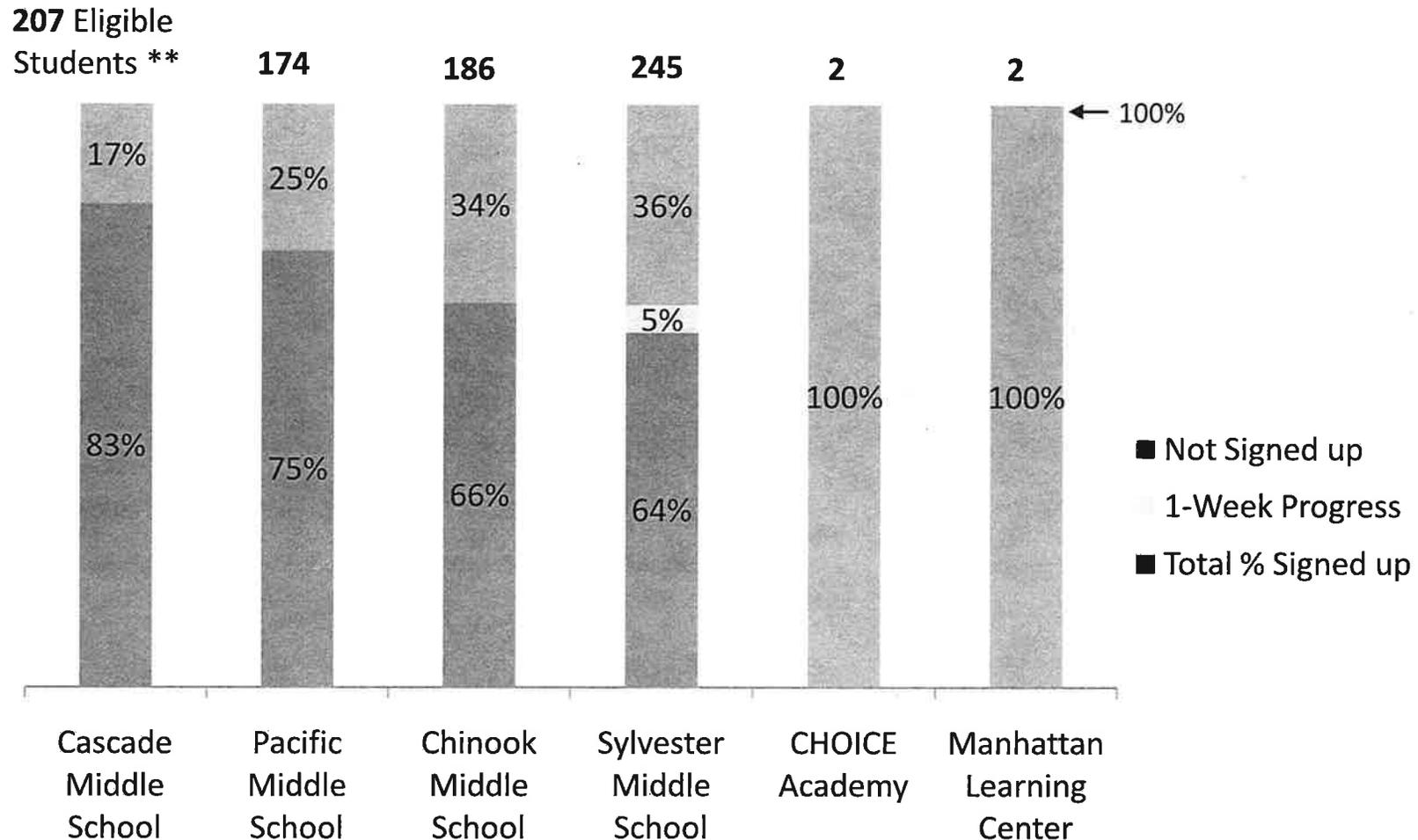
King County, WA

Data Source: U. S. Census Bureau Census 2010
Redistricting Date (PL 94-171)



CBS Data 2010 - 2011 – Highline Middle Schools

Number of 8th graders Eligible for the College Bound Scholarship , *Percent Signed up vs Not signed up



*Signed up denotes that a student filled out the application form. The application is not counted as "Complete" until the parent signature is returned. These figures only indicate applications that have been received by the HECB. Individual schools often collect a group of applications to submit at once which is why some districts notice smaller week-to-week gains.

**Eligible numbers reflect more accurate information provided by this district.

Source: Washington Higher Education Coordinating Board

CITY OF BURIEN, WASHINGTON

**Art Commission
MEETING MINUTES**

Date: March 22, 2011

Time: 6:30 p.m.

Arts Commission Members Present:

<input checked="" type="checkbox"/> Shelley Brittingham	<input type="checkbox"/>	<input checked="" type="checkbox"/> Virginia Wright
<input checked="" type="checkbox"/> Donna DiFiore	<input type="checkbox"/>	
<input checked="" type="checkbox"/> Victoria Hall	<input type="checkbox"/>	
<input checked="" type="checkbox"/> Robbie Howell	<input checked="" type="checkbox"/> Debbie Thoma	

Staff Present:

Gina Kallman, Cultural Arts Supervisor

Debbie Zemke, Recreation Manager

Guests:

Lara Davis, Arts Corps

Maureen Hoffmann, Community Member

Michael O'Neill, Community Member

Minutes

Meeting called to order. Minutes are approved.

GUEST PRESENTATIONS

Lara Davis—from Arts Corps spoke about the Arts Corps program in Burien. Arts Corps is in three Burien Elementary Schools for the 2011-2012 school year, Cedarhurst (clay workshops), Hilltop (poetry workshops), and Hazel Valley (TBD). The programs are during the school day and work with up to eight classrooms per school. Arts Corps has been working with Burien and in the Highline schools for many years. The organization has a staff of nine and works with artists in all medias focusing on lifelong habits—access to creative learning opportunities, critical thinking, etc...skills that are helpful in all fields, not just the arts. The program provides funds from the City of Burien to bring the arts into elementary schools within the city that have a high percentage of free and reduced lunch usage. The hope is that the schools will be able to make the programs sustainable by working with their PTSA's. Cedarhurst is the first to do this and this year's program is almost completely funded by the PTSA. Lara would be interested in coming back and talking to the AC as a Seattle Arts Commissioner (she is on the education committee).

2011 Elections—Virginia Wright has been elected Arts Commission Chair, Donna Di Fiore has been elected Arts Commission Vice Chair. The commission voted and all are in favor.

2011 Work Plan-- The commission asked that the work plan be finalized at the April meeting when the new arts commissioners are present.

AREAS OF FOCUS REPORT

Arts Education — Banner project—Maureen has finished the production art and it has been sent to the production company. The order has been placed by Debra George. The commission asked that the request be made to cut the banner poles to be shorter.

Public Art—Gina reported on the ongoing Public Art projects:

The Seahurst Sculpture-- is being looked at by artist Thomas Lindsey, 4 Culture Staff, and Parks Supervisor Steve Roemer to determine if it can be moved this summer and the feasibility of moving the 30+ year old sculpture.

Eagle Landing Project--The artist Galen Willis has put together his project team with the recent addition of an Eagle Scout Sean Kent, who will do the installation. The scout will take the conceptual plans and put together a revised plan proposal for the project to take to his Scout Leaders for approvals. Currently, the timeline is to begin construction in April, so that all is complete by June 2011.

Puget Sound Skill Center—Welding Instructor Dale Copeland will be working again this year with his students to create some metal artwork for the city Parks Department. This year the students will be making small lanterns to be used at Arts-A-Glow and Night of the Pumpkin.

Arts and Economic Development— Commissioners Shelley, Robbie, Donna and Virginia spoke with City staff Debbie Zemke and Dick Loman about the BEDP (Burien Economic Development Partnership) and how the AC could work with them. The BEDP is a 14 seat advisory board, including local business owners and residence. Shelley thought it would be helpful to develop a relationship and lobby for keeping the arts strong in the Economic Development Plan. The AC has been invited to come to a BEDP work meeting. The committee will meet again to decide how to proceed.

4 Culture Update—Shelley spoke about the house and senate bills that are in process and will affect the future of 4 Culture funding. Both bills have been referred to Ways and Means committees and need to be reconciled.

Burien Visioning Committee Update—Maureen discussed her role on the steering committee of the City of Burien Visioning Committee. There have been two steering committee meetings and many affinity groups meetings. There is a survey on the city website that the community has been asked to fill out. Maureen discussed her concern about large areas of Burien that have not responded to the survey and asked Arts Commissioners to please talk about this survey in their neighborhoods to get more respondents. There are also a number of public meetings coming up.

STAFF REPORT

ARTalk— On Thursday, March 17th, parks staff hosted an ARTalk for the Burien Arts and Culture organizations and Arts Commission. Fourteen participants from the arts commission, New City Dance Studio, Highline Historical Society, Burien Arts, and Burien Little Theatre came to listen to speaker Marcia Holland. Marcia is the CEO of consulting firm Outcomes Unlimited, and a member of SOCO Culture. Marcia has donated her time to help South King County arts organizations with strategic planning and board and volunteer recruitment and retention.

SOCO Culture—The March 15th SOCO Culture meeting was hosted by the City of Burien at the Burien Community Center. Over 30 members of SOCO attended the meeting.

Empty Bowls 2011— The January Empty Bowls event was a big success with a new record of over 1,000 participants. Over \$16,000 was raised for the Highline and White Center Food Banks. The event was moved to the new Burien Community Center and it was wonderful to have so much space.

A&C Grant Report Form— A form has been created to be used by arts commissioners assessing events produced by the recipients of the Burien Arts and Culture Grants. The report will be used starting in 2012.

BCC Exhibits—The exhibits for 2011 are as follows:

Moshier Artists with DisAbilities-January-August

Artist United Juried Show-September/October

Burien Arts 20/20—November /December

Highline Historical-January-August-back hallway

Front Entrance revolving show—PTSA Reflections, Artist United, South King County printmakers curated by Erin Williamson.

Mural Application—Staff have been working with the planning department on a form that can be used for mural applications. The arts commission had some suggestions for the applications pertaining to what the difference is between a mural and a sign. Gina will look into these issues.

The meeting was adjourned.

CITY OF BURIEN, WASHINGTON

**Art Commission
MEETING MINUTES**

Date: April 26, 2011

Time: 6:30 p.m.

Arts Commission Members Present:

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Shelley Brittingham | <input checked="" type="checkbox"/> Shelli Park | <input checked="" type="checkbox"/> Virginia Wright |
| <input checked="" type="checkbox"/> Donna DiFiore | <input checked="" type="checkbox"/> Michael O'Neill | |
| <input checked="" type="checkbox"/> Andrea Reay | <input checked="" type="checkbox"/> Chloe Bjordahl | |
| <input type="checkbox"/> Robbie Howell | <input type="checkbox"/> Debbie Thoma | |

Staff Present:

Gina Kallman, Cultural Arts Supervisor

Guests:

Minutes

Meeting called to order. Minutes are approved as corrected.

New Arts Commissioners introduced. Gina led a discussion on the basics of being an arts commissioner. Discussed were the Arts Commission mission statement and ordinances, the city arts staff responsibilities, and the local and regional arts organizations. A more detailed orientation will happen in May.

2011 Work Plan-- A vote was taken to approve the 2011 Arts Commission Area of Focus Work Plan. Shelley motioned to accept the plan as corrected. All approved. Please see attached work plan.

AREAS OF FOCUS REPORT

Arts Education —

Banner Project—The 153rd Banner Project that has been worked on by the arts commission for the last two years has been finalized with the installation of the banners on April 20th. The banners have been getting a great response from city staff and community and are seen as the kick-off for revitalizing 153rd street. Press releases were sent out to the Highline Times and B-Town Blog and a celebration of the banners will happen at the Clean Sweep event on April 30th with a scavenger hunt for the clean sweep participants.

Public Art—We are hoping to have a report on the Seahurst sculpture in May.

Arts and Economic Development—Donna discussed the background of the committee to the new members. The committee met in April and would like to also work with Discover Burien as well as the BEDP. They hope to meet with chair of BEDP soon to talk more about possible collaboration. They would also like to have a better understanding of what businesses host and promote the arts.

4-Culture Report –Shelley presented a report on the current situation with 4 Culture. Details from Advocate4Culture blog:

The 2011 legislative session is set to end this Sunday, April 24th, but most folks, including Governor Gregoire, think they won't finish by that date and will have to go into *special session*.

It seems likely that legislators will opt to wrap up a bit of business this *Friday* and take a break this weekend. Hopefully, they will come back refreshed and ready to revisit SHB 1997 and SSB 5834. This will be their last chance to save funding for arts and heritage in King County, or they won't finish by that date and will have to go into *special session*.

STAFF REPORT

Summer Events—Staff reported on the planning happening for the upcoming summer events, Wild Strawberry Festival (June 18-19), Music and Movies in the Park (July-August), and Arts-A-Glow (September 10th).

Arts and Culture Brochure— Staff have been talking to the arts and culture groups within the city and many would like to see an electronic format for the brochure (like an e-news) that could be sent out quarterly or monthly. This option is being looked into and more information will follow.

The meeting was adjourned.



Notice of Application

City of Burien 400 SW 152nd Street (Suite 300) Burien, Washington 98166-3066

Date	May 27, 2011
Applicant	Sunny Ausink, Pacific Telecom Services for AT&T
Proposal	Modify and expand an existing personal wireless service facility (PWSF) on a parking garage (Alder Garage) at Highline Medical Center by relocating one existing antenna, adding three new LTE antennas, adding six remote radio head units and related equipment.
File No.	PLA 11-0727 File is available for viewing at Burien City Hall during regular business hours.
Location	16267 Sylvester Road Southwest, Burien, WA
Tax Parcel No.	302304-9006
Current Zoning	Office (O)
Application Submitted/Complete	Submitted: May 11, 2011 Complete: May 18, 2011
Other Permits Needed	Building Permit
Other Studies Needed	None
Review Process and Public Comment	The decision on this application will be made by the Community Development Director. Prior to the decision, there is an opportunity for the public to submit written comments. Written comments must be received prior to 5:00 p.m. on June 17, 2011. Send written comments to the project planner (see below). Please indicate your name and address and refer to the file indicated above. Only people who submitted comments as indicated above may appeal the decision on this application.
Project Planner (for written comments and more information)	Art Pederson, LEED AP Department of Community Development City of Burien 400 SW 152 nd Street (Suite 300) Burien, WA 98166-3066 Phone: (206) 436-5576 E-Mail: artp@burienwa.gov
Published in the Seattle Times	Date of Notice: May 27, 2011

cc: Burien City Council
Burien Staff
Burien Daily
B-Town Blog
Discover Burien

Highline Times
King County/Burien Public Library
Seahurst Post Office
Web site: www.burienwa.gov
White Center Now

NOTICE TO CONTRACTORS

CITY OF BURIEN

1st Avenue South Improvement Project – Phase II SW 146th Street to SW 140th Street

NOTICE IS HEREBY GIVEN that sealed bids will be received by the City of Burien, Office of the City Clerk, Burien City Hall, 400 SW 152nd Street, Suite 300, Burien, Washington 98166, until the hour of 2:00 p.m. on Tuesday, June 14, 2011. Bids received later than 2:00 p.m. on Tuesday, June 14, 2011 shall not be considered. Bids will be opened and publicly read immediately thereafter of that same day for:

CITY OF BURIEN 1ST AVENUE SOUTH IMPROVEMENT PROJECT – PHASE II (SW 146TH STREET TO SW 140TH STREET)

The Work to be performed shall be completed within 260 working days from the Notice to Proceed. The project provides for the improvement of 1st Avenue South from SW 146th Street to SW 140th Street; in the City of Burien, Washington, by construction of curb, gutter, sidewalk, pavement, drainage improvements, irrigation and landscaping, illumination, traffic signal systems, and other Work, all in accordance with the prepared project Plans, Special Provisions, the King County Road Design and Construction Standards, and the APWA/WSDOT Standard Plans and Standard Specifications for Road, Bridge, and Municipal Construction.

Each bid shall be in accordance with the Bid Documents. Bid Documents are available for viewing free-of-charge online through Builders Exchange of Washington, Inc. at www.bxwa.com after May 24, 2011. Click on: "Posted Projects"; "Public Works", "City of Burien" and "Projects Bidding." Bidders are encouraged to "Register as a Bidder" in order to receive automatic e-mail notification of addenda and to be placed on the "Bidders List". Hard copies of the Bid Documents will not be available.

Prospective Bidders desiring an explanation or interpretation of the Bid Documents are directed to Section 1-02.4(1) of the 2010 Washington State Department of Transportation (WSDOT) Standard Specifications (English Edition). Inquiries must be submitted in writing and received by the City in care of Perteet, Inc. a minimum of five business days prior to the bid opening date. Verbal questions will not be considered during the bidding period. Written questions submitted after June 7, 2011 (five business days prior to bid opening) will not be considered.

Direct all correspondence concerning explanation or interpretation to: City of Burien C/O Perteet Inc., Attention: David Pearson, P.E., 505 Fifth Avenue South, Suite 300, Seattle, Washington 98104. Inquiries may also be faxed to the attention of David Pearson, P.E. at (206) 436-0516. The inquiring firm's contact person and return address or fax number must be clearly identifiable on the fax submittal to allow for written response by the City's consulting engineer, Perteet Inc. Additional general information about the contract can be obtained by calling David Pearson, P.E. at (206) 436-0515.

All bid proposals shall be accompanied by a bid bond in cash, certified check, cashier's check,

postal money order, or bid bond made payable to the City of Burien in an amount not less than five percent (5%) of the amount of such base bid proposal. Bid bonds shall be in a form satisfactory to the City Attorney. Should the successful Bidder fail to enter into the Contract and furnish a satisfactory performance bond within 10 calendar days of notification of Contract award, the bid proposal deposit shall be forfeited to the City of Burien.

Bidder attention is particularly called to the conditions of employment to be observed and the higher between Davis-Bacon Act wage rates and King County prevailing wage rates to be paid under the Contract.

Said Project is funded through collaboration with the Puget Sound Regional Council Surface Transportation Program, State of Washington Transportation Improvement Board, Seattle City Light, and Local Agency Transportation Improvement Program. Requirements stipulated for Federal, state, and other governmental funding has been incorporated into the Contract Documents and requires full compliance by the selected Contractor and their respective subcontractors. This project will have Apprenticeship, Training, and Disadvantage Business Enterprise (DBE) requirements.

The City of Burien, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252,42 U.S.C. 2000d to 2000-4 and Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, Part 21, nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all Bidders that it will affirmatively ensure that in any Contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color or national origin in consideration for an award.

The City reserves the right to reject any and all bids and to determine minor irregularities or informalities, and to waive any minor irregularities or informalities. No Bidder may withdraw his/her bid after the hour set for the opening of bids. The City further reserves the right to consider all relevant information submitted and/or received in determining the lowest responsible and responsive bid, including but not limited to, the dollar amount of the bid and the total costs to the City (direct or indirect), the accessibility and availability of the Bidder, prior Work by the Bidder on comparable projects, ability to maintain vehicular and pedestrian traffic through construction zones, reference from other public or private agencies involving comparable projects, and, any other factors that have a reasonable bearing on the City's determination of the lowest responsible and responsive bid.

Bidders may be represented at the opening of bids if they so desire. No Bidder may withdraw his/her bid within 45 days after the actual opening thereof.

This contract will be subject to Equal Opportunity and Affirmative Action Employer requirements.

CITY OF BURIEN

Monica Lusk
City Clerk

Published in *The Seattle Daily Journal of Commerce*, May 24, 2011, & May 26, 2011
Published in *The Seattle Times*, May 24, 2011, & May 26, 2011