



CITY COUNCIL MEETING AGENDA

August 20, 2012

**6:00 p.m. - Special Meeting: Executive Session to discuss
potential litigation and real estate acquisition**

7:00 p.m. – Regular Meeting

	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 July 23, 2012 from the Metropolitan King County Council Regarding King County Sheriff’s Office.	3.
b. Letter Dated August 6, 2012 from C. Edgar Regarding 2013-2014 City Budget.	5.
c. Written Public Comment for Meeting of August 6, 2012 from Marga Newcomb Regarding Annexation.	9.
d. Email Dated August 7, 2012 from Carol Sandoval Regarding Waste Management Strike.	11.
e. Email Dated August 8, 2012 from Shere’e Robinson Regarding CARES.	13.
f. Email Dated August 13, 2012 from Rachael Levine Regarding Money from Washington State for Annexation.	17.
7. CONSENT AGENDA	
a. Approval of Vouchers: Numbers 32326 – 32468 in the Amounts of \$700,305.74.	21.
b. Approval of Minutes: Regular Council Meeting, August 6, 2012	43.
c. Adopt Ordinance 564, Amending Business License Regulations for Peddlers and Solicitors.	49.
8. BUSINESS AGENDA	
a. Update on New Futures and City Staff’s Funding Research.	63.
b. Consideration of and Motion to Authorize City Manager to Execute the Standstill Agreement Between the City and Harbor Urban.	69.
c. Follow-up to Council Questions Regarding the 2013-18 Financial Forecast.	81.
d. Review of Proposed Council Agenda Schedule.	105.
e. City Business.	119.

COUNCILMEMBERS

Brian Bennett, Mayor	Rose Clark, Deputy Mayor	Jack Block, Jr.	
Bob Edgar	Lucy Krakowiak	Joan McGilton	Gerald F. Robison

CITY COUNCIL MEETING AGENDA

August 20, 2012

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9. COUNCIL REPORTS

10. ADJOURNMENT



King County

Metropolitan King County Council

King County Courthouse
516 Third Avenue, Room 1200
Seattle, WA 98104-3272

206-296-1000 TTY 206-296-1024
Toll Free: 1-800-325-6165
www.kingcounty.gov/council

RECEIVED

AUG 01 2012

July 23, 2012

City of Burien

Burien City Council
400 SW 152nd Street, Suite 300
Burien, WA 98166

Dear Mayor Bennett and members of the Burien City Council:

We are writing for your input regarding King County's ongoing efforts to implement civilian oversight of the King County Sheriff's Office. Specifically, we are asking for suggestions of individuals to represent contract cities on a new Citizens' Committee on Independent Oversight.

As you may know, the County Council adopted legislation to establish a system of civilian oversight of the King County Sheriff's Office and created the King County Office of Law Enforcement Oversight (OLEO). OLEO is charged with: 1) monitoring ongoing investigations of officer misconduct and helping to resolve cases; 2) increasing the level of public trust and transparency of the Sheriff's Office; and 3) identifying systemic issues within the Sheriff's Office and offering recommendations for reform.

As part of OLEO, a new Citizens' Committee on Independent Oversight is also being created. As set out in King County Code, the committee shall consist of eleven members: three members representing contract cities; four members representing unincorporated King County; and four at-large members. Appointed by the Executive and confirmed by the Council, members of the committee will serve three-year terms.

The role of the committee will be to advise the Director of OLEO on misconduct and discipline practices, other policies and procedures related to OLEO's responsibilities, and public perceptions of the King County Sheriff's Office. The committee will serve a critical role by connecting OLEO to the communities served by the King County Sheriff's Office and increasing public understanding and trust in the Sheriff's Office and its public complaint process.

Last year, the Council unanimously confirmed the appointment of Mr. Charles Gaither to serve as OLEO's first director. Mr. Gaither brings more than 15 years of law enforcement experience to the position and was previously the Policy and Investigations Manager and Special

CFTR: 8/20/12
PC: 08/02/12



Investigator with the Los Angeles Board of Police Commissioners, Office of the Inspector General. The Citizens' Committee will have the opportunity to work closely with Mr. Gaither.

OLEO is an important means of assuring integrity, transparency, and accountability in law enforcement, and furthers the County's goal of supporting safe communities and accessible justice for all King County residents. OLEO will also reinforce a culture of customer service and help King County deliver services that are responsive to community needs. In addition, as an independent legislative branch agency, OLEO does not affect the budget of the Sheriff's Office or increase costs for contract cities.

Again, we are asking for suggestions of individuals to represent contract cities on the new Citizens' Committee on Independent Oversight. We are looking for thoughtful candidates who are committed to promoting public safety and the value of civilian oversight of law enforcement. Nominations can be sent to Boards and Commissions Liaison Rick Ybarra, who will forward them as appropriate and can be contacted at (206) 263-9651 or rick.ybarra@kingcounty.gov.

Thank you for your consideration and we look forward to receiving your input about who should serve on the Citizens' Committee on Independent Oversight.

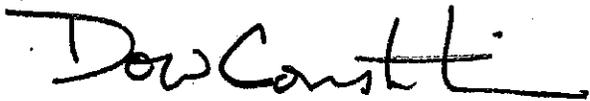
Sincerely,



Bob Ferguson
Chair, Government Accountability,
Oversight & Financial Performance Committee



Larry Gossett,
Chair, King County Council



Dow Constantine
King County Executive

cc: Steve Strachan, King County Sheriff
Charles Gaither, Director, King County Office of Law Enforcement Oversight
Deanne Dawson, Executive Director, Suburban Cities Association
Mike Martin, Burien City Manager

To the Burien City Council;
August 6, 2012

Council Members;

The only options that I see that are being offered in this packet to the citizens and the Council members is increased taxes and less services to handle the budget shortfall.

The policy changes that I think I see that staff recommending are;

1. capping staff salaries. Except this cannot happen for the police which take up about 60% of the current budget and are on a separate contract from the other employees.
2. increasing taxes to increase the cash reserve to cover debt the city will be facing by year 11 after annexation-when there is no sales tax credits
3. reducing services to current residents to start building the reserve up.

There are no options being shown that;

1. we remove annexation from the ballot as it is unaffordable for the city at the current time.
2. we examine the current budget and reduce current spending
3. get rid of outside contractors that we currently have –with the exception of some kind of animal control services, the police, recording services for Council meetings, crews contracted to complete road work on 1st Ave and 132nd, required park maintenance crews and our newsletter editor/to be used solely for that purpose- and hire no new contract services without the approval of the Council. This would remove the \$25,000 and under option for spending that is now being allowed to the City Manager.
4. Freeze hiring new staff until further study by the Council is completed.

These are 4 items things that I would like to see considered before we look to a tax increase for the current citizens of Burien. I would also like the items discussed in this Letter to the Editor – see attached-considered Also, I suggest an internal staff study to look at what non-personnel items can be reduced in the budget and what staff can be reduced and that those staff study sessions included Council members presence at some point. Also, that the proposed cuts to the budget from these staff study sessions be made public.

Sincerely,
C. Edgar *ee*

Please post this letter and attachment in the next Council Packet as part of the public record.

CFTR: 08/20/12

CC: Kim Krause, Finance Director
Mike Martin, City Manager

LETTER: 'I Urge Any Resident that Cares About Fiscal Responsibility to Show Up' to Monday Night Meeting

Posted By [Scott Schaefer](#) On August 5, 2012 @ 7:33 am In [Burien News,Business,Headlines,Letters to the Editor,Life,Opinion,Politics](#) | [No Comments](#)



Dear B-Town:

Last week the City Finance Dept. revealed that the Burien budget will be short approx. \$800,000 for the years 2012 and 2013 due to reduced property values/revenues. The only option shown for this shortfall is increasing taxes.

No one on the Burien City Staff has even begun to discuss how they plan to deal with the revenue shortfall in the North Highline/Area Y.

They have not shown how this changes the assumptions made by the 2011 Berk Report even though the property tax revenue shortfall for the annexation area is more than double that of the current City of Burien.

On Monday night Aug. 6, 2012 at the City Council meeting, there is a public hearing on the budget but there is no proposed budget for the citizens to review or any proposals of what actions the city plans to take to resolve the current revenue shortfall.

How can the public intelligently comment on a budget or the details of it when they have not been given access to it?

Try going online to look at the basic details about the city, they are next to impossible to find. The staff directory is not up to date and who knows if the staffing units (FTE) are even correct. There is no way to find out how many staff members they have on outside contracts that may be driving costs up.

There is no display of how many special contractors they have used this year or plan to use next year. These contracts significantly drive costs up.

For example contractors in the last two years have included: Parks and Recreation, Best Available Science, Transportation, Drainage, Visioning, Citizen Surveys, Annexation, Berk Reports, National Economic Study Data to mention a few.

The Comprehensive Plan update is not due until 2015, so all of that spending did not need to be front loaded into the budget. Portions of it will apparently need to be redone/repaid, at added cost to Burien taxpayers, if the annexation of North Highline/Area Y goes through.

The City Manager can write multiple contracts of up to \$25,000 without the approval of the Council. How many of these contracts are out there? What is the policy on contractors for the city in times of recession? The answers to these questions require a transparency that appears to be sadly lacking at this time.

When businesses or public agencies are facing less money they usually go into a study mode and each department is normally required to list expenditures that can be cut without eliminating legally required services. We have seen none of that information from the city staff.

In my humble opinion here are just a few suggested areas/policies that the city might look at for cuts rather than tax increases:

1. Parks and Recreation policy on services and staffing.
The number of recreation assistants and the number of staff devoted to the arts, the big thick recreation booklet that is being mailed at least 2 times per year, the amount of money put out for arts grants per year, contract costs for park maintenance, money currently being diverted to annexation promotion?
2. Growth and development staffing and hiring policies.
It is not clear how many planners they have on staff and on contract but in this economic recession there is less planning and permitting. Staffing policies should require any new hires be more diversified in their skill sets so we don't need to hire so many contractors and consultants.
3. City Manager staffing policy decisions.
We need to look at the benefit package for the City Manager, why are we paying for an assistant to the city manager that is devoting 75% of their time to annexation? How much contact time is being given to Steve Bodkin/PR as he is now devoting a portion of his time to annexation. In this day and age there are less expensive alternatives to outside contracted publications.
4. Economic Development policy decisions on staffing.
There has not been much work in this area for years so is it really necessary to have warranted a full time position at director level? Can we afford to pay a consultant \$100,000 at this time?
5. Police policy decisions on staffing.
The Police take the lion's share of the budget with 70.87 staff (pg.18 Berk Report) but there is no display of staff that is easy to access and evaluate.
6. Broadcast policy decisions.
The radio station costs for a station that does not reach some of the residents and gives no pertinent information.
7. Council policy on the budget.
How does it contribute to city resources and transparency of the budget to the public?
8. Is annexation really affordable now and if so how are we going to compensate for all the current revenue shortfalls? By raising taxes?

City Hall-facilities, staffing and raises during times of recession or economic shortfalls and operations costs?

9. Public works policy.

Is there a policy to reduce/delay spending during recession?

One council member proposed eliminating human services and animal control without even seeing the data or a staff self study. This type of approach is not what I am advocating. I suggest a responsible common sense review of where cuts can be made.

The 2011 Berk Report-page ES-7- says that \$23 million needs to be diverted up to Area Y storm water mitigation within 5 years if the area is annexed. The City of Burien now only brings in \$2.4 million dollars per year in storm water fees. The budget will be millions of dollars short. So where will all of this money come from other than new taxes to make up the revenue shortfall for a mandated expenditure?

It's pretty obvious to me that we cannot afford annexation at this time and we need to review where our current expenses can be cut to cover the shortfalls we have now. The council has not really taken up this discussion nor has the city manager urged this discussion.

Annexation can still be removed from the ballot up until August 7.

I urge any resident that cares about fiscal responsibility to show up at this meeting and comment about removing annexation from the ballot.

We need to see the kind of transparency that should be shown on the current budget shortfalls and how the city plans to pay for it without raising taxes.

Best Regards,
John Poitras



CITY OF BURIEN, WASHINGTON

Written Public Comments For Meeting Of August 6, 2012

For those who do not wish to speak, but would like to make comments, please use this sheet. Your comments will be summarized and become part of the permanent record for this Council meeting. You may leave your completed sheet with the City Clerk. Thank you.

I STILL DO NOT SEE HOW WE CAN ANNEX ANY BODY ELSE (ie. WHITE CENTER) WITHOUT CHARGING MORE IN TAXES. I CANNOT AFFORD TO PAY MORE TAXES FOR ANY REASON.

Name: MARGA NEWCOMB

Address: 209 SW 132nd ST

City / Zip Code: Burien 98746

Telephone: (206) 242-4849

CFTR: 08/20/12

cc: Nhan Nguyen

Carol Allread

From: Public Council Inbox
Sent: Tuesday, August 07, 2012 9:18 AM
To: 'cegiraffe@comcast.net'; Public Council Inbox; Public Council Inbox
Subject: RE: Recent strike of Waste Management workers

Dear Ms. Sandoval,

Thank you for writing to the City Council to express your concerns. Your email will be included in a future Council agenda packet as Correspondence for the Record.

Carol Allread
Executive Assistant, City Manager's Office
City of Burien
(206) 248-5508 Office
(206) 248-5539 Fax
carola@burienwa.gov

From: cegiraffe@comcast.net [<mailto:cegiraffe@comcast.net>]
Sent: Monday, August 06, 2012 7:00 PM
To: Public Council Inbox; Public Council Inbox
Subject: Recent strike of Waste Management workers

I don't think that Burien was well protected during the recent Waste Management strike. I live in an apartment complex in Burien. The news focused on those affected in Seattle (and to a lesser extent Renton). Seattle residents were able to take garbage to the land fill stations free of charge, but they had to prove they live in Seattle and there were no similar arrangements for residents of Burien. Once the strike ended, there was no rush to collect garbage in Burien, apparently because Burien doesn't levy the fines that are charged in Seattle if the garbage isn't collected. We finally got our garbage picked up today. Monday is our regular collection day and there didn't seem to be any rush to collect the garbage sooner with the overtime that was supposedly authorized. I think our recycling will not be picked up for a whole month. It is regularly picked up every other week but we missed that day due to the strike and I don't think there are any plans to collect it this week. The next time Burien negotiates a contract with the garbage collecting companies, I recommend that Burien include the kind of fines that Seattle can collect--that seems to get results. I also recommend that the city council try to find money in the budget to allow Burien residents to take their own garbage to the land fill free of charge if such an event happens again. There is no reason that I can see that Burien residents are so much more poorly treated than those living elsewhere in the Waste Management service area.

Carol Sandoval
15828 - 4th Ave. SW #D
Burien 98166

CFTR: 08/20/12

cc: maiya Andrews, Public Works Director
Mike Martin, City Manager

Carol Allread

From: Public Council Inbox
Sent: Wednesday, August 08, 2012 10:09 AM
To: 'Shere'e'
Subject: RE: What use is CARES?

Dear Ms. Robinson,

Thank you for writing to the City Council to express your concerns. Your email will be included in a future Council agenda packet as Correspondence for the Record.

Sincerely,

Carol Allread
Executive Assistant, City Manager's Office
City of Burien
(206) 248-5508 Office
(206) 248-5539 Fax
carola@burienwa.gov

From: Shere'e [mailto:shereerobinson@gmail.com]
Sent: Wednesday, August 08, 2012 9:37 AM
To: Public Council Inbox
Subject: What use is CARES?

What use is CARES?

Once again I have an incident where I am told that what to me should be part of the responsibility of CARES is brushed off as "Not part of their contract".

On Thursday August 4, 2012 at around 11:30 pm after listening to the dog (pit bull) next door barking for over 4 hours I called the non-emergency number for the police department. The operator informed me that unfortunately, due to it being an animal related call, I needed to call CARES. She empathized with me as they hate to have to refer people to CARES due to the lack of response from them. She could hear the dog barking through the phone and I was inside the house with the windows closed. I called and left a message on CARES phone about the incident. The dog continued to bark until nearly 1:00am.

On Friday, August 5, 2012 at 4:02pm I got a call on my answering machine from CARES asking me to call them back. I called back when I got home from work at about 4:30 (no caller ID on outgoing phone calls unfortunately) and spoke with the girl who told me that barking dogs and animal noise complaints are not part of their contract with the city and they don't have to respond to calls like that. I explained to her that this has been an ongoing issue with them. The owners let the dog bark for hours and don't do anything about it. Last summer, I had fallen in my back yard and was injured, none of my family could hear me yelling for help over the dogs (they had 2 at that time) barking. The neighbors were outside at the time and made no effort at all to quiet the dogs. They never do. Every time I have called CARES for any assistance with this dog including when the dog was being beaten with the metal end of a hose by the neighbors, they don't do anything about it. The woman from CARES told me that she would have the animal control officer call me. He did so at 5:28 the same night. When I talked to him, he informed me that the only thing they are responsible for contractually is responding to animals in danger or animals that are a danger and he was not going to do anything about my

CFTR: 08/20/12

1 CC: Nhan Nguyen
management Analyst #13

complaint. I asked him then why nothing was done after the incident on June 30, 2012 and he blew me off. I finally was so frustrated I hung up.

We had just arrived home after a long day of working and saw a note on the front door. We don't use the front door regularly on the weekends so we went to see what it was. The neighbor was playing with the dog in their front yard. No leash, no control and the yard is only partially fenced. As we were standing there, a woman walked down the sidewalk with her dog on a leash beside her. We heard the neighbor start yelling "Nina No. Nina Come." and start running after his dog. She ran out onto the sidewalk and attacked the dog on a leash. He followed after her, grabbed her and threw her to the ground in the street where he started punching her. Without a word to the lady who's dog had just been attacked, he grabbed his dog and went to the back yard where we heard him continue to beat her and hear her yelping in pain. I went to the lady who had just been attacked and made sure that she was ok. I gave her one of my cards so she could contact me if she needed to and let her know that I was going to make a report to CARES and the police department. She called me the next day to let me know that when she washed her dog to get the feces off (not sure which dog it was from) she discovered that her dog had in fact been injured and took it to the vet for treatment. The neighbor's dog continued to limp on 3 legs for the next 2 weeks and I am pretty sure that she was never looked at by a vet for her injuries. I did not get a call from CARES until July 3, 2012 which was almost 4 days later. They gave me a case number (for the first time ever!) and seemed very dismissive of what happened. As far as I could tell, nothing was done. The note turned out to be from another neighbor who had put it on our neighbor's door telling them that the dog had been barking for hours and that they were tired of listening to it. The neighbors thought I had put it on their door so they brought it back to me. They said that the dog had been barking about the fireworks going on when in fact I had not heard ANY fireworks since I had been home and had not really heard any in the days prior to this.

We also had an incident shortly after CARES took over animal control. On June 17, 2011. We heard the neighbor's dog barking and she would not shut up. I asked my boyfriend to go yell at her because she will listen to him but rarely to me. He called me to come outside and help him as there was a cat at our back door. I went out to find a very thin, filthy cat who was just purring up a storm at being found. She was just a lover. She was in very bad shape and had ear mites. She was obviously elderly and we are pretty sure that she was either blind or nearly so. I am pretty sure that she would not have survived another night out there. We put her in the bathroom with food and water, lots of warm blankets and waited to see if she would make it through the night. We figured if not, at least she would be comfortable for her last few hours. We found the number for King County Animal Control and contacted them. That is when we found out that CARES had just taken over and we needed to call them. We called and left a message. The cat survived the night and seemed to be perking up a bit. Every time someone even looked at her, let alone petted her, she started purring very loudly. She was obviously someone's pet that had been either lost or dumped. We searched all over to find any reports of a lost cat anywhere with no results. I drove down to CARES facility as after 4 days, we had still not gotten any calls back. I went in and was told that they could not house cats, that they did not have their permits yet so to take her to King County Animal Control or the Seattle Humane Society. I tried to take her to the King County shelter in Kent but because CARES had sent out a letter to everyone telling them that CARES was handing all animal control (I saw the fax. The King County officer showed it to me) they could not take it. I went back to CARES the next day where I was told that I was an idiot to have told them the truth about where the cat was found. They told me that I should have lied to them. I asked them what I should do now with the cat. I was told that they did not have to shelter animals and they didn't care. The woman who I spoke with told me to just put an ad on Craigslist and get rid of it that way. I did my best for this poor cat and I really hope that the person who responded to the ad gave her a loving home.

In closing, as far as I can tell, CARES who is supposed to be in the business of caring for abused, neglected animals in our community is doing the exact opposite. Their website states the following: "CARES is a non-profit 501 c(3) Corporation and our mission is to encourage responsible pet ownership and enforce the animal laws and ordinances in order to protect the health, safety and welfare of people and animals in Burien."

REALLY? As you can see from the 3 incidents above, They sure do not seem to be doing that. I ask again,
What use is CARES?

Shere'e Robinson

Carol Allread

From: Public Council Inbox
Sent: Monday, August 13, 2012 8:45 AM
To: 'P Levine'
Subject: RE: \$\$ from Washington State for Annexation

Dear Ms. Levine,

Thank you for writing to the City Council to express your concerns. Your email will be included in a future Council agenda packet as Correspondence for the Record.

Carol Allread
Executive Assistant, City Manager's Office
City of Burien
(206) 248-5508 Office
(206) 248-5539 Fax
carola@burienwa.gov

From: P Levine [mailto:levinepr@comcast.net]
Sent: Saturday, August 11, 2012 5:25 PM
To: Public Council Inbox
Cc: Barbara Dobkin
Subject: Fwd: \$\$ from Washington State for Annexation

Hello, All

I really don't know what the protocol is for forwarding exchanges of email to the Burien City Council, but since the information Rep. Joe Fitzgibbon provided regarding the tax credit for annexation, and he gave his permission to broadly share this, I felt it might be useful to have this correspondence be part of the record.

Thank you for your attention.
Rachael Levine
(206) 244-7139

Begin forwarded message:

From: "Fitzgibbon, Rep. Joe" <Joe.Fitzgibbon@leg.wa.gov>
Date: August 9, 2012 10:57:24 AM PDT
To: 'P Levine' <levinepr@comcast.net>
Subject: RE: \$\$ from Washington State for Annexation

Rachael,

There are many reasons why it is difficult to compare the Kent situation or the earlier Burien annexation of Area X with the current proposed annexation of Area Y. One clear difference is that current proposed annexation falls under a different subsection of RCW 82.14.415. RCW 82.14.415(3)(b) applies only to Area Y ("the maximum rate of tax imposed under

CFTR: 08/20/12

CC: Nhan¹ Nguyen, management Analyst¹⁷

this section is 0.85 percent for an annexed area in which the population is greater than sixteen thousand if the annexed area was, prior to November 1, 2008, officially designated as a potential annexation area by more than one city, one of which has a population greater than four hundred thousand") and applies a much higher tax credit level (0.85% instead of 0.1%) to White Center. This is in part because the 2009 Legislature, which passed the increased tax credit for White Center, acknowledged that the cost of providing services in this area would be high, and a larger tax credit would be necessary to enable a city to provide services there.

Joe

From: P Levine [<mailto:levinepr@comcast.net>]
Sent: Tuesday, August 07, 2012 7:17 AM
To: Fitzgibbon, Rep. Joe
Subject: Re: \$\$ from Washington State for Annexation

Thanks again, Joe

Do you have any information about why Kent would only get around 1 mil for their annexation, as was reported by someone at the BCC last night in reply to your information? The meeting last night was very contentious and I feel your help gave some balance.

Best regards,

Rachael

On Aug 6, 2012, at 4:37 PM, Fitzgibbon, Rep. Joe wrote:

Hi Rachel, you are welcome to share this information with the blogs or any other local news sources. I think it's important that it be widely known.

Joe Fitzgibbon

From: P Levine [<mailto:levinepr@comcast.net>]
Sent: Monday, August 06, 2012 1:30 PM
To: Fitzgibbon, Rep. Joe
Cc: Barbara Dobkin
Subject: Re: \$\$ from Washington State for Annexation

Joe,

I can't thank you enough for the great and clarifying answer to my earlier email. Your answer really should be sent on to the Burien and White Center blogs, which I would do, but only with your approval. It would be great to have this answer come directly from you.

I am forwarding your answer to Barbara Dobkin, NHUAC. I would hope that all of the Burien City Council would also find your analysis very helpful.

Thanks again. Summer for elected reps is not a vacation, is it?

Rachael

On Aug 6, 2012, at 12:56 PM, Fitzgibbon, Rep. Joe wrote:

Rachael,

There has been some misunderstanding and confusion regarding the state annexation tax credit money. Basically, RCW 82.14.415 allows a city to receive additional money from the state to offset the costs of annexation. While the RCW limits the total amount that an annexing city can receive each year to \$5 million, there have been some concerns expressed that Burien will not be able to reach that \$5 million threshold. I believe that Burien will be able to take advantage of the maximum \$5 million per year offered by the annexation sales tax credit.

There are really two factors at play in determining how much money a city can receive under RCW 82.14.415. The first and more straightforward question is simply whether 0.85% (in the case of Burien annexing Area Y) of the total taxable sales would reach the maximum amount allowed of \$5 million per year. According to 2011 data, Burien, including Area Y, will exceed the maximum allowable sales tax credit; therefore Burien would be eligible to receive up to \$5 million per year.

The second and more complicated question is whether the costs of annexation that go above the increase in revenue would reach the \$5 million maximum amount per year. The reason this question is more complicated is that it is not simply a matter of filling in how much each annexation related increase costs and then subtracting the increased revenue. Instead, section 7 of RCW 82.14.415 allows the city to decide what amount of revenue is necessary to make up the difference between the city's cost to annex Area Y and the increased revenues from Area Y. The amount of flexibility given to cities in the law does not lend itself to hard and fast answers on whether the city of Burien will be able to take advantage of the \$5 million tax credit each year. RCW 82.14.415 is intended to cover the costs of annexation, not be a windfall to the annexing city. The law is written to allow cities the opportunity to recover the direct and indirect costs associated with annexation. It is my belief that Burien can easily assign costs of at least \$5 million per year to the annexation.

Take care,

Joe Fitzgibbon

-----Original Message-----

From: P Levine [<mailto:levinepr@comcast.net>]

Sent: Monday, August 06, 2012 7:42 AM

To: Fitzgibbon, Rep. Joe

Cc: Joe McDermott; kcexec@kingcounty.gov

Subject: \$\$ from Washington State for Annexation

Good Morning, Joe

In the "Battle for Annexation", the opposition constantly insists that the money for annexation from the State will not be there. Could you shed some light on what the situation actually is? The Burien City Council meeting tonight, August 6, appears to be a "Tea Party" type rally against annexation.

Also, it is my opinion, that if King County is really serious about helping the annexation of unincorporated areas to proceed, the executive and the Council need to

be more pro-active in pushing back against what is now looking like a prejudiced based effort to enlist fear in their cause.

Thank you very much and best wishes,

Rachael Levine

COMPUTER CHECK REGISTER

CHECK REGISTER APPROVAL

WE, THE MEMBERS OF THE CITY COUNCIL OF BURIEN, WASHINGTON, HAVING RECEIVED DEPARTMENT CERTIFICATION THAT MERCHANDISE AND/OR SERVICES HAVE BEEN RECEIVED OR RENDERED, DO HEREBY APPROVE FOR PAYMENT ON This 20th day of August 2012 the FOLLOWING:

CHECK NOS. 32326 – 32468

IN THE AMOUNTS OF \$700,305.74

WITH VOIDED CHECK NOS. 0

Accounts Payable
Checks for Approval



Burien

Washington, USA

User: CathyR
Printed: 08/16/2012 - 7:29 AM

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
32326	08/06/2012	Transportation CIP	Construction	West Coast Construction Co. In	228,856.79
				Check Total:	228,856.79
32327	08/20/2012	General Fund	Subscriptions/publications	ABC LEGAL	69.00
				Check Total:	69.00
32328	08/20/2012	Street Fund	Office And Operating Supplies	ACE Hardware	64.47
32328	08/20/2012	Street Fund	Office And Operating Supplies	ACE Hardware	-6.57
32328	08/20/2012	Street Fund	Office And Operating Supplies	ACE Hardware	28.97
32328	08/20/2012	Surface Water Management Fund	Repairs And Maintenance	ACE Hardware	28.97
32328	08/20/2012	Street Fund	Office And Operating Supplies	ACE Hardware	22.98
				Check Total:	138.82
32329	08/20/2012	General Fund	Operating Rentals And Leases	Airgas Nor Pac Inc	25.46
				Check Total:	25.46
32330	08/20/2012	General Fund	Office and Operating Supplies	Al Books Custom Welding	87.60
				Check Total:	87.60
32331	08/20/2012	General Fund	Prof. Svcs-instructors	Pamela Ann Allen	618.80
				Check Total:	618.80
32332	08/20/2012	Street Fund	Office And Operating Supplies	Alpine Fence Company	108.95

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	108.95
32333	08/20/2012	Street Fund	Office And Operating Supplies	Alpine Products Inc	188.25
32333	08/20/2012	Street Fund	Office And Operating Supplies	Alpine Products Inc	656.06
				Check Total:	844.31
32334	08/20/2012	General Fund	Professional Services	Administrative Office of the C	4.38
				Check Total:	4.38
32335	08/20/2012	General Fund	Registration - Trainng/workshp	Active Shooter Training LLC	6,113.00
				Check Total:	6,113.00
32336	08/20/2012	General Fund	Telephone	A T & T	51.32
				Check Total:	51.32
32337	08/20/2012	Art in Public Places Fund	Works of Art	Augustina Droze Mural Studio I	6,000.00
				Check Total:	6,000.00
32338	08/20/2012	General Fund	Dues & Memberships	Berla Corporation	600.00
				Check Total:	600.00
32339	08/20/2012	General Fund	Instructors Prof Svcs	Lucas Bonnema	780.00
				Check Total:	780.00
32340	08/20/2012	General Fund	Instructors Prof Srvs	Brent Botkin	218.75
				Check Total:	218.75
32341	08/20/2012	General Fund	Prof. Svcs-instructors	Viola Brumbaugh	1,252.55
				Check Total:	1,252.55
32342	08/20/2012	Surface Water Management Fund	Repairs And Maintenance	Bryant's Tractor & Mower Inc	59.26
32342	08/20/2012	Street Fund	Repairs And Maintenance	Bryant's Tractor & Mower Inc	59.26

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
32342	08/20/2012	Surface Water Management Fund	Office And Operating Supplies	Bryant's Tractor & Mower Inc	28.68
32342	08/20/2012	Street Fund	Office And Operating Supplies	Bryant's Tractor & Mower Inc	28.68
32342	08/20/2012	Surface Water Management Fund	Office And Operating Supplies	Bryant's Tractor & Mower Inc	104.49
32342	08/20/2012	Street Fund	Office And Operating Supplies	Bryant's Tractor & Mower Inc	104.50
Check Total:					384.87
32343	08/20/2012	General Fund	Office and Operating Supplies	Burien Bark L.L.C.	21.90
Check Total:					21.90
32344	08/20/2012	General Fund	Repairs And Maintenance	Cascade Alarm, LLC	371.21
Check Total:					371.21
32345	08/20/2012	Street Fund	Office And Operating Supplies	CCP Industries Inc	101.28
32345	08/20/2012	Surface Water Management Fund	Office And Operating Supplies	CCP Industries Inc	101.28
32345	08/20/2012	Street Fund	Office And Operating Supplies	CCP Industries Inc	106.94
32345	08/20/2012	Surface Water Management Fund	Office And Operating Supplies	CCP Industries Inc	106.95
Check Total:					416.45
32346	08/20/2012	Equipment Reserve Fund	Machinery/eqpt - Noncapitalize	CDW-G	572.38
32346	08/20/2012	General Fund	MIS Plan Implementation	CDW-G	3,479.69
Check Total:					4,052.07
32347	08/20/2012	General Fund	Office and Operating Supplies	Clay Art Center Inc	234.33
Check Total:					234.33
32348	08/20/2012	General Fund	Telephone	CenturyLink	46.11
32348	08/20/2012	General Fund	Telephone	CenturyLink	48.51
32348	08/20/2012	Street Fund	Telephone	CenturyLink	50.98
32348	08/20/2012	Surface Water Management Fund	Telephone	CenturyLink	50.97
Check Total:					196.57
32349	08/20/2012	General Fund	Online Video Streaming	COMCAST	45.62
32349	08/20/2012	General Fund	Utilities	COMCAST	66.95
32349	08/20/2012	General Fund	Utilities	COMCAST	71.90
32349	08/20/2012	General Fund	Utilities	COMCAST	71.90
32349	08/20/2012	Street Fund	Telephone	COMCAST	35.95

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
32349	08/20/2012	Surface Water Management Fund	Telephone	COMCAST	35.95
32349	08/20/2012	General Fund	Telephone	COMCAST	-62.61
Check Total:					265.66
32350	08/20/2012	General Fund	Office/operating Supplies	Complete Office	376.08
32350	08/20/2012	General Fund	Office/operating Supplies	Complete Office	423.39
32350	08/20/2012	General Fund	Office And Operating Supplies	Complete Office	329.17
32350	08/20/2012	General Fund	Office And Operating Supplies	Complete Office	329.17
32350	08/20/2012	General Fund	Office And Operating Supplies	Complete Office	423.39
32350	08/20/2012	General Fund	Office And Operating Supplies	Complete Office	46.91
32350	08/20/2012	General Fund	Office/Operating Supplies	Complete Office	46.91
32350	08/20/2012	General Fund	Office And Operating Supplies	Complete Office	46.91
32350	08/20/2012	General Fund	Office And Operating Supplies	Complete Office	217.89
32350	08/20/2012	Equipment Reserve Fund	Machinery/eqpt - Noncapitalize	Complete Office	766.49
32350	08/20/2012	General Fund	Office And Operating Supplies	Complete Office	134.67
32350	08/20/2012	General Fund	Office And Operating Supplies	Complete Office	407.25
Check Total:					3,548.23
32351	08/20/2012	General Fund	Human Svc-family/youth	Consejo Counseling & Referral	2,375.00
Check Total:					2,375.00
32352	08/20/2012	General Fund	Office And Operating Supplies	Crystal Springs	146.24
Check Total:					146.24
32353	08/20/2012	General Fund	Professional Services	CTS Language Link	0.98
32353	08/20/2012	General Fund	Professional Services	CTS Language Link	4.26
Check Total:					5.24
32354	08/20/2012	General Fund	Software Subscription Fees	City of Bellevue Treasurer	2,510.06
Check Total:					2,510.06
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	32.64
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	76.28
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	88.35
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	47.36
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	17.92
32355	08/20/2012	Surface Water Management Fund	Utilities	City of Seattle	113.70

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	17.56
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	103.50
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	25.65
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	87.52
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	71.87
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	86.91
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	16.80
32355	08/20/2012	General Fund	Utilities	City of Seattle	67.02
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	115.75
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	102.01
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	17.79
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	182.80
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	16.80
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	16.37
32355	08/20/2012	General Fund	Utilities	City of Seattle	5.14
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	51.76
32355	08/20/2012	General Fund	Utilities	City of Seattle	18.53
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	8.40
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	160.90
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	95.79
32355	08/20/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	8.12
Check Total:					1,653.24
32356	08/20/2012	General Fund	Utilities	City Of Seattle	40.60
32356	08/20/2012	General Fund	Utilities	City Of Seattle	53.60
32356	08/20/2012	General Fund	Utilities	City Of Seattle	135.72
32356	08/20/2012	General Fund	Utilities	City Of Seattle	358.78
32356	08/20/2012	General Fund	Utilities	City Of Seattle	59.41
Check Total:					648.11
32357	08/20/2012	Street Fund	Office And Operating Supplies	Culligan Seattle	16.43
32357	08/20/2012	Surface Water Management Fund	Office And Operating Supplies	Culligan Seattle	16.42
Check Total:					32.85
32358	08/20/2012	General Fund	State Lobbying Services	Michael D. Doubleday	2,907.00
32358	08/20/2012	General Fund	Federal Lobbying Services	Michael D. Doubleday	2,000.00
Check Total:					4,907.00
32359	08/20/2012	Street Fund	Mileage	JERALD DENNING	31.60

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	31.60
32360	08/20/2012	Street Fund	Mileage	RONALD DOBSON	28.21
				Check Total:	28.21
32361	08/20/2012	Surface Water Management Fund	Permits & Monitoring	Department of Ecology	453.00
				Check Total:	453.00
32362	08/20/2012	General Fund	Prof. Svcs-instructors	Kristin Dunlap	56.25
				Check Total:	56.25
32363	08/20/2012	General Fund	Office and Operating Supplies	Dunn Lumber Co.	48.50
				Check Total:	48.50
32364	08/20/2012	General Fund	Professional Services	Davis Wright Tremaine	8,506.35
				Check Total:	8,506.35
32365	08/20/2012	General Fund	Admission and Entrance Fees	Evergreen Community Aquatic	1,324.95
32365	08/20/2012	General Fund	Admission and Entrance Fees	Evergreen Community Aquatic	458.60
32365	08/20/2012	General Fund	Admission and Entrance Fees	Evergreen Community Aquatic	90.00
				Check Total:	1,873.55
32366	08/20/2012	General Fund	Professional Services	Elidrew, LLC	11.83
32366	08/20/2012	General Fund	Repairs & Maint. - Fleet	Elidrew, LLC	11.83
				Check Total:	23.66
32367	08/20/2012	General Fund	City Hall Bldg Maintenance	Eastside Glass & Sealants	208.05
				Check Total:	208.05
32368	08/20/2012	General Fund	Professional Services	Environmental Science Center	40.00
				Check Total:	40.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
32369	08/20/2012	General Fund	Instructors Prof Svcs	Sandra Farmer	225.00
				Check Total:	225.00
32370	08/20/2012	General Fund	Postage	FedEx	8.42
				Check Total:	8.42
32371	08/20/2012	General Fund	Admission and Entrance Fees	Family Fun Center, LLC	996.83
				Check Total:	996.83
32372	08/20/2012	General Fund	Fuel/gas consumption	Wright Express FSC	56.13
32372	08/20/2012	General Fund	Fuel/gas/gasoline Consumption	Wright Express FSC	399.62
32372	08/20/2012	General Fund	Fuel/gas/gasoline Consumption	Wright Express FSC	1,797.27
32372	08/20/2012	General Fund	Fuel/Gas Consumption	Wright Express FSC	113.79
32372	08/20/2012	General Fund	Fuel/gas/gasoline Consumption	Wright Express FSC	357.75
32372	08/20/2012	Street Fund	Fuel/gas/gasoline consumption	Wright Express FSC	1,975.35
32372	08/20/2012	Surface Water Management Fund	Fuel/gas/gasoline consumption	Wright Express FSC	2,418.31
				Check Total:	7,118.22
32373	08/20/2012	General Fund	Instructors Prof Svcs	Pam Fredback	262.50
				Check Total:	262.50
32374	08/20/2012	General Fund	Professional Services	Goodbye Graffiti	1,761.86
				Check Total:	1,761.86
32375	08/20/2012	General Fund	Professional Services	Brian Gilles	300.00
				Check Total:	300.00
32376	08/20/2012	General Fund	Office And Operating Supplies	Grainger	261.33
				Check Total:	261.33
32377	08/20/2012	General Fund	Parks Building Security	Guardian Security	65.00
				Check Total:	65.00
32378	08/20/2012	General Fund	Instructors Prof Svcs	Victoria E. Hamilton	528.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
32378	08/20/2012	General Fund	Instructors Prof Svcs	Victoria E. Hamilton	202.50
Check Total:					730.50
32379	08/20/2012	General Fund	Professional Services	Heartland LLC	9,903.75
Check Total:					9,903.75
32380	08/20/2012	General Fund	Admission and Entrance Fees	Highland Ice Arena	330.00
Check Total:					330.00
32381	08/20/2012	General Fund	Operating Rentals and Leases	Head-quarters	81.50
Check Total:					81.50
32382	08/20/2012	General Fund	Teen Programs	Highline School District	5,103.00
32382	08/20/2012	General Fund	Office and Operating Supplies	Highline School District	90.00
Check Total:					5,193.00
32383	08/20/2012	Street Fund	Office And Operating Supplies	ICON Materials	167.75
32383	08/20/2012	Surface Water Management Fund	Office And Operating Supplies	ICON Materials	167.76
32383	08/20/2012	Street Fund	Office And Operating Supplies	ICON Materials	180.88
32383	08/20/2012	Surface Water Management Fund	Office And Operating Supplies	ICON Materials	180.88
32383	08/20/2012	Street Fund	Office And Operating Supplies	ICON Materials	193.92
32383	08/20/2012	Surface Water Management Fund	Office And Operating Supplies	ICON Materials	193.91
32383	08/20/2012	Street Fund	Office And Operating Supplies	ICON Materials	85.96
32383	08/20/2012	Surface Water Management Fund	Office And Operating Supplies	ICON Materials	85.96
32383	08/20/2012	Street Fund	Office And Operating Supplies	ICON Materials	128.94
32383	08/20/2012	Surface Water Management Fund	Office And Operating Supplies	ICON Materials	128.94
Check Total:					1,514.90
32384	08/20/2012	General Fund	Operating Rents & Leases	RICOH USA Inc	455.54
32384	08/20/2012	General Fund	Operating Rents & Leases	RICOH USA Inc	855.02
Check Total:					1,310.56
32385	08/20/2012	General Fund	Miscellaneous	Iron Mountain	327.00
32385	08/20/2012	General Fund	Miscellaneous	Iron Mountain	229.31

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount	
					Check Total:	556.31
32386	08/20/2012	General Fund	Telephone	Integra Telecom		
32386	08/20/2012	General Fund	Telephone	Integra Telecom	1,329.20	
32386	08/20/2012	General Fund	Telephone	Integra Telecom	70.05	
32386	08/20/2012	General Fund	Telephone	Integra Telecom	105.06	
32386	08/20/2012	General Fund	Telephone	Integra Telecom	87.55	
32386	08/20/2012	General Fund	Telephone	Integra Telecom	35.02	
32386	08/20/2012	General Fund	Telephone	Integra Telecom	175.10	
32386	08/20/2012	General Fund	Telephone	Integra Telecom	87.55	
32386	08/20/2012	General Fund	Telephone	Integra Telecom	105.06	
32386	08/20/2012	General Fund	Telephone	Integra Telecom	210.12	
					Check Total:	2,204.71
32387	08/20/2012	General Fund	Repair/maint-vehicle	Interstate Tire & Automotive	43.76	
32387	08/20/2012	General Fund	Repairs & Maint. - Fleet	Interstate Tire & Automotive	194.73	
32387	08/20/2012	Street Fund	Repairs & Maint. - Fleet	Interstate Tire & Automotive	24.13	
32387	08/20/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Interstate Tire & Automotive	24.13	
32387	08/20/2012	General Fund	Repairs And Maintenance	Interstate Tire & Automotive	495.21	
					Check Total:	781.96
32388	08/20/2012	General Fund	Other Travel	Gina Kallman	107.67	
					Check Total:	107.67
32389	08/20/2012	General Fund	Dues & Memberships	Katana Forensics Inc	200.00	
					Check Total:	200.00
32390	08/20/2012	General Fund	Radio Communications	King County Radio Comm. Svcs	55.46	
					Check Total:	55.46
32391	08/20/2012	General Fund	District court contract costs	King County District Court	133,484.00	
					Check Total:	133,484.00
32392	08/20/2012	General Fund	Voter Registration Costs	KING COUNTY FINANCE	888.96	
32392	08/20/2012	General Fund	Voter Registration Costs	KING COUNTY FINANCE	814.36	
32392	08/20/2012	Transportation CIP	Design-engineering	KING COUNTY FINANCE	1,696.16	
32392	08/20/2012	Street Fund	Traffic Signal/control.mainten	KING COUNTY FINANCE	615.66	

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
32392	08/20/2012	Street Fund	Professional Services	KING COUNTY FINANCE	263.86
32392	08/20/2012	Street Fund	Professional Services	KING COUNTY FINANCE	108.06
32392	08/20/2012	Street Fund	Professional Services	KING COUNTY FINANCE	54.03
32392	08/20/2012	Street Fund	Traffic Signal/control.mainten	KING COUNTY FINANCE	20,502.45
32392	08/20/2012	Surface Water Management Fund	Swm Billed By King Co Roads	KING COUNTY FINANCE	16,396.33
32392	08/20/2012	Transportation CIP	Design-engineering	KING COUNTY FINANCE	40,508.91
32392	08/20/2012	Street Fund	Traffic Signal/control.mainten	KING COUNTY FINANCE	331.04
32392	08/20/2012	Street Fund	Professional Services	KING COUNTY FINANCE	415.44
32392	08/20/2012	Street Fund	Traffic Signal/control.mainten	KING COUNTY FINANCE	108.07
32392	08/20/2012	Transportation CIP	Design-engineering	KING COUNTY FINANCE	81.38
32392	08/20/2012	Street Fund	Professional Services	KING COUNTY FINANCE	36.26
32392	08/20/2012	Street Fund	Traffic Signal/control.mainten	KING COUNTY FINANCE	144.59
32392	08/20/2012	Street Fund	Professional Services	KING COUNTY FINANCE	108.07
32392	08/20/2012	Surface Water Management Fund	Swm Billed By King Co Roads	KING COUNTY FINANCE	24,928.16
Check Total:					108,001.79
32393	08/20/2012	General Fund	Repair and Maintenance	King County Solid Waste Divisi	74.23
Check Total:					74.23
32394	08/20/2012	General Fund	Attorney Srvc - Litigation	Kenyon Disend, PLLC	453.55
Check Total:					453.55
32395	08/20/2012	General Fund	Public Defender	Kirshenbaum & Goss, Inc., P.S	6,185.00
Check Total:					6,185.00
32396	08/20/2012	General Fund	Prof. Svcs-instructors	Kim Klose	78.00
Check Total:					78.00
32397	08/20/2012	General Fund	Instructors Prof Svcs	Lauren Laughlin	198.00
Check Total:					198.00
32398	08/20/2012	General Fund	Recreation Guide	Larry Cederblom	1,771.20
Check Total:					1,771.20
32399	08/20/2012	General Fund	Instructors Prof Svcs	Yon Lemieux	120.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	120.00
32400	08/20/2012	General Fund	Prof. Svcs-instructors	Alexander Lewis	1,410.00
				Check Total:	1,410.00
32401	08/20/2012	Surface Water Management Fund	Office And Operating Supplies	Lloyd Enterprises Inc	148.69
32401	08/20/2012	Street Fund	Office And Operating Supplies	Lloyd Enterprises Inc	148.68
				Check Total:	297.37
32402	08/20/2012	General Fund	Prof. Svcs-instructors	Jacob Matthew	521.30
				Check Total:	521.30
32403	08/20/2012	General Fund	Federal Lobbying Services	McBee Strategic Consulting LLC	6,000.00
				Check Total:	6,000.00
32404	08/20/2012	General Fund	Prof. Svcs-instructors	Shannon McConnell	180.00
				Check Total:	180.00
32405	08/20/2012	General Fund	Instructors Prof Svcs	Hunter McGee	105.00
				Check Total:	105.00
32406	08/20/2012	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	16.27
32406	08/20/2012	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	137.71
32406	08/20/2012	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	16.26
32406	08/20/2012	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	5.50
32406	08/20/2012	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	92.91
32406	08/20/2012	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	90.28
32406	08/20/2012	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	90.27
				Check Total:	449.20
32407	08/20/2012	Street Fund	Dt Business License Svcs	Microflex Inc	3,745.92
32407	08/20/2012	General Fund	B&O Tax collect & audit	Microflex Inc	1,927.74
32407	08/20/2012	Street Fund	Dt Business License Svcs	Microflex Inc	435.82
32407	08/20/2012	General Fund	B&O Tax collect & audit	Microflex Inc	435.83
32407	08/20/2012	General Fund	Sales Tax Auditing Costs	Microflex Inc	74.46

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	6,619.77
32408	08/20/2012	General Fund	Office and Operating Supplies	Miller Paint Co	18.02
32408	08/20/2012	General Fund	Office and Operating Supplies	Miller Paint Co	65.18
32408	08/20/2012	General Fund	Office and Operating Supplies	Miller Paint Co	40.85
32408	08/20/2012	Street Fund	Office And Operating Supplies	Miller Paint Co	8.30
32408	08/20/2012	Street Fund	Office And Operating Supplies	Miller Paint Co	66.57
32408	08/20/2012	General Fund	Nuisance Abatement Costs	Miller Paint Co	22.73
				Check Total:	221.65
32409	08/20/2012	General Fund	Human Svc-family/youth	Multi-Service Center	6,782.75
				Check Total:	6,782.75
32410	08/20/2012	General Fund	Instructors Prof Svcs	Shariana Mundi	660.00
				Check Total:	660.00
32411	08/20/2012	General Fund	Instructors Prof Svcs	Aaron Murray	270.00
				Check Total:	270.00
32412	08/20/2012	Street Fund	Special Event Clean up	National Barricade Co LLC	3,210.43
				Check Total:	3,210.43
32413	08/20/2012	Street Fund	Machinery And Equipment	NC Machinery Co.	1,258.35
32413	08/20/2012	Surface Water Management Fund	Machinery And Equipment	NC Machinery Co.	1,258.35
				Check Total:	2,516.70
32414	08/20/2012	General Fund	Instructors Prof Svcs	Drew Nicklas	300.00
				Check Total:	300.00
32415	08/20/2012	General Fund	Office And Operating Supplies	National Maintenance Cont.	466.89
				Check Total:	466.89
32416	08/20/2012	General Fund	Prof. Svcs-instructors	Pamela Odegard	150.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	150.00
32417	08/20/2012	General Fund	Repair and Maintenance	Orca Sign Company	439.60
32417	08/20/2012	General Fund	Repair and Maintenance	Orca Sign Company	478.06
				Check Total:	917.66
32418	08/20/2012	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts	3.93
32418	08/20/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts	3.93
32418	08/20/2012	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts	1.37
32418	08/20/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts	1.36
32418	08/20/2012	General Fund	Repair/maint-vehicle	O'Reilly Auto Parts	49.26
32418	08/20/2012	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts	10.93
32418	08/20/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts	10.93
				Check Total:	81.71
32419	08/20/2012	Surface Water Mgmt CIP	Predesign-engineering	OTAK, Inc	4,456.50
32419	08/20/2012	Surface Water Mgmt CIP	DRAINAGE MASTER PLAN	OTAK, Inc	7,713.67
32419	08/20/2012	Surface Water Management Fund	Professional services	OTAK, Inc	865.20
32419	08/20/2012	General Fund	Professional Services	OTAK, Inc	509.85
32419	08/20/2012	General Fund	Professional Services	OTAK, Inc	169.95
				Check Total:	13,715.17
32420	08/20/2012	General Fund	Professional Services	Private Valuations Inc	7,500.00
				Check Total:	7,500.00
32421	08/20/2012	General Fund	Building Maintenance	Protection One Alarm Monitorin	169.21
32421	08/20/2012	General Fund	Building Maintenance	Protection One Alarm Monitorin	47.39
				Check Total:	216.60
32422	08/20/2012	Street Fund	Utilities-street Lighting	PSE Pmt. Processing	1,611.32
				Check Total:	1,611.32
32423	08/20/2012	General Fund	Electrical Permit	ADT Security Services Inc	59.20
				Check Total:	59.20

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
32424	08/20/2012	General Fund	Electrical Permit	Northwest Permit Inc	61.60
32424	08/20/2012	General Fund	Electrical Permit	Northwest Permit Inc	59.20
32424	08/20/2012	General Fund	Electrical Permit	Northwest Permit Inc	61.60
32424	08/20/2012	General Fund	Electrical Permit	Northwest Permit Inc	59.20
32424	08/20/2012	General Fund	Electrical Permit	Northwest Permit Inc	57.60
				Check Total:	299.20
32425	08/20/2012	Street Fund	Business Licenses	Burien City Garage Inc	17.20
				Check Total:	17.20
32426	08/20/2012	Street Fund	Business Licenses	Seatac Burien Chiropractic	90.00
				Check Total:	90.00
32427	08/20/2012	Street Fund	Business Licenses	VPA Auto Repair	90.00
				Check Total:	90.00
32428	08/20/2012	Street Fund	Business Licenses	SME Inc of Seattle	90.00
				Check Total:	90.00
32429	08/20/2012	Street Fund	Business Licenses	Boachau Thi Nguyen	90.00
				Check Total:	90.00
32430	08/20/2012	Street Fund	Business Licenses	CFM Heating & Cooling Inc	90.00
				Check Total:	90.00
32431	08/20/2012	Transportation CIP	Transpo Mitigation fees	TriMont Real Estate Advisors I	68.00
				Check Total:	68.00
32432	08/20/2012	Street Fund	Business Licenses	Gina Hess	45.00
				Check Total:	45.00
32433	08/20/2012	General Fund	Right Of Way Use Permit	Laura Beth Peterson	250.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	250.00
32434	08/20/2012	General Fund	Right Of Way Use Permit	John Kelly	250.00
				Check Total:	250.00
32435	08/20/2012	General Fund	Refund Clearing Account -Parks	Beryl Eronemo	25.00
				Check Total:	25.00
32436	08/20/2012	General Fund	Refund Clearing Account -Parks	Leslie Jimnez	500.00
				Check Total:	500.00
32437	08/20/2012	General Fund	Refund Clearing Account -Parks	Jessica Tinidad-Hill	18.00
				Check Total:	18.00
32438	08/20/2012	General Fund	Miscellaneous	Claude McAlpin, III	29.57
				Check Total:	29.57
32439	08/20/2012	General Fund	Advertising	Robinson Newspapers	85.00
				Check Total:	85.00
32440	08/20/2012	General Fund	Att Svcs - Litigation - 1st So	Ryan, Swanson & Cleveland	1,500.00
				Check Total:	1,500.00
32441	08/20/2012	General Fund	Prof. Svcs-instructors	Sandra Schneider	240.00
				Check Total:	240.00
32442	08/20/2012	General Fund	Office and Operating Supplies	School Specialty Inc.	131.39
				Check Total:	131.39
32443	08/20/2012	General Fund	Advertising	Seattle Times	186.59
32443	08/20/2012	General Fund	Advertising	Seattle Times	119.10
32443	08/20/2012	General Fund	Advertising	Seattle Times	111.50

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount	
					Check Total:	417.19
32444	08/20/2012	General Fund	Office and Operating Supplies	Seatown Locksmith	32.85	
32444	08/20/2012	General Fund	Office and Operating Supplies	Seatown Locksmith	87.60	
					Check Total:	120.45
32445	08/20/2012	General Fund	Computer Consultant Prof Svcs	SEITEL Systems, LLC	810.00	
32445	08/20/2012	Street Fund	Computer Consultant Pro Svc	SEITEL Systems, LLC	135.00	
32445	08/20/2012	Surface Water Management Fund	Computer Consultant Pro Svc	SEITEL Systems, LLC	135.00	
32445	08/20/2012	Surface Water Management Fund	Computer Consultant Pro Svc	SEITEL Systems, LLC	81.25	
32445	08/20/2012	General Fund	Computer Consultant Prof Svcs	SEITEL Systems, LLC	487.50	
32445	08/20/2012	Street Fund	Computer Consultant Pro Svc	SEITEL Systems, LLC	81.25	
					Check Total:	1,730.00
32446	08/20/2012	General Fund	Repair and Maintenance	Skagit Industrial Steel	602.25	
					Check Total:	602.25
32447	08/20/2012	General Fund	Drug seizure proceeds KCSO	Special Services Group LLC	1,750.00	
					Check Total:	1,750.00
32448	08/20/2012	General Fund	Telephone	SPRINT	104.71	
32448	08/20/2012	Street Fund	Telephone	SPRINT	223.34	
32448	08/20/2012	Surface Water Management Fund	Telephone	SPRINT	295.84	
32448	08/20/2012	General Fund	Telephone	SPRINT	101.75	
32448	08/20/2012	General Fund	Telephone	SPRINT	257.33	
32448	08/20/2012	General Fund	Drug seizure proceeds KCSO	SPRINT	345.14	
32448	08/20/2012	General Fund	Telephone	SPRINT	42.96	
32448	08/20/2012	General Fund	Telephone	SPRINT	178.31	
					Check Total:	1,549.38
32449	08/20/2012	General Fund	Professional Services	State Auditor's Office	1,335.47	
					Check Total:	1,335.47
32450	08/20/2012	General Fund	Dues & Memberships	Susteen Inc	800.00	

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	800.00
32451	08/20/2012	General Fund	Utilities	Southwest Suburban Sewer Dist.	55.00
				Check Total:	55.00
32452	08/20/2012	General Fund	Telephone	TelSpan, Inc.	11.91
				Check Total:	11.91
32453	08/20/2012	General Fund	Professional Services	Tax Recovery Services, LLC	40,567.78
				Check Total:	40,567.78
32454	08/20/2012	General Fund	Parks Maintenance	Trugreen-landcare/NW Region	385.90
32454	08/20/2012	General Fund	Parks Maintenance	Trugreen-landcare/NW Region	591.30
				Check Total:	977.20
32455	08/20/2012	General Fund	Operating Rentals and Leases	United Site Services	255.00
				Check Total:	255.00
32456	08/20/2012	General Fund	Postage	U.S. POSTAL SERVICE	2,000.00
				Check Total:	2,000.00
32457	08/20/2012	General Fund	Operating Rentals & Leases	Valley View Sewer District	1,030.00
32457	08/20/2012	General Fund	Utilities	Valley View Sewer District	47.10
				Check Total:	1,077.10
32458	08/20/2012	Street Fund	Telephone	Verizon Wireless	80.02
32458	08/20/2012	Surface Water Management Fund	Telephone	Verizon Wireless	80.02
32458	08/20/2012	General Fund	Telephone	Verizon Wireless	40.01
32458	08/20/2012	General Fund	Telephone	Verizon Wireless	40.01
32458	08/20/2012	General Fund	Telephone	Verizon Wireless	40.01
				Check Total:	280.07
32459	08/20/2012	General Fund	Prosecution - City Atty	Walls Law Firm	12,563.45

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	12,563.45
32460	08/20/2012	General Fund	Jail contracts	WASPC-Regional Cities EHM	1,524.00
				Check Total:	1,524.00
32461	08/20/2012	General Fund	Prof. Svcs-instructors	Carly Waterman	120.00
				Check Total:	120.00
32462	08/20/2012	General Fund	Utilities	Water District No 20	17.72
32462	08/20/2012	General Fund	Utilities	Water District No 20	475.55
32462	08/20/2012	General Fund	Utilities	Water District No 20	4,979.55
				Check Total:	5,472.82
32463	08/20/2012	General Fund	Utilities	Water District No. 49	103.30
32463	08/20/2012	General Fund	Utilities	Water District No. 49	1,288.25
32463	08/20/2012	General Fund	Utilities	Water District No. 49	728.05
32463	08/20/2012	General Fund	Utilities	Water District No. 49	65.00
32463	08/20/2012	General Fund	Utilities	Water District No. 49	59.85
32463	08/20/2012	General Fund	Utilities	Water District No. 49	1,498.40
				Check Total:	3,742.85
32464	08/20/2012	General Fund	Probatn/public Defndr Screenng	Tammy Weigel	1,040.00
				Check Total:	1,040.00
32465	08/20/2012	General Fund	Subscriptions/publications	West Payment Center	404.94
				Check Total:	404.94
32466	08/20/2012	General Fund	Registration - Trainng/workshp	Washington Rec. & Park Assoc.	495.00
				Check Total:	495.00
32467	08/20/2012	Transportation CIP	construction engineering	Washington State D.O.T.	49.62
				Check Total:	49.62
32468	08/20/2012	Surface Water Management Fund	Registration - Trainng/workshp	WSU Conference Management	50.00

<u>Check Number</u>	<u>Check Date</u>	<u>Fund Name</u>	<u>Account Name</u>	<u>Vendor Name</u>	<u>Amount</u>
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Check Total:	<u>50.00</u>
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Report Total:	<u>700,305.74</u>
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CITY COUNCIL MEETING MINUTES

August 6, 2012

6:00 p.m. - Special Meeting: Executive Session to discuss potential litigation and real estate acquisition

7:00 p.m. – Regular Meeting
400 SW 152nd Street, 1st Floor
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 MEETING

Mayor Bennett called the Special Meeting of the Burien City Council to order at 6:00 p.m. for the purpose holding an Executive Session to discuss potential litigation per RCW 42.30.110(1)(i) and real estate acquisition per RCW 42.30.110(1)(b).

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

Administrative staff present: Mike Martin, City Manager, Craig Knutson, City Attorney, and Dan Trimble, Economic Development Manager.

No action was taken.

The Special Meeting adjourned to the Regular Meeting at 6:55 p.m.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mayor Bennett led the Pledge of Allegiance.

ROLL CALL

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

Administrative staff present: Mike Martin, City Manager; Craig Knutson, City Attorney; Kim Krause, Finance Director; and Monica Lusk, City Clerk.

AGENDA CONFIRMATION

Direction/Action

Motion was made by Councilmember McGilton, seconded by Councilmember Krakowiak to affirm the August 6, 2012, Agenda. **Motion** passed 5-1. Opposed, Councilmember Krakowiak.

PUBLIC COMMENT

Goodspaceguy, 10219 Nine Avenue South, Seattle
Mr. Goodspaceguy spoke the use of English in the City and wage parity.

The following spoke against annexing North Highline Area:

Debi Wagner, 1520 SW 158th Street, Burien
Roger DeLorm, 13254 2nd Avenue SW, Burien
Chestine Edgar, 1811 SW 152nd Street, Burien
Jane Jirous-Cancro, 5 SW Three Tree Point Lane, Burien
Linda Plein, 1600 SW 156th Street, Burien
David Feinborg, 12034 14th Avenue South, Burien
John Olinger, 15801 25th Avenue SW, Burien
David Cotlove, 16204 25th Avenue SW, Burien
Mark Ufkes, 10745 22nd Avenue SW, Seattle
Kathy Parker, 25th Avenue SW, Burien
Marlene Albright, 11816 Occidental Avenue South, Burien
Pat McInteer, 425 South 156th Street Apt. #1A, Burien

The following spoke for annexing North Highline Area:

Phillip Levine, 430 South 124th Street, Burien
Rachel Levine, 430 South 124th Street, Burien
Gil Loring, 10009 20th Avenue SW, Seattle

Michael Noakes, 16409 Maplewild Avenue SW, Burien
Mr. Noakes spoke to the work product of the Shoreline Master Program Work Group.

Brian Frederick, President of Discover Burien and Gina Bourdage Executive Director of Discover Burien

Mr. Frederick spoke to Discover Burien's networking, educational series, community events, website, video featurettes, shopping map, and the growth of the membership.

Eric Dickman, 15007 24th Avenue SW, Burien
Mr. Dickman promoted the Burien Little Theatre's show "Anna in the Tropics."

Robert Howell, 15420 20th Avenue SW, Burien
Mr. Howell spoke to the budget shortfall noting that removing annexation from ballot, reducing current spending, and removing outside contractors were not options considered.

Robbie Howell, 15420 20th Avenue SW, Burien
Ms. Howell questioned the update of the Financial Policies noting that there has not been an update to the Berk Report projections, answers to Council's questions, and documentation on present day debt.

John Poitras, 1248 SW 149th Street, Burien
Mr. Poitras stated that the Berk Report did not take into account the decrease in property tax.

Quinton Thompson, 179 South 182nd Street, Burien
Mr. Thompson spoke to the medical, fire and police responses in relation to annexation. He voiced his support for funding New Futures.

Charlie Rangel, 15226 9th Avenue SW, Burien
Mr. Rangel suggested contacting the Municipal Research and Services Center (MRSC) for information on the annexation sales tax credit.

CORRESPONDENCE FOR THE RECORD

- a. Email Dated July 11, 2012, from John Poitras Regarding CARES.
- b. Email Dated July 11, 2012, from John Poitras Regarding Follow Up to CARES.
- c. Letter Dated July 16, 2012, from Rachael Levine Regarding North Highline Annexation.
- d. Email Dated July 24, 2012, from John Poitras Regarding 2013-2014 City Budget.
- e. Email Dated July 24, 2012, from Joseph A. Radmacher, Sr. Regarding 2013-2014 City Budget.
- f. Letter Received July 25, 2012, from Richard and Catherine Huxford Regarding Noise and Traffic.
- g. Email Dated July 26, 2012, from Mary Scharf Regarding Concerns About Burien.
- h. Email Dated August 1, 2012, from Michael Noakes Regarding Recommendations from the Burien SMP Working Group.

Direction/Action

Councilmembers agreed to reschedule Business Agenda Item 8 “d” Discussion on Possible Funding Sources for New Futures at the Heights of Burien to the August 20, 2012, Council meeting.

CONSENT AGENDA

- a. Approval of Vouchers: Numbers 32162 - 32325 in the Amounts of \$2,256,376.87.
- b. Approval of Minutes: Regular Meeting, July 16, 2012; Study Session, July 23, 2012.
- c. Motion to Adopt Ordinance No. 565, Amending the Biennial Budget to Appropriate Funds for NERA in 2012.

Direction/Action

Motion was made by Councilmember McGilton, seconded by Councilmember Krakowiak and passed unanimously to approve the August 6, 2012, Consent Agenda.

BUSINESS AGENDA

Public Hearing on the Preliminary 2013 – 2014 Biennial Budget

Mayor Bennett opened the public hearing at 8:20 p.m.

Ed Dacy, 2016 SW 146th Street, Burien

Mr. Dacy proposed that the City absorb the 1st Avenue South undergrounding fees and use the utility tax to pay the debt.

Goodspaceguy, 10219 Ninth Avenue South, Seattle

Mr. Goodspaceguy spoke to using a portion of the Street Fund to provide parking where it is lacking.

Chestine Edgar 1811 SW 152nd Street, Burien

Ms. Edgar noted her difficulty understanding the financial policies and commenting on the budget when it was not available for review. She noted that the budget assumes there will be a tax increase with no other option being offered.

Robbie Howell, 15240 20th Avenue SW, Burien
Ms. Howell stated that she came to the conclusion that the money is not there.

There being no further testimony, Mayor Bennett closed the public hearing at 8: 28 p.m.

Direction/Action

Motion was made by Councilmember Block, seconded by Councilmember Krakowiak, by resolution the City of Burien remove the issue of annexation of Area "Y" North Highline from the General Election ballot of 2012. **Motion** failed 3-3 as evidenced by a roll call vote. Opposed, Mayor Bennett and Councilmembers McGilton and Robison.

Follow-Up to Council Questions Regarding the 2013-2018 Financial Forecast

Follow-up

Staff will provide creative programs to cut besides raising taxes, explore an incentive program for employees to receive yearend bonuses if the General Fund is in the black, review Business and Occupational (B&O) taxing per the Standard Industrial Classification (SIC) code, explore using the utility tax to pay for the undergrounding fee, provide a comparison of other cities' utility tax and undergrounding fees, and schedule a continued discussion on August 20, 2012.

Discussion of Financial Policies

Direction/Action

Councilmembers Edgar and Krakowiak requested periodic reports on the budget throughout the year including information on bond rating.

Discussion on Possible Funding Sources for New Futures at the Heights of Burien

This item was rescheduled to the August 20, 2012, Council meeting.

Adoption of the Storm Drainage Master Plan

Direction/Action

Motion was made by Councilmember McGilton, seconded by Councilmember Krakowiak and passed unanimously to adopt the City of Burien Storm Drainage Master Plan (July 2012).

Discuss and Adopt Ordinance 564 Amending Business License Regulations for Peddlers and Solicitors

Direction/Action

Councilmembers agreed to change "9:00 a.m." to "10:00 a.m." within the ordinance relating to "Hours and notice."

Direction/Action

Councilmembers requested placing Ordinance 564 on the August 20, 2012, Consent Agenda for approval.

City Business

Follow-up

Staff will provide information on traffic calming options for the speeding on 12th Ave SW between SW 108th and SW 116th Streets, and change the SMP Update to SMP Discussion on the August 20, 2012, agenda.

COUNCIL REPORTS

Direction/Action

Motion was made by Councilmember Krakowiak to extend the meeting to 10:10 p.m.
The motion died for lack of a second.

No reports were given.

ADJOURNMENT

Motion was made by Councilmember McGilton, seconded by Mayor Bennett and passed unanimously to adjourn the meeting at 9:59 p.m.

Brian Bennett, Mayor

Monica Lusk, City Clerk

CITY OF BURIEN, WASHINGTON

ORDINANCE NO. 564

**AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON,
AMENDING CHAPTER 5.10 OF THE BURIEN MUNICIPAL CODE
RELATING TO LICENSES AND REGULATIONS FOR PEDDLERS
AND SOLICITORS**

WHEREAS, under the current version of Chapter 5.10 of the Burien Municipal Code, door-to-door transient sales and personal solicitation in public streets and places are generally prohibited; and

WHEREAS, federal court decisions have held that such general prohibitions of door-to-door transient sales and personal solicitation in public streets and places are unconstitutional, and accordingly such general prohibitions should be repealed; and

WHEREAS, it is in the public interest to regulate transient sales and personal solicitations in public streets and places in a manner that protects the health, safety, and welfare of City residents as well as the constitutional rights of those engaging in such sales or solicitations; and

WHEREAS, the City's criminal code, BMC 9.80.400, makes it a misdemeanor to engage in aggressive begging in any public place in the City with the intent of intimidating another person into giving money or goods, and this code provision is a reasonable means of regulating begging in public places without generally prohibiting it; and

WHEREAS, the code provisions referenced above and set forth below establish reasonable restrictions on transient sales activities to protect and promote public safety, privacy, and welfare and are intended to be reasonable time, place, and manner restrictions and not to infringe on any constitutionally protected right;

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

Section 1. BMC 5.10.010 Amended. Section 5.10.010 of the Burien Municipal Code (Definitions) is hereby amended to read as follows:

5.10.010 Definitions.

For the purposes of this chapter, the following definitions shall apply:

(1) "Amusement device" means any coin-operated or remote-controlled machine, device, contrivance, apparatus or appliance, mechanical, electrical or hand-propelled, designed to be used in whole or in part as an instrument or

instrumentally for engaging in the use and exercise of skill by one or more persons in playing a game for the amusement and entertainment of the player or players and which is maintained commercially for such purpose.

(2) “Amusement device place” means any place offering amusement devices for play or entertainment.

(3) “Amusement place” means an amusement, diversion, entertainment, show, performance, exhibition, display or like activities, for the use or benefit of a member or members of the public, held, conducted, operated or maintained for a profit, direct or indirect. By way of illustration and not limitation, “public places of amusement” include live entertainment, music (other than mechanical), boxing or wrestling, exhibition skating, bowling alleys, amusement parks, and carnivals.

(4) “Billiard or pool table place” means any establishment engaged primarily in the business of offering the use of pool or billiard tables for a commercial purpose.

(5) “Billiard Table” is a raised oblong felt-covered table with raised cushioned edges, or any substantially similar device on which is played the game known as billiards or pool involving the use of a long tapering stick called a cue to propel pool or billiard balls.

(6) “Charitable” means and includes the words patriotic, philanthropic, social service, welfare, benevolent, educational, civic or fraternal, either actual or purported; provided, such term shall not include “religious” and “religion,” which terms shall be given their commonly accepted definitions.

(7) “Contributions” means and includes alms, food, clothing, money, credit, subscription, property, financial assistance or other thing of value and including any donations under the guise of a loan of money or property.

(8) “Direct gift” means and includes an outright contribution of food, clothing, money, credit, property, financial assistance or other thing of value to be used for a charitable or religious purpose and for which the donor receives no consideration or thing of value in return.

(9) “Endorsement” shall mean the licensing approval given to one activity.

(10) “Ice cream ~~product~~ vendor” means all persons, both principals and agents, as well as employers and employees, who shall sell, offer for or expose for sale ice cream products in the city of Burien by going up and down residential or commercial streets or from place to place.

(11) “Outdoor musical entertainment” means an entertainment, amusement, or assembly of persons wherein the primary purpose will be the presentation of

outdoor, live or recorded musical entertainment or other entertainment which the person, persons, or corporation, organization, landowner or lessor believes or has reason to believe will attract 250 or more persons and where a charge or contribution is required for admission.

(12) “Pawnbroker” means and includes every person who takes or receives by way of pledge, pawn, or exchange goods, wares, or merchandise or any kind of personal property whatsoever, for the repayment of security of any money loaned thereon, or to loan money on deposit of personal property, or who makes a public display of any sign indicating that he has money to loan on personal property on deposit or pledge.

(13) “Pawnshop” means every place at which the business of a pawnbroker is being carried on.

(14) “Peddler” or “transient sales representativebusiness,” unless otherwise exempt under the provisions of this chapter, shall be defined as follows:

- (a) All persons, both principals and agents, as well as employers and employees, who shall sell, offer for or expose for sale, or who shall trade, deal or traffic in any personal property or services in the city by going from house to house or from place to place or by indiscriminately approaching individuals.
- (b) Sales by sample or for future delivery, and executory contracts of sale by solicitors or peddlers are embraced within the preceding subsection; provided, however, that this chapter is not applicable to any salesperson or canvasser who solicits trade from wholesale or retail dealers within the city.
- (c) Any person, both principals and agents, as well as employers and employees, who, while selling or offering for sale any goods, wares, merchandise or anything of value, stands in a doorway or any unenclosed vacant lot, parcel of land or in any other place not used by such person as a permanent place of business.

(15) “Person” means any individual, firm, partnership, corporation, company, association or joint stock association, church, religious sect, religious denomination, society, organization or league, and includes any trustee, receiver, assignee, agent or other similar representative thereof.

(16) “Pool table” is a billiard table with a pocket in each corner and at the middle of both sides, used for playing pool, the game wherein numbered balls are propelled into the pockets by persons using a cue.

(17) “Promoter” means any person who promotes, manages, supervises, organizes or attempts to promote, manage, supervise or organize a campaign of solicitation, but shall not include either a bona fide full-time salaried officer or employee of a charitable organization whose salary or other compensation is not computed on funds raised or to be raised, or a temporary employee who is employed to contact volunteer workers by telephone but who may not himself solicit contributors directly.

(18) “Public dance” means any dance which is open to the public and which is held and conducted for a profit, direct or indirect.

(19) “Public dance place” means any place where a public dance is conducted, operated or maintained and any and all areas attached to or adjacent to such premises including, but not limited to, all parking areas, hallways, bathrooms and all adjoining areas on the premises accessible to the public during the dance.

(20) “Public youth dance” means any public dance that is readily accessible to the public and which permits the entry of any persons under the age of 18 years. For the purposes of this chapter, the term “public dance” shall be construed so as to include all public youth dances except where specifically indicated otherwise.

(21) “Sale and benefit affair” means and includes, but is not limited to, athletic or sports event, bazaar, benefit, campaign, circus, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale, social gathering, theater, or variety show, which the public is requested to patronize or attend or to which the public is requested to make a contribution for any charitable or religious purpose connected therewith.

(22) “Secondhand dealer” means any person who as a business engages in the purchase, sale, trade, barter, auction, sale on consignment, or otherwise exchanges secondhand goods, or who keeps a store, shop, room or other place where secondhand goods of any kind or description are bought, sold, traded, bartered, pledged, pawned, auctioned, sold on consignment, or otherwise exchanged, including persons conducting garage sales lasting more than two days at their residence more than four times per year.

(23) “Secondhand goods” means and includes any and all used, remanufactured, or secondhand goods purchased or kept for sale by a dealer in secondhand goods. Such term shall not be construed to include secondhand motor vehicles or boats.

(24) “Solicit” and “solicitation” means the request within the city directly or indirectly of money, credit, property, financial assistance or other thing of value on the plea or representation that such money, credit, property, financial assistance or other thing of value will be used for a charitable or religious purpose, and includes:

- (a) Any oral or written request;
- (b) The distribution, circulation, mailing, posting or publishing of any handbill, written advertisement or publication;
- (c) The making of any announcement to the press, by radio or television, by telephone or telegraph concerning an appeal, assemblage, athletic or sports event, bazaar, benefit, campaign, circus, contest, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale, social gathering, theater or variety show, which the public is requested to patronize or to which the public is requested to make a contribution for any charitable or religious purpose connected therewith;
- (d) The sale of, offer or attempt to sell any advertisement, advertising space, book, card, chance, coupon, device, magazine, membership, subscription, ticket, admission, article or other thing in connection with which any appeal is made for any charitable or religious purpose, or where the name of any charitable or religious organization, association or person is used or referred to in any such appeal or where in connection with any such sale any statement is made that the whole or any part of the proceeds from any such sale will go or be donated to any charitable or religious purpose.

A “solicitation” shall be deemed completed when made, whether or not the person making the same received any contribution or makes any sale referred to in this chapter. [Ord. 367 § 3, 2002]

Section 2. BMC 5.10.020 Amended. Section 5.10.020 of the Burien Municipal Code (Prohibited activities – Exemptions) is hereby amended to read as follows:

5.10.020 Prohibited activities – Exemptions.

(1) Peddlers and Transient sales representatives, as defined in BMC 5.10.010, are prohibited within the city limits unless they comply with the licensing requirements and other regulations in BMC 5.10.100, except that the following activities are not prohibited and are not required to comply with said ~~the~~ licensing requirements and other regulations ~~of this chapter~~:

- (a) Farmers who peddle agricultural, horticultural, or farm products which they have actually grown, harvested or produced;

- (b) Any person who is specifically requested by a potential buyer to visit or call for the purpose of displaying or purchasing goods, literature or giving information about any article, service or product;
- (c) Charitable, religious or nonprofit organizations or corporations which have received tax exempt status under 26 U.S.C. 501(c)(3) or other similar civic, charitable or nonprofit organizations;
- (d) Newspaper carriers;
- (e) Peddlers operating at any city-sponsored or authorized civic event for a time period not to exceed five consecutive days, so long as each peddler's name, address and telephone number is submitted to the city, in advance of the civic event, to be maintained in the city records;
- (f) Peddlers operating at a Saturday market or other city-sponsored or approved activity so long as the activity does not occur more than one time per week for more than five months of each calendar year; and provided further, that the name, address and telephone number of each peddler is provided in advance to the city of Burien to be maintained in the city records;
- (g) Sales conducted as "fund-raisers" for youth athletic, scouting, or educational organizations. By way of illustration and not limitation, these organizations may include Boy Scouts and Girl Scouts, youth soccer, basketball, football, softball, and other youth athletic organizations.

Section 3. BMC 5.10.030 Amended. Section 5.10.030 of the Burien Municipal Code (Application and fees required) is hereby amended to read as follows:

5.10.030 Application and fees required.

(1) Any person desiring to establish or conduct the following enterprises, businesses, or undertakings within the corporate limits of the city shall first apply to the city for a license or permit to conduct such activity:

- (a) Amusement places;
- (b) Pool and billiard table places;
- (c) Public dance places, except that the provisions of this chapter shall not apply to public youth dances provided by charitable, religious or nonprofit organizations or corporations which have received tax exempt status under 26 U.S.C. 501(c)(3);
- (d) Pawnbrokers, except that the requirements of this chapter do not apply to the following:

- (i) Dealers of prepackaged rebuilt automotive parts;
- (ii) Persons exempted from the regulations set forth in Chapter [46.70 RCW](#), relating to the sale of used automobiles, and Chapter [46.80 RCW](#), relating to auto wrecking;
- (iii) Those persons engaged in the purchase and/or sale of bottles, cans, or paper as part of the process of recycling such bottles, cans or paper;
- (iv) Those persons conducting a sale of secondhand goods under any legal forfeiture, foreclosure, liquidation, or any repossession pursuant to any terms of any contract or sale or incidental to any legal action;
- (e) Charitable solicitations, except the requirements of this chapter shall not apply to the following:
 - (i) Solicitations by any organization operated exclusively for religious or charitable purposes and not operated for the pecuniary profit of any person, if the solicitations by such organization are conducted among the members thereof by other members or officers thereof, voluntarily and without remuneration for making such solicitations, or if the solicitations are in the form of collections or contributions at the regular assemblies, meetings or services of any such organization;
 - (ii) Any charitable organization which does not solicit and collect contributions in Burien in excess of \$2,500 in any one-year period and where all of such fund-raising functions are carried on by persons who are unpaid for their services;
- (f) Outdoor musical entertainment;
- (g) Special Events;
- (h) Street use activities (see Chapter [12.10 BMC](#)); ~~and~~
- (i) Ice cream vendors; and
- (j) Peddlers/transient sales representatives.

(2) The application shall be upon a form furnished by the city.

(3) The application must be accompanied by a check, cash or money order for the amount of the license fee. The base fee for a single endorsement (except for street use activities) shall be \$100.00. For street use activities, see BMC [12.10.070](#). The city manager may, in his or her discretion, waive permit fees for activities that the city manager deems provide a significant public or community benefit and that are “nonprofit” activities as defined in the IRS Code Section 501(c)(3).

Section 4. BMC 5.10.080 Amended. Section 5.10.080 of the Burien Municipal Code (Regulations – Charitable Solicitations) is hereby amended to read as follows:

5.10.080 Regulations - Charitable Solicitations.

- (1) ~~Soliciting for private needs prohibited.~~ No person shall solicit contributions for himself in or upon any public street or public place in the City of Burien.
- (12) Credentials. All persons to whom charitable solicitation permits have been issued shall furnish to each of their agents and solicitors credentials approved as to form by the City Manager or his designee. Such credentials shall include the permit number, the name and telephone number of the permit holder, the purpose of the solicitation, the signature of the applicant, and the name, address and signature of the solicitor to whom such credentials are issued, and the period of time during which the solicitor is authorized to solicit on behalf of the permit holder. The City Manager or his designee may authorize the use of the identification approved by the Director of the Department of Motor Vehicles for the State of Washington for any person or organization validly registered under the charitable solicitation law; provided the above information appears thereon. It is unlawful for any person to solicit under any such charitable solicitation permit without having in his possession the credentials required by this section. The credentials must be shown, upon request, to all persons solicited or to any Burien police officer or agent of the City Manager or his designee.
- (23) Written receipts required. Any person receiving money or anything having a value of one dollar or more from any contributor under a solicitation made pursuant to a charitable solicitation permit shall, upon request, give to the contributor a written receipt signed by the solicitor showing plainly the name and permit number of the person under whose permit the solicitation is conducted, the date and the amount received; provided, however, that this section shall not apply to any contributions collected by means of a closed box or receptacle used in solicitation with the express approval of the City Manager or his designee.
- (34) Repealed by Ord. 450.
- (45) Repealed by Ord. 450.
- (56) Religious solicitations - Certificate of registration - Required.
- (a) No person shall solicit contributions for any religious purpose within the City of Burien without a certificate of registration issued by the City Manager or his designee; provided, however, that the provisions of this subsection shall not apply to solicitations by any religious organization

conducted among the members thereof by other officers or members voluntarily and without remuneration for making such solicitations, or to solicitations for or collections of contributions at the regular assemblies, meetings or services of such organizations. Application for a certificate shall be made to the City Manager or his designee upon forms provided by him. Such application shall be sworn to or affirmed, and shall contain the following information, or in lieu thereof, a statement of the reason or reasons why such information cannot be furnished:

- (i) The name and local address or headquarters of the person applying for the certificate;
 - (ii) If applicant is not an individual, the names and addresses of the applicant's principal officers and managers and a copy of the resolution, if any, authorizing such solicitation, certified to as a true and correct copy of the original by the officer having charge of applicant's records;
 - (iii) The purpose for which such solicitation is to be made, the total amount of funds proposed to be raised thereby, and the use or disposition to be made of any receipts there from;
 - (iv) The name and address of the person or persons by whom the receipts of such solicitation shall be disbursed;
 - (v) The name and address of the person or persons who will be in direct charge of conducting the solicitation and the names of all promoters connected or to be connected with the proposed solicitation;
 - (vi) The method to be used in conducting the solicitation;
 - (vii) The time when such solicitation shall be made, giving the dates for the beginning and ending of such solicitations;
 - (viii) The estimated cost of the solicitation;
 - (ix) The amount of any wages, fees, commissions, expenses or emoluments to be expended or paid to any person in connection with such solicitations, and the names and addresses of all such persons;
 - (x) A financial statement for the last preceding fiscal year of any funds solicited by the applicant for religious purposes from the public pursuant to a certificate of registration hereunder, said statements giving the amount of money so raised, together with the cost of raising it, and final distribution thereof;
 - (xi) A detailed statement of the religious work being done by the applicant within Burien;
 - (xii) A statement to the effect that the certificate will not be used or represented in any way as an endorsement by the City of Burien or by any department or officer thereof.
- (b) If, while any application is pending or during the term of any certificate granted thereon, there is any change in fact, policy or method that would alter the information given in the application, the applicant shall notify the City Manager or his designee in writing thereof within twenty-four hours after such change.

- (67) Religious solicitations - Certificate of registration - Regulations. Upon receipt of such application, the City Manager or his designee shall issue the applicant a certificate of registration. The certificate shall remain in force and effect for a period of six months after the issuance thereof, and shall be renewed upon the expiration of this period upon the filing of a new application as provided for in Section 5A6 and 5C. Certificates of registration shall bear the name and address of the person by whom the solicitation is to be made, the number of the certificate, the date issued and a statement that the certificate does not constitute an endorsement by the City of Burien or by any of its departments or officers of the purpose or the person conducting the solicitation. All persons to whom certificates of registration have been issued shall furnish credentials to their agents and solicitors in the same manner and subject to the same conditions as set forth in Section 6D2 relating to credentials to solicit for charitable purposes. No person shall solicit under any such certificate of registration without such credentials in his possession, and such person shall, upon demand, present these credentials to any person solicited or to the City Manager or his designee or to any police officer of Burien.
- (78) Fraudulent misrepresentation and misstatements prohibited. It is unlawful for any person to directly or indirectly solicit contributions for any purpose by misrepresentation of his name, occupation, financial condition, social condition or residence, and no person shall make or perpetrate any other misstatement, misrepresentation, deception or fraud in connection with any solicitation of any contribution for any purpose in the City of Burien or in any application or report filed in connection therewith.

Section 5. BMC 5.10.100 Amended. Section 5.10.030 of the Burien Municipal Code (Regulations – Ice Cream Vendors) is hereby amended to read as follows:

5.10.100 Regulations – Peddlers/Transient Sales Representatives and Ice Cream Vendors.

- (1) Generally.
- (a) Applicants for a license under this chapter must file with the city clerk's office a sworn application in writing on a form to be furnished by the city.
 - (b) All applications shall provide the following information on the application, with sufficient proof of identification:
 - (i) Name, date of birth and description of the applicant;
 - (ii) Address and telephone number;
 - (iii) A brief description of the business and the goods to be sold;
 - (iv) If employed or acting as an agent, the name and address of the employer or principal, together with the description of the exact relationship with the principal or employer;

- (v) A description of vehicle including the license number;
 - (vi) A photograph of the applicant, taken within 60 days immediately prior to the date of filing the application, which picture shall be two inches by two inches showing the head and shoulders of the applicant in a clear and distinguishing manner;
 - (vii) A statement as to whether or not the applicant has been convicted of any crime within the last 10 years, including misdemeanors, gross misdemeanors, or violations of any municipal ordinance, the nature of the offense, and punishment or penalty assessed therefor;
 - (viii) Such other information as may be required by the city.
- (c) Any individual, corporation, partnership or other organization which acts as the principal or employer for individual peddlers/transient sales representatives or ice cream vendors shall obtain a permit as provided herein and shall provide the following information on the application in addition to any information required as set forth above:
- (i) The applicant's name, address and telephone number and names and addresses of all individuals who are employed by or acting as an agent for the applicant;
 - (ii) If a corporation, the names, addresses and telephone numbers of the corporation's board of directors, principal officers and registered agent; provided, however, that the city manager or his designee may waive any portion of this requirement when disclosure would be unduly burdensome;
 - (iii) If a partnership, the names, addresses and telephone numbers of the partners;
 - (iv) A list of any criminal convictions during the past 10 years for the applicant, any owners of the business, and if a corporation, the board of directors and officers;
 - (v) Name, address and telephone numbers (business and home) of the individual, if applicable, acting as the manager for the applicants;
 - (vi) A list of all other cities, towns and counties where the applicant

has obtained a peddler/transient sales or ice cream vendor's license or permit or similar license or permit within the past five years; and

(vii) Such other information as may be required by the city.

(2) Investigation of Applicant – Issuance and Denial of Permit.

- (a) The city clerk shall refer the application to the police department which shall determine the accuracy of the information contained in the application and conduct a criminal history background investigation of the applicant. Upon completion, the police department shall forward a recommendation for approval or denial to the finance department.
- (b) If, as a result of the investigation, the character and business responsibility of the applicant are found to be satisfactory, the city clerk shall issue the permit to the applicant. The city clerk shall deny the applicant the permit if the applicant has:
- (i) Committed any criminal act consisting of fraud or misrepresentations;
 - (ii) Committed any criminal act which, if committed by a permit holder, would be grounds for suspension or revocation of a permit;
 - (iii) Within the previous 10 years, been convicted of a misdemeanor or felony directly relating to the occupation of peddler/transient sales representative or ice cream vendor, including, but not limited to, those misdemeanors and felonies involving moral turpitude, fraud or misrepresentation;
 - (iv) Been refused a permit under the provisions of this chapter; providing, however, that any applicant denied a permit under the provisions of this chapter may reapply if and when the reasons for denial no longer exist; or
 - (v) Made any false or misleading statement in the application.
- (c) The denial of a permit to an individual, corporation, partnership or other organization, which serves as the employer or principal for individual peddlers/transient sales representatives or ice cream vendors, shall be a sufficient basis to deny a permit to the individual applicants who are employed by or acting as an agent for the applicant.

(3) Use of Streets. No peddler, transient sales representative, or ice cream vendor shall have any exclusive right to any location in the public streets, nor be permitted a stationary location, nor be permitted to operate in any congested area where operations might impede or inconvenience the public. For the purpose of this section, the judgment of a police officer, exercised in good faith, shall be conclusive as to whether the area is congested or the public impeded or inconvenienced.

(4) Hours and Notice.

(a) No person shall engage in the business of ice cream vending between the hours of 8:00 p.m. and 10:00 a.m.

(b) No person shall engage in the business of peddling or transient sales between the hours of 7:00 p.m. and 10:00 a.m. or at any residence or business that has a clearly posted sign stating “No Peddlers”, “No Solicitors”, or words to that effect.

Section 6. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 7. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 20TH DAY OF AUGUST 2012, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 20TH DAY OF AUGUST, 2012.

CITY OF BURIEN

Brian Bennett, Mayor

ATTEST/AUTHENTICATED:

Monica Lusk, City Clerk

Approved as to form:

Craig D. Knutson, City Attorney

Filed with the City Clerk: August 1, 2012
Passed by the City Council: August 20, 2012
Ordinance No. 564
Date of Publication: August __, 2012

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Update on New Futures and City Staff's Funding Research.		Meeting Date: August 20, 2012
Department: City Manager	Attachments: 1. New Futures Restructuring Plan 2. New Futures Program Description	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Nhan Nguyen, Management Analyst		
Telephone: 206-439-3165		
Adopted Initiative: Yes No X	Initiative Description:	
<p>PURPOSE/REQUIRED ACTION: The purpose of this agenda item is for Council to hear an update of New Futures' work with the immigrant/refugee community and their recent restructuring process and to update Council of staff's effort to assist them with funding research.</p> <p>BACKGROUND (Include prior Council action & discussion): Burien has a large immigrant/refugee population (24%); many of whom speak little or no English. The barriers of cultural differences, limited language skill, poverty, limited parental involvement and unreceptive educational institutions prevent many families from meeting their basic needs, supporting their children's education and development, accessing healthcare, improving job skills to secure living wage employment, and feeling safe and connected to their communities.</p> <p>Since 1993, New Futures has operated vibrant community learning centers at three low-income apartment complexes in the Highline area, providing free, onsite programs for children, families, and community-building. These programs include: Early Childhood, After School, Youth Development, Family Advocacy, and Community Development.</p> <p>Like many nonprofits, New Futures has experienced a downturn in funding in recent years. This last June, New Futures had to make the difficult decision to restructure the organization into a more sustainable model. The restructuring plan included layoffs, transferring of staff, and the discontinuation of onsite programming at The Heights at Burien located at 1101 Southwest 139th St., which houses 542 units and about 2,000 people. In 2011, New Futures' Academic Program at the Heights served 150 1st-6th graders, the Youth Program served 75 7th-12th graders. The bi-lingual Early Learning Program served 12 3-5-yr-olds, the Family Advocacy Program served over 350 families, and the community building events directly impacted over 1,000 people.</p> <p>City staff members have been looking for grant opportunities that would assist New Futures and have met with Executive Director Jennifer Ramirez Robson to explore funding options and how the City could help. Staff found several potential grant sources but after meeting with Ms. Robson determined that New Futures either had already applied or were in the process of applying for grants from these funders, and as a social service agency, New Futures was in a better position to secure a grant. Staff also toured the New Futures site at Woodridge Park in North Burien.</p> <p>OPTIONS (Including fiscal impacts): n/a</p>		
Administrative Recommendation: N/A		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: N/A		
Submitted by: Nhan Nguyen, Management Analyst		
Administration _____	City Manager _____	
Today's Date: 08/15/2012	File Code: R/CC/AgendaBill2012/082012cm-3New Futures	

New Futures 2012 Restructuring Process

June 2012

New Futures is at a turning point. We have been fortunate enough to have deep reserves that helped us weather the economic downturn and leadership changes with few program cuts to date. Those reserves are now depleted and the current program structure is not sustainable.

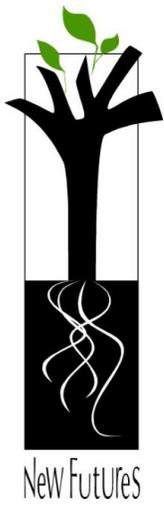
Recovery from the recession has been slow and 2013 looks to be another lean year. Key funders have already indicated that they will be awarding grants at lower levels for the next few years. Because of these cutbacks, competition for grant funding will continue to be higher as other organizations seek out new funding sources.

Six months ago, a new leadership team was put in place and staff created a financial strategy plan called the Path to Sustainability. Creating this plan gave us an opportunity to examine the funding climate in the region, determine the status of the organization's relationship with its donors and consider economic forecasts.

The first step in our plan was to cut expenses as much as possible without impacting services. Unfortunately, those cutbacks were not enough. In order to ensure our ability to serve those in need we have made the difficult decision to restructure the organization into a more sustainable model. Restructuring was the only responsible choice for ensuring the legacy of our founders, our supporters, and the community.

- The restructuring plan includes:
 - Some staff transfers
 - Discontinuation of on-site programming at one site, The Heights at Burien (United Way Parent Child Home Program home visits will continue)
 - Layoffs

- The executive director and board have also initiated efforts to ensure the long-term financial sustainability of New Futures. Those efforts include:
 - New individual donor campaign to kick-off in summer/fall of 2012 that will be a part of a long-term donor stewardship plan
 - Strategic growth of our grant pipeline that targets new grant opportunities that align with our mission
 - Program assessment to further align our outcomes, with regional efforts that will influence funding in the years to come
 - Reaffirming and expanding our partnership with King County Housing Authority
 - Doubling the size of our United Way Parent Child Home Program with additional funding from UWKC



- Kids, Families, Community - Stronger Together, Building New Futures!

New Futures' mission is to partner with families in their communities and with educators to ensure that children succeed in school and life. Our integrated, culturally relevant programs build skills, foster connectedness, and promote strengths.

New Futures operates vibrant community learning centers at three low-income apartment complexes in South King County, providing free, on-site programs for over 1,200 kids and families every year.

New Futures Programs and Results:

Children's Program - Goal: Children build skills to succeed in school.

Desired Outcomes: Children's literacy improves and parents become more involved in their child's education

Results:

- Students improved in oral reading, on average, by 1.4 grade levels and by nearly a full grade level in both Word Recognition and Spelling.
- 83% of parents reported that because of New Futures they are helping their children with homework and/or reading with them more.



Youth Programs - Goal: Youth are engaged in positive activities.

Desired Outcomes: Youth complete their homework and are planning for their future.

Results:

- 82% of youth reported that they are more likely to do their homework because of New Futures.
- 92% of youth reported thinking about graduating and their future because of New Futures.



Family Programs – Goal: Families are healthy, stable and self-sufficient.

Desired Outcomes: Families are better able to meet their basic needs. Families spend time together

Results:

- 78% of families report that because of New Futures they know where to go for help with meeting their basic needs.
- 73% of families reported that they do more activities together since becoming involved with New Futures.

Community Programs – Goal: Communities are more cohesive.

Desired Outcomes: Support networks within the community are strengthened. The community becomes a safer place to live.

Results:

- 68% of residents reported that since working with New Futures they feel their community cares about them.
- 73% of residents report that they feel safer in their neighborhood since being involved in New Futures.

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Consideration of and Motion to authorize City Manager to execute the Standstill Agreement between the City and Harbor Urban.		Meeting Date: August 20, 2012
Department: City Manager	Attachments: Proposed Standstill Agreement	Fund Source: N/A Activity Cost: \$0 Amount Budgeted: \$0 Unencumbered Budget Authority: \$0
Contact: Mike Martin, City Manager		
Telephone: (206) 248-5508		
Adopted Work Plan Priority: Yes <input checked="" type="checkbox"/> No	Work Plan Item Description: Town Square Redevelopment	
PURPOSE/REQUIRED ACTION: The purpose of this agenda item is for the City Council to discuss and act on proposed Standstill Agreement.		
BACKGROUND (Include prior Council action & discussion): In 2002, the City purchased the Town Square property at fair market value of \$4,050,000 and invested significant public resources in constructing and maintaining transportation and park facilities in the Town Square. Following a Request for Qualifications process, the City sold the Town Square property consisting of Parcels I, IV, V, and VI to Urban Ventures Burien, LLC (“Owner/Developer”), at fair market value of \$4,666,016 pursuant to a Disposition and Development Agreement dated June 29, 2005. Owner/Developer chose to develop the Property in Phases, substantially completed the first Phase on July 21, 2009, and was required to commence construction of the next Phase on or before July 21, 2011. On April 30, 2012, the City issued a formal written notice to Owner/Developer that an Event of Default pursuant to the DDA had occurred. Pursuant to Resolution No. 334, on June 8, 2012 the City issued a formal written notice of our intent to repurchase the remaining undeveloped parcels. Owner/Developer has since merged with Harbor Properties to form Harbor Urban. After extensive dialog with Owner/Developer, the City and Owner/Developer have negotiated a Standstill Agreement that would suspend the repurchase process for a period of time no longer than November 15, 2012. The Owner/Developer would have an opportunity to propose a project and amendments to the DDA. If the project moves forward the repurchase would be canceled and if doesn’t move forward, the Owner/Developer agrees to transfer the Parcels to the City or a third party with-out delay or litigation. Staff is recommending that the City Council approve the Standstill Agreement.		
OPTIONS (Including fiscal impacts): 1. Approve Standstill Agreement with Harbor Urban. 2. Do not approve Standstill Agreement and proceed with repurchase of Parcels.		
Administrative Recommendation: Approve Standstill Agreement.		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: I move to authorize the City Manager to execute the Standstill Agreement between the City and Harbor Urban.		
Submitted by: Mike Martin		
Administration _____		City Manager _____
Today’s Date: August 15, 2012		File Code: R:\CC\Agenda Bill 2012 082012cm-1 Standstill Agreement

STANDSTILL AGREEMENT

This STANDSTILL AGREEMENT is made as of August 15, 2012 by and between THE CITY OF BURIEN, a Washington municipal corporation (“City”) and RECP/UP BURIEN II, LP, a Washington limited partnership (“Developer”) with respect to that certain Disposition and Development Agreement, dated as of June 29, 2005 and subsequently amended, by and between the City and the Developer (the “DDA”). Unless otherwise expressly defined herein, terms used in this Agreement shall have the meanings set forth in the DDA.

BACKGROUND

- A. The DDA calls for Developer to develop the Project in accordance with the Development Parameters set forth in Exhibit C-1 to the DDA.
- B. The DDA allows the Developer to choose to develop the Project in Phases, but requires the Developer to commence construction of a subsequent Phase within two years of substantial completion of a prior Phase.
- C. If Developer fails to timely commence construction of any Phase, Section 23.2.3 of the DDA grants the City the right (in addition to all other available remedies including termination of the DDA, damages and specific performance) to repurchase the Parcels (“Repurchase Right”).
- D. Developer chose to develop in phases and substantially completed phase 1 of the Project in July 2009. Developer has not commenced construction of any subsequent phase of the project.
- E. The City notified Developer on April 30, 2012 that, because Developer had failed to timely commence construction of a subsequent phase of the project, an Event of Default had occurred under the DDA.
- F. The City notified Developer on May 8, 2012 of its intent to exercise its Repurchase Right. The DDA requires the repurchase to occur within 180 days of this notice.
- G. Developer has requested that the City suspend its exercise of its Repurchase Right to allow Developer time to propose an alternate project through a modification of the Development Parameters and a new Project Schedule (the “Alternate Project”).
- H. The City is willing to consider Developer’s proposal for an Alternate Project and the related, requisite amendments to the DDA provided that in the City’s sole discretion and judgment the City’s interests in the DDA and in the Project – including its rights related to its exercise of its Repurchase Right – are not compromised and provided further that the City is assured that in the City’s sole discretion and judgment that the City-desired development of the subsequent phases of the Project – by Developer pursuant to an

amended DDA or by a third party following the City's repurchase – is not, in the City's judgment, unreasonably delayed.

- I. In order to allow Developer an opportunity to propose, and for the City to consider, an Alternate Project without compromising the City's interests, the City and Developer wish to enter into this Standstill Agreement.

NOW THEREFORE, for and in consideration of the mutual covenants contained herein, the parties agree as follows:

1. Standstill. The City agrees to suspend its exercise of its Repurchase Right pending completion of the Alternate Project review and approval process set forth herein. Developer agrees that the time periods set forth in the DDA, including without limitation, the time period in which the repurchase of the Repurchase Parcels must occur, shall be tolled beginning June 27, 2012 until the earlier of the date the City sends Developer notice that it is no longer considering the Alternate Project as provided herein ("Standstill Termination Notice"), or December 31, 2012.
2. Alternate Project Characteristics. The Developer has proposed that the Alternate Project will have the general characteristics set forth on Exhibit A and the City is willing to consider an Alternate Project with those general characteristics. The City and the Developer expect and intend that the Alternate Project (if accepted by the City as provided herein) will be developed substantially on the schedule set forth on Exhibit B. The design and other deliverables for the Alternate Project set forth below will reflect these general characteristics and general schedule.
3. Alternate Project Deliverables and Milestones. Developer shall produce the following Deliverables and deliver them to the City on or before September 15, 2012:

Overall

1. Proposed DDA Amendments
2. Market Feasibility Report
3. Conceptual Bird's Eye View of Final Development for parcels 4, 5 & 6

Parcel V (Phase II)

1. Master Plan (development program, site plan & renderings)
2. Project Schedule
3. Project Pro Forma
4. Capitalization Strategy

Parcel IV (Phase III)

1. Conceptual Development Plan (program, site plan)
2. Conceptual Schedule

Parcel VI (Phase IV)

1. Proposed Project Description
2. Conceptual site plan

Before Developer submits the Deliverables described above, Developer and representatives of the City will meet twice to discuss the status of Developer's preparation of the documents and the ideas and issues involved in the alternate planning. The first of such meetings shall occur before August 31, 2012. The second of such meetings shall occur before September 7, 2012

The City Manager, with counsel from the City Attorney and City Economic Development Manager and private real estate market consultants, shall review and comment upon such submitted Deliverables in his sole discretion in a reasonable time. If the City Manager does not approve the Deliverables in his sole discretion, he will provide Developer with comments on matters to which he objects. Developer shall have a reasonable time after receiving the City's comments to revise and resubmit the Deliverables to respond to the City's objections. This process will be repeated until the City Manager is prepared to recommend the Alternate Project, as described by the Deliverables, for approval to the City Council; at which time the City Council will consider formal approval of the Alternate Project. The City Council may accept or reject the Alternate Project as recommended by the City Manager in its sole discretion and judgment. If the City Council has not approved the Alternate Project as recommended by the City Manager by November 15, 2012, then the City may send Developer a Standstill Termination Notice. The City Council's acceptance of the Alternate Project as provided herein shall not relieve Developer of the need to obtain building permits and other regulatory approvals from the City or diminish in any manner the City's land use regulatory or other police power authority over the Project.

4. DDA Amendments. If the City decides it wishes to go forward with the Alternate Project, the Final Project Descriptions shall be incorporated into the DDA through an amendment to the Development Parameters and Project Schedule.
5. Repurchase/Conveyance to Third Party; Adjustment of Repurchase Price. If Developer and the City do not agree to amend the DDA as a result of the process established in this Standstill Agreement and the City sends Developer a Standstill Termination Notice, then the City will elect, in its sole discretion, to (i) withdraw its notice of intent to exercise its Repurchase Right (and the City shall have the right to issue it again within one year of the date of the Standstill Termination Notice); (ii) direct Developer to convey the Repurchase Parcels to the City for the Repurchase Price as provided in the DDA; or (iii) direct Developer to convey the Repurchase Parcels and assign its interest in the DDA to a third party selected by the City for a price equal to the greater of the Repurchase Price or the price negotiated by the City with the third party selected by the City ("Negotiated Third Party Price"). In such event (Developer and the City do not agree to amend the DDA as a result of the process established in this Standstill Agreement and the City sends Developer a Standstill Termination Notice under options (ii) and (iii) above), the Repurchase Price or the Negotiated Third Party Price, as appropriate, shall be increased by an amount equal to the lesser of One Hundred Thousand Dollars or the actual, reasonable third party costs incurred by Developer after June 27, 2012 to produce the

Deliverables. The City shall inform Developer of which option it elects in the Standstill Termination Notice. Unless the City elects option (i) above, then on or before thirty (30) days following the earlier of the City's sending a Standstill Termination Notice or December 31, 2012, Developer will either convey the Repurchase Parcels to the City or a City-selected third party as provided in the DDA and herein. If the City elects option (ii) or (iii) then, Developer shall assign (to the extent assignable) and deliver to the City or the City-selected third party (as appropriate) all of Developer's rights to all licenses, permits, consents, governmental approvals, plans, drawings, specifications, surveys, engineering, soils and environmental reports, and other technical descriptions or other rights or privileges relating to the Project, including, without limitation, all "instruments of service" and other plans, specifications, designs or similar documents (in printed and electronic forms) created through architectural, engineering, survey or other development services for the Alternate Project, for which City or the City-selected third party or its assigns would need a license or ownership to use (the "Work Product"). Any such assignment and delivery shall be without any warranty by Developer whatsoever as to the accuracy or completeness of the Work Product so assigned or delivered.

6. Conditional Waiver. If the City acquires the Repurchase Parcels following its election of option (ii) above or if the Developer conveys the Repurchase Parcels to a City-selected third party following the City's election of option (iii) above, then the City and Developer shall waive and release the other from any and all claims arising under the DDA relating to the development of subsequent Phases. If the City withdraws its notice of intent to exercise its Repurchase Right by electing option (i) above, then neither the City nor Developer shall waive any rights or release the other from any claims arising under the DDA except as specifically set forth in this Standstill Agreement.

7. General Provisions

7.1 Attorneys' Fees. In any court or alternative dispute resolution proceeding (such as a mediation or arbitration) brought to enforce or interpret this Agreement, the substantially prevailing party (as determined by the court, mediator or arbitrator) shall recover from the other party its costs and reasonable attorneys' fees, including costs and fees on appeal. Reasonable attorneys' fees shall include an allowance for the services of in-house counsel based upon prevailing rates of downtown Seattle firms of similar experience.

7.2 Notices. Wherever in this Agreement notice is required to be given, such notice shall be in writing, addressed to the person entitled to such notice, and shall be sent by either (i) personal service, (ii) United States mail, postage prepaid, or (iii) telephonic facsimile, to the address of such person as set forth in this Agreement, or such address or addresses designated in writing from time to time. The notice shall be deemed delivered on the earlier of (a) the date of actual delivery by personal service or the following Business Day if not received during normal business hours, (b) three (3) Business Days after deposit in the United States mail, or (c) in the case of facsimile, the date of receipt by the recipient as confirmed by facsimile confirmation, or the following Business Day if not received during normal business hours. A copy of each notice shall be sent to:

If to City: City of Burien
400 SW 152nd Street
Burien, Washington 98166
Attn: Mike Martin
City Manager
Telephone: (206) 248-5503
Facsimile: (206) 248-5539

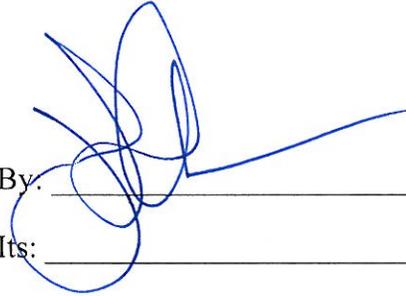
If to Developer: Harbor Urban, LLC
1411 Fourth Avenue, Suite 500
Seattle, WA 98101
Attn: James L. Atkins, PE
Managing Director
(206) 812-6725

7.3 Miscellaneous. This Agreement represents the entire agreement of the parties regarding the standstill agreement between the parties with respect to the DDA and supersedes any prior communications, written or oral. This Agreement is the product of negotiation and shall not be construed against either party as the drafter hereof. No amendment, modification, or waiver of any rights hereunder shall be binding unless in writing and signed by the party or

parties potentially adversely affected thereby. This Agreement shall be binding on and inure to the benefit of the parties and their respective successors and assigns. Time is of the essence for all provisions of this Agreement.

EXECUTED in duplicate original as of the date and year first above written.

DEVELOPER: RECP/UP BURIEN II, LP, a Washington limited partnership.

By:  _____
Its: _____

CITY: THE CITY OF BURIEN

By: _____
Its: _____

EXHIBIT A

GENERAL CHARACTERISTICS OF THE ALTERNATE PROJECT

Programmatic goals and objectives:

1. An institutional quality, market rate, for rent project similar in quality to Harbor Properties' and Harbor/Urban's current and recent portfolio of projects is an acceptable use for the parcels.
2. The density of the project should be consistent with the adjacent Phase 1 condominium project and the Development Program set forth below.
3. At grade residential development may be an appropriate substitute for additional retail subject to further design development and review.
4. Principally parked in structured facilities.
5. Adequate parking (adequate parking is estimated to be +/-1 space per unit).
6. The City may consider some relief from the design standards set forth in the DDA so long as the project architecture remains materially consistent with the theme and intent as exemplified by the Phase 1 condominium project.
7. The City may entertain a proposal for a ground floor leasing office/amenity building to be built on Parcel 4 adjacent to the proposed open space/public amenity area.
8. Parcel 6 to be developed as townhouses or as a mutually acceptable alternate higher density residential or commercial use.
9. The City will continue to view any proposal in the context of a 50-60 year planning horizon.

Development Program:

Parcel #	Floors	Units	Parking	Construction Start
Parcel 5	4-5 floors above grade	150-175 units – (ownership units or rental units convertible to ownership units)	165-190 stalls- built either below grade or at grade wrapped by residential units on s/e/w boundaries	Early Q3-2013
Parcel 4	3-4 floors above grade	100-125 units (ownership units or rental units convertible to ownership units) +leasing/amenity bldg.	110- 150 stalls- built either below grade or at grade wrapped by residential units on s/e/w boundaries	Q1/Q2-2014
Parcel 6	tbd	tbd	tbd	tbd

EXHIBIT B

GENERAL ALTERNATE PROJECT SCHEDULE

September- December 2012

- SD/DD & Marketing /Branding Work
- Developer will secure the commitment for equity financing
- Parking Agreements

January - April 2013

- Design Review and Permit Submittal
- Construction Documents Completed and Permits Obtained
- Developer will secure the commitment for debt financing

May- June 2013

- Contractor Selection & Buyout
- GMP/OCIP Negotiations

Q3 2013: Begin Construction on Phase II

Q? 2014: Phase II Construction Complete

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Follow-up to Council Questions Regarding the 2013-18 Financial Forecast		Meeting Date: August 20, 2012
Department: Finance Department	Attachments: PowerPoint Presentation	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Kim Krause, Finance Director		
Telephone: (206) 439-3150		
PURPOSE/REQUIRED ACTION:		
<p>The purpose of this agenda item is to respond to questions posed by Council during the August 6, 2012 Financial Forecast Presentation.</p> <p>BACKGROUND (Include prior Council action & discussion):</p> <p>On August 6, 2012, Council asked several questions regarding the 2013-18 Financial Forecast. This presentation provides responses to those questions.</p> <p>OPTIONS (Including fiscal impacts): N/A</p>		
Administrative Recommendation: Hold discussion and provide direction to staff.		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: None Required.		
Submitted by: Kim Krause Administration _____ City Manager _____		
Today's Date: August 14, 2012		File Code: \\File01\records\CC\Agenda Bill 2012\082012ad-1 Financial Forecast Follow-up Discussion.docx

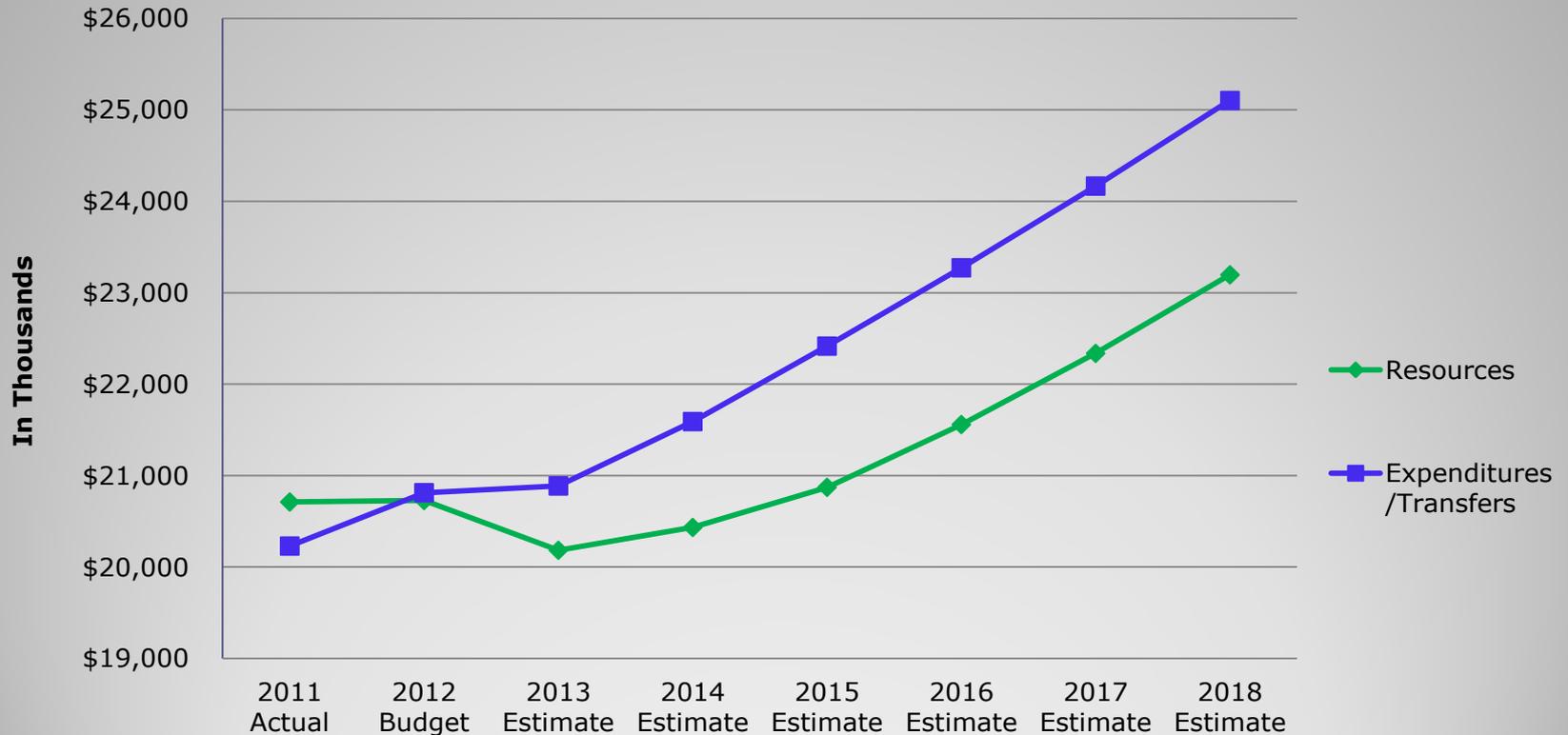


2013-18 Financial Forecast

Finance Department
August 20, 2012



General Fund Forecast Without Solid Waste Utility Tax





General Fund Forecast

- If Solid Waste Utility Tax is transferred to the Street Fund in 2013 and no other adjustments are made:
 - the projected 2013 deficit is \$704,000
 - the projected 2014 deficit is \$1,158,000
- The 2014 fund balance drops below the current required 10% reserve level
- The projected 2015 fund balance is \$408,000
- The projected 2016 fund balance is (\$1,306,000)
- The forecasts for both the General Fund and Street Fund do not include any funding for expenditures like Street overlay



General and Street Fund Forecasts

- The forecasts for both the General and Street Funds only include funding for current operating expenditures.
 - There is no ongoing identified revenue stream for street overlay projects.
 - Some of the City's software programs are over 10 years old and will require replacement within the next 3-5 years. These programs could cost in the neighborhood of \$300,000.
 - Employees received one 1% COLA in the last three years (2011)
 - Employees salaries are falling behind their counterparts in comparable cities – it would take \$202,000 to “catch up”

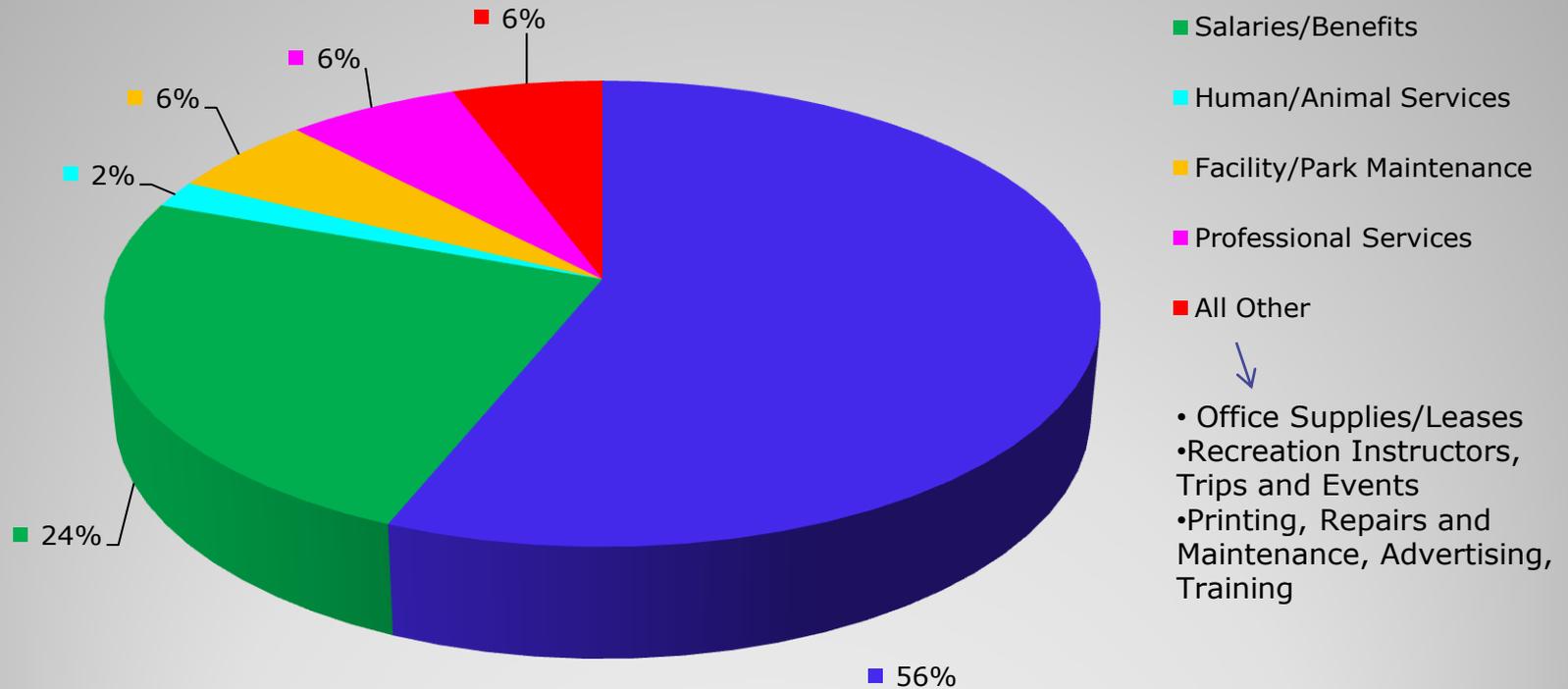


General Fund Forecast

- If the City were to pay the Seattle City Light undergrounding fee from the franchise fee/utility tax increase:
 - Projected revenue increase from SCL franchise fee increase and electric utility tax increase = \$1,090,000
 - Annual SCL Undergrounding Fee Debt Service payments = \$947,000
 - Remaining Balance (net) dedicated to General Fund = \$143,000



General Fund Services





General Fund Services

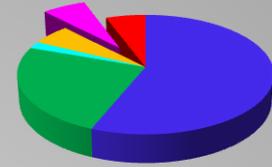


6% Facility/Park Maintenance

- 6% Facility/Park Maintenance - \$1,133,000
 - WCIA Insurance Premium - \$190,000
 - City Hall Facility costs (Library condo agreement/janitorial/utilities) - \$120,000
 - Fire Hydrant costs - \$55,000
 - Community Center Facility costs (building maintenance and utilities) - \$76,000
 - Park Maintenance contract - \$460,000
 - Utilities for Parks - \$134,000
 - Park Repairs and Maintenance - \$63,000
 - Parks Graffiti Removal Services - \$35,000



General Fund Services

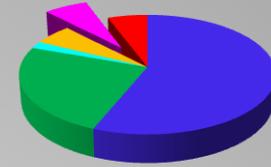


6% Professional Services

- 6% Professional Services - \$1,319,000
 - City Memberships (AWC, PSRC, Suburban Cities, National League of Cities) - \$80,000
 - Voter Registration - \$80,000
 - Newsletter/Community Outreach - \$91,000
 - Lobbying - \$88,000
 - Municipal Code Updates - \$5,000
 - Feasibility Studies/Emerging Issues (examples include the Police feasibility/Town Square issues - appraisals and attorneys) - \$134,000
 - Southwest King County Chamber of Commerce/Small Business Development Center - \$32,000
 - Wellness Cluster/Marketing Strategy - \$42,000
 - Human Resource Services - \$23,000



General Fund Services

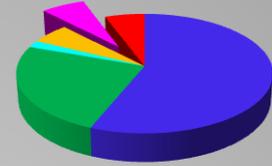


6% Professional Services

- 6% Professional Services continued - \$1,319,000
 - Audit Services - \$47,000
 - B&O Tax Collection - \$36,000
 - Software Subscriptions/Maintenance - \$169,000
 - Website Hosting - \$18,000
 - Channel 21 Video Streaming/Production - \$48,000
 - Computer Consulting - \$50,000
 - Banking/Emerging Issues (examples include cable franchise consultant/utility tax auditor) - \$53,000
 - Substance Abuse Contribution from Liquor Tax - \$8,000



General Fund Services

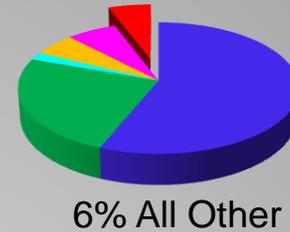


6% Professional Services

- 6% Professional Services continued - \$1,319,000
 - Domestic Violence Services - \$25,000
 - Code Enforcement Services - \$10,000
 - Litigation Services - \$150,000
 - Engineering Consulting Services (grant assistance/proposal preparation/development review) - \$60,000
 - Comprehensive Plan Services - \$40,000
 - Hearing Examiner Services - \$10,000
 - Planning Development Review - \$10,000
 - Oncall Building Inspectors - \$10,000



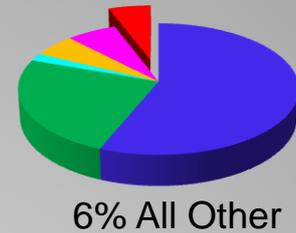
General Fund Services



- 6% “Other” Expenditures - \$1,154,000
 - Recreation Guide Preparation/Printing/Postage - \$82,000
 - Recreation Instructors - \$135,000 (100% recovered by revenue)
 - Recreation Events and Security - \$42,000
 - Recreation Summer and After School Programs for Teens - \$42,000
 - Recreation Trips/Admission Fees – \$26,000 (100% recovered by revenue)
 - Strawberry Festival - \$27,000
 - Copier/Other Equipment Leases - \$63,000
 - Office Supplies/Fuel/Small Tools - \$167,000



General Fund Services



- 6% “Other” Expenditures continued - \$1,154,000
 - Printing - \$28,000
 - Telephone/Internet Services - \$107,000
 - Subscriptions/Publications - \$39,000
 - Repairs and Maintenance - \$62,000
 - Contingency for Unanticipated Jail Costs - \$100,000
 - Advertising - \$23,000
 - Puget Sound Air Pollution Control - \$15,000
 - Dues/Memberships (other than city-wide) - \$32,000
 - Training/Travel - \$90,000
 - Capital Equipment - \$15,000
 - Miscellaneous - \$59,000



2012 Utility Tax Comparison

City	Natural Gas	Electricity	Telephone	Cable	Solid Waste	Water	Sewer	Storm Water
Tukwila	6%	6%	6%	6%	6%	10%	10%	10%
Seattle	6%	6%	6%	10%	11.5%	15.54%	12%	11.5%
Redmond	6%	6%	6%	None	6%	9.229%	None	None
Bellevue	5%	5%	6%	4.8%	4.5%	10.4%	5%	5%
Sea Tac	None	None	None	None	None	None	None	None
Kirkland	6%	6%	6%	6%	10.5%	13.38%	10.5%	7.5%
Mercer Island	6%	6%	6%	7%	7%	1.7%	None	None
Renton	6%	6%	6%	6%	6%	7.5%	6%	6%
Bothell	6%	6%	6%	6%	5%	10.15%	5%	None
Auburn	6%	6%	6%	1%	7%	7%	7%	7%
Kent	6%	6%	6%	None	7.8%	10%	10%	10%
Burien	6%	3%	6%	6%	6%	None	None	None
Shoreline	6%	6%	6%	6%	6%	6%	6%	6%
Sammamish	None	None	None	None	None	None	None	None
Federal Way	7.75%	7.75%	7.75%	7.75%	7.75%	None	None	7.75%
Des Moines	6%	6%	6%	6%	6%	None	None	6%
Normandy Park	6%	6%	6%	6%	6%	None	6%	6%



Published Electric Rates

Seattle City Light Residential Summer Rates (April – September)

Rate Type	Seattle	Burien	Shoreline	Tukwila	Suburban
First 10 kWh per day per kWh	4.76¢	5.10¢	5.31¢	5.43¢	5.10¢
All additional kWh per day per kWh	9.87¢	10.25¢	10.46¢	10.84¢	10.25¢
Base Service Charge – per meter per day	11.92¢	11.92¢	11.92¢	11.92¢	11.92¢
Under-grounding Fee	0	.37¢ per kWh	.24¢ per kWh	0	0



General Fund Reserve Levels

- GFOA best practice = 2 months operating or 17%
 - Burien's current reserve = 10% or \$2 million
 - Recommended increase = 20% or total of \$4 million
 - Fund balance at end of 2011 = 19%
 - Rating agencies favor increased levels of fund balance
 - Mitigates revenue shortfalls and unanticipated expenditures
 - Ensures stable tax rates
 - Staff recommendation in line with GFOA best practice

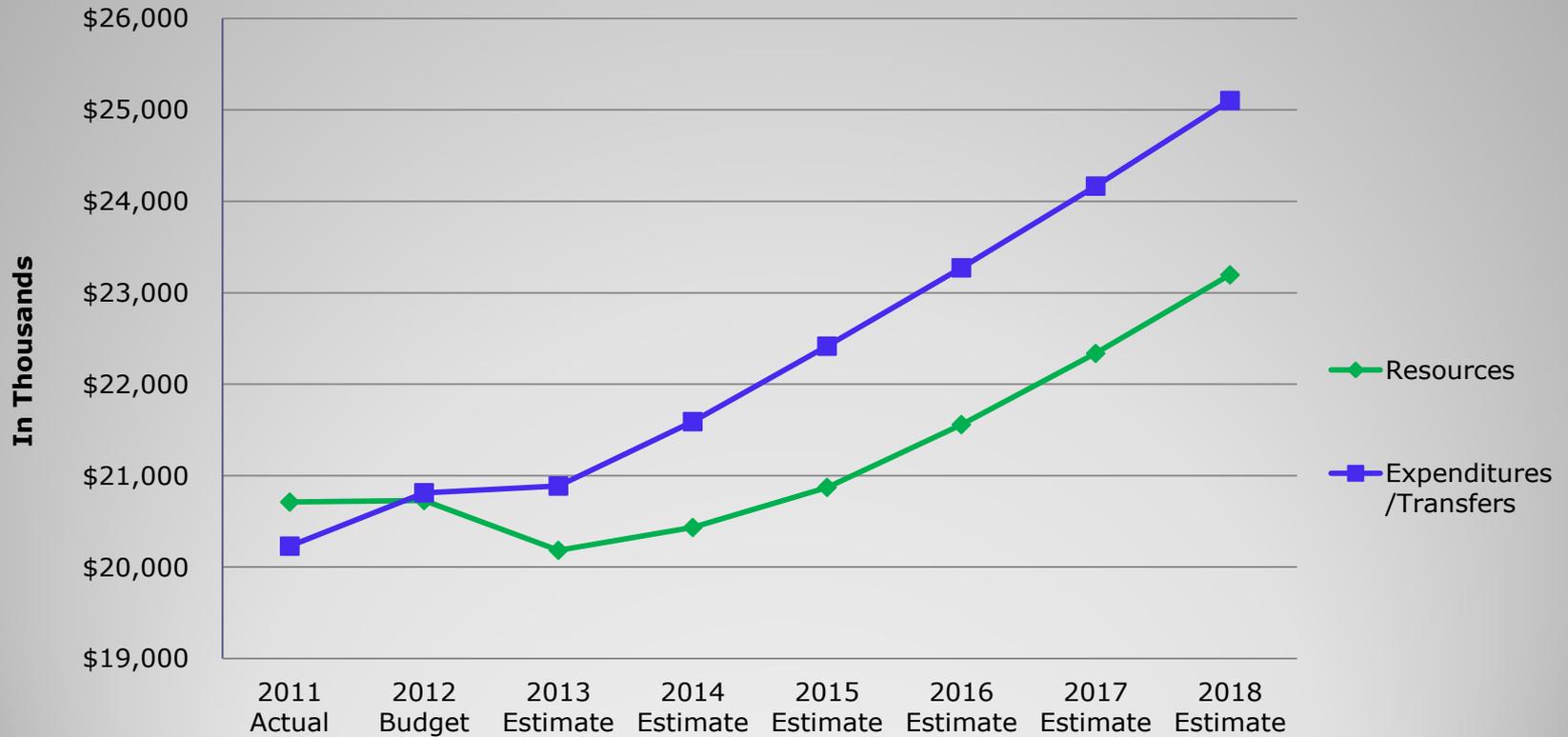


General Fund Reserve Levels South King County Cities

City	General Fund Reserve Policy	General Fund Reserve Actual	Notes
Auburn	18%	42%	Includes 10% cumulative reserve
Burien	10%	19%	
Covington	10%	46%	
Des Moines	12%		Includes 5% revenue stabilization reserve
Federal Way	20%	35%	Includes 3% contingency reserve
Kent	10%		Amounts in excess of 10% are transferred to permanent reserve
Maple Valley	10%	30%	10% goal is interpreted to be 10% at end of six-year forecast
Newcastle	10%	29%	
Renton	8-12%	10%	
Sea Tac	25%	33%	
Tukwila	20%		Includes 10% Contingency Reserve



General Fund Forecast Without Solid Waste Utility Tax



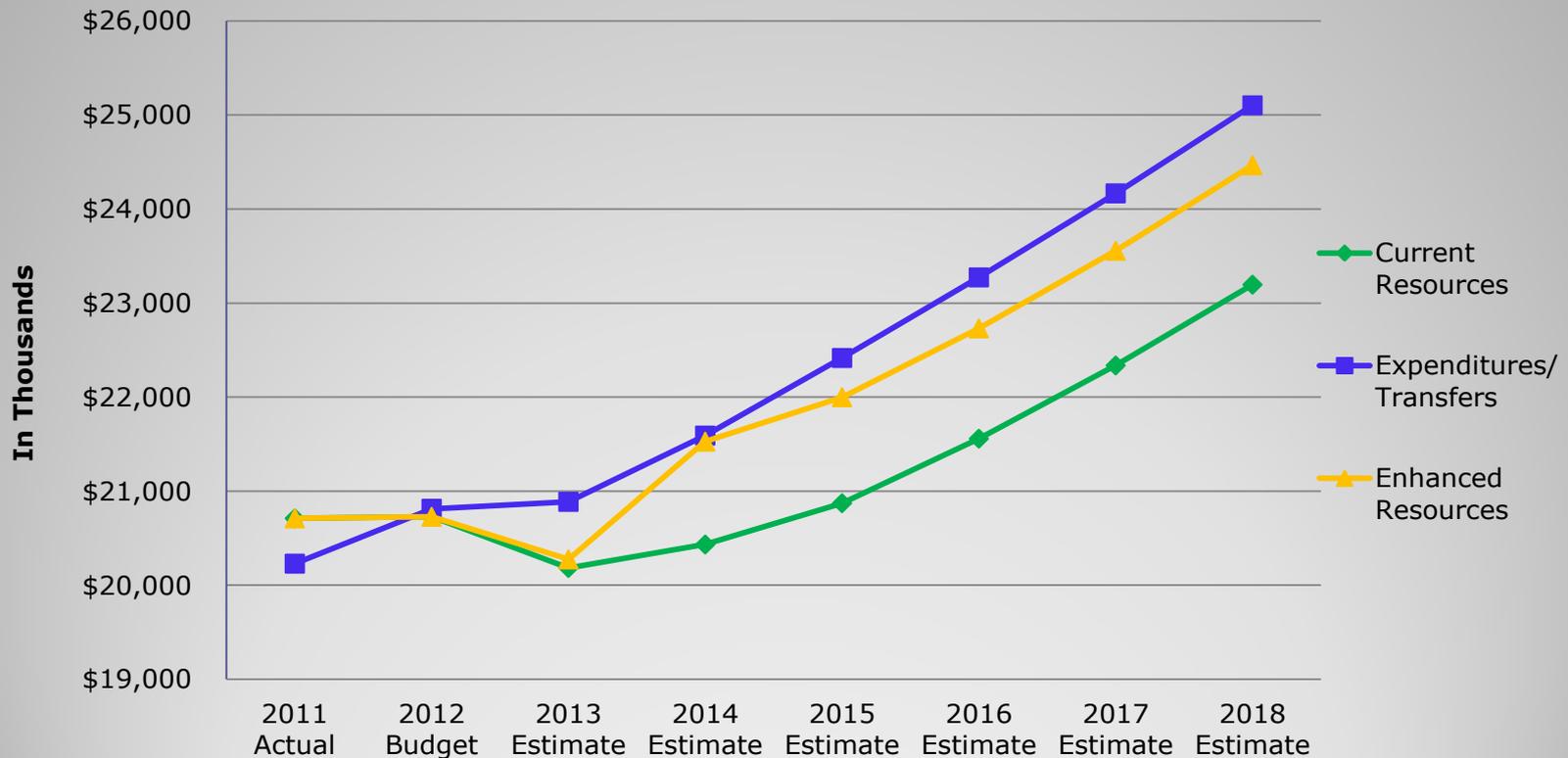


Recommendations Impact to Average Household

- Total monthly impact per average household
 - Seattle City Light customers
 - 2013 increase = \$1.21 (SWM rate)
 - 2014 increase = \$2.95 (SCL franchise fee)
 - 2015 increase = \$1.35 (SWM rate)
 - **Cumulative increase = \$5.51**
 - Puget Sound Energy customers
 - 2013 increase = \$3.46 (SWM rate/utility tax)
 - 2015 increase = \$1.35 (SWM rate)
 - **Cumulative increase = \$4.81**



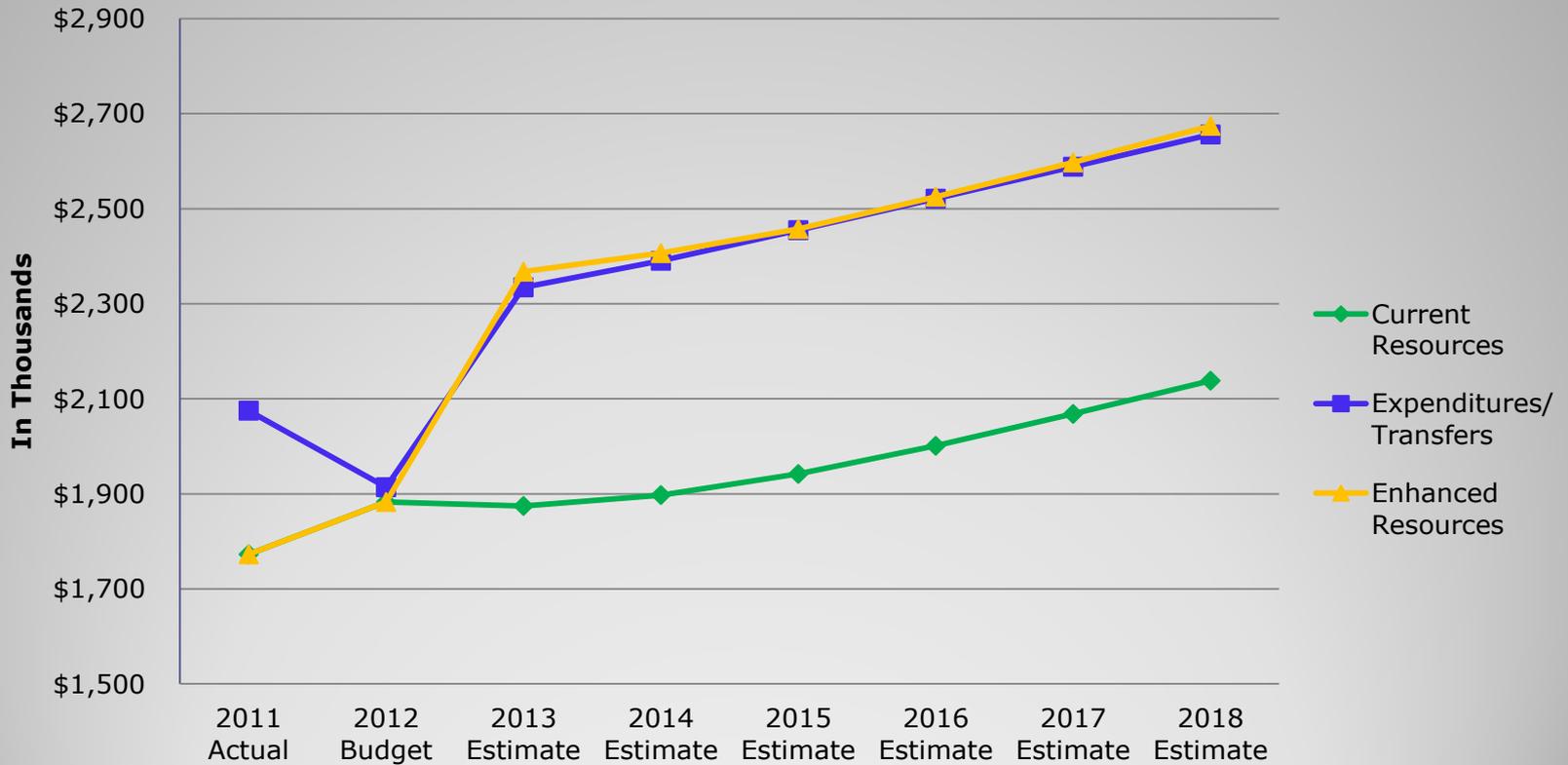
General Fund Forecast



Enhanced revenue proposal uses \$700,000 in Fund Balance in 2013



Street Fund Forecast





Next Steps

Action	Timeline
Preliminary Operating Budget Presentation	October 1
Preliminary CIP Budget Presentation	October 15
Human Services Funding Discussion	October 15
Budget Study Session	October 22
Budget Ordinance/Property Tax Levy Discussions	November 5
Budget Ordinance/Property Tax Levy Adoption	November 19



Questions?

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Review of Council Proposed Agenda Schedule		Meeting Date: August 20, 2012
Department: City Manager	Attachments: 1. Proposed Meeting Schedule 2. Study Session Topics 3. Council Retreat Notes	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 Initiative: Yes No <input checked="" type="checkbox"/> X	Initiative Description: N/A	
PURPOSE/REQUIRED ACTION:		
The purpose of this agenda item is for Council to review the proposed City Council meeting schedule. New items or items that have been rescheduled are in bold.		
 BACKGROUND (Include prior Council action & discussion):		
According to City Council policies, the proposed meeting schedule is reviewed during the last meeting of each month.		
 OPTIONS (Including fiscal impacts):		
<ol style="list-style-type: none"> 1. Review the schedule, and add, delete, or move items. 2. Review the schedule and make no modifications. 		
Administrative Recommendation: Review the schedule and provide direction to staff.		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: None required.		
Submitted by: Monica Lusk Administration _____		Mike Martin City Manager _____
Today's Date: August 15, 2012	File Code: R:/CC/AgendaBill2012/082012cm-2 proposedagendareview.doc	

**CITY OF BURIEN
COUNCIL PROPOSED AGENDA SCHEDULE
2012**

August 27, 7:00 p.m. Study Session

Discussion on Advisory Boards.

(City Manager – Council direction on 7/16/12)

Discussion of the 2012 Community Assessment Survey Results.

(City Manager)

September/October

9/3 Council Meeting CANCELLED – Labor Day.

1. Discussion on Potential Employee Benefit Change.
(Human Resources)
2. Discussion on SMP Working Group Recommendations.
(Community Development)
3. **Discussion on Highline Forum’s Revised Mission.**
(City Manager – Rescheduled from 8/20 - Council direction on 6/4/12)
4. 9/24 Study Session - Discussion on White Center and Boulevard Park Libraries.
(City Manager – Council direction on 7/16)
5. **Introduction of Susan Enfield, Superintendent of Highline Public Schools.**
(City Manager)
6. Discussion on Granting Cable Franchise to Comcast of Washington IV, Inc.
(Legal)
7. **Presentation of 2013-2014 Preliminary Budget.**
(Finance)
8. **Presentation of 2012-18 Preliminary Capital Improvement Program Budget.**
(Finance)
9. Motion to Adopt Ordinance Granting a Non-Exclusive Cable Franchise to Comcast of Washington IV, Inc.
(Legal)
10. **Presentation of 2013-14 Human Services and Arts and Culture Grants Recommendation.**
(Finance)
11. **2013-14 Preliminary Budget Discussion.**
(Finance)
12. **North Burien Land Use Designations and Zoning.**
(Community Development)
13. Review of Proposed Council Agenda Schedule.
(City Manager)
14. City Business.
(City Manager)

STUDY SESSION TOPICS 2012

Identified at Retreat

1. Advisory Boards
2. Outreach to Diverse Groups
3. Kids and Cops
4. Storm Water Management
5. Transportation Improvement Program
6. Wellness Cluster Initiative

Identified at Meetings

7. Review of Council Policies and Procedures
8. Community Recreation Center
9. King County Historic Preservation Program (Rose)

(Facilitator Retreat Notes and this evolving list of topics will be included in the Study Session packet)

DISCUSSION SCHEDULE:

Liquor and B&O Taxes – April 23, 2012

Economic Development – July 23, 2012

Advisory Boards – Scheduled for August 27, 2012

Burien
City
Council
Annual
Retreat
Summary

January 28

2012

Summary of notes from the day

2012 Annual
retreat notes

Burien City Council
Retreat Notes
Revised January 28, 2012

Open Space Session Notes

1. Session Title: Advisory Boards

Convener: Rose

Those attending: Lucy, Michael, Bob

Key Themes and Notes:

- Are we in the right place for current needs?
- **BEDP, Planning, Arts, Parks**, Teen Council, Senior Advisory Board
- What do we want?
- Roles? What do ordinances say?
- Do we need different ones? Education?
- Permanent standing committees/Boards
- Consensus- Education Adv/Levy
- Liaison with all Boards
- Shift in scope volunteer vs. Advisory

Next Steps:

- Study session to review ordinances/roles- 1) BEDP/ 2) Others
- Take input from existing members
- Spell out factors/criteria for filling vacancies
- Integrate involvement in work plan items

2. Session Title: Diverse Community Outreach

Convener: ?

Those attending: Lucy, Angie, Craig, Brian, Bob, Janet, Scott G, Joan

Key Themes and Notes

- Trust in Law Enforcement
- Business opportunities
- Community involvement
 - Boards/Groups/Associations
 - Government
- Enhancing communication

Next Steps

- Existing programs to help communication
- Develop more internal/external communication networks
- Effective creation and/or participation in cultural events
- Participate in other culture media

Burien City Council
Retreat Notes
Revised January 28, 2012

3. Session Title: Economic Development

Convener: Dan Trimble

Those attending: Jack, Jerry, Janet, Scott, Bob

Key Themes and Notes

Attracting Business

- Auto Mall (Auto Center)
- Better use of assets
 - P.A.C., Ticket tax & promotion
- Special events
- Marketing Strategy
 - Recruitment
- Vacant Store fronts
 - Tax
 - Art Galleries
 - Window painting
- Business retention
- Business Expansion
- Merchant groups
 - BEDP
- BEDP Focus
- Chamber of Commerce
 - Burien focused
- Parking (more)
- Impact fees

Next Steps

More outreach
Regional retail & small chains
Council Members recruit
Office Incubator

BEDP engaged
matching funding

Propose to CC (here or
under Impact fees)

4. Session Title: Kids and Cops

Convener:

Those attending:

Key Themes and Notes:

- Identify key players
- Identify possible stakeholders
- Obtain grassroots support/involvement
- Identify specific outcomes

Burien City Council
Retreat Notes
Revised January 28, 2012

Next Steps:

- Staff to staff conversation (principals)
- Council discussion re: identified issues
- Contact w/ School district
- Council/HSD Retreat
- Develop strategic Plan
 - Timeline
 - Performance measures

5. Session Title: Liquor and B & O Taxes

Convener: Jerry

Those attending: Nhan, Scott, Maiya, Kim

Key Themes and Notes

- B & O tax
 - State collection
- Reduce Costs
- Liquor Tax
 - Sales Tax
 - B & O Tax

Next Steps

- What is being done at State level?
- Bring it in-house
 - Cost?
 - Control
- Repeal RCW that prohibits Local B & O

6. Session Title: Stormwater and TIP

Convener: Joan

Those attending: Craig, Kim, Maiya

Key Themes and Notes

- NPDES flexibility
 - LID program
 - 2 year development period
- Marine/Lake Burien homeowner support
 - Stormwater improves quality of life, ED
- TIP- long term planning for street repair

Burien City Council
Retreat Notes
Revised January 28, 2012

Next Steps

- Seek Fed/State demonstration grants for Miller Creek
- Look for effective model ordinances
- Surface water rate increase
- Council agreement/conversation
- Education/outreach for LID (ESC)
- TIP management plan

7. Session Title: Wellness Cluster

Convener: Rose

Those attending: Jack, Dan, Michael, Mike

Key Themes and Notes

- Is it working?
 - Business people/Educators not on the same page re: vision/goals
- Success in some areas, but lack of stakeholder buy-in, organization and focused leadership
- Lack of clear steps to accomplish vision/mission

Next Steps

- Formalize structure and approach: Membership, structure and leadership
 - If not, sunset it
- Shift leadership to stakeholders
- Liz Heath/Capacity building

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Headlines and Next Steps

Advisory Boards

- Are existing boards the right ones? There are some required by statute/ordinance. We need to understand what is really required
- Do we need different boards? Do we need an Education Board for example?
- Schedule study sessions re: BEDP and then others
- Make criteria for membership explicit
- Integrate their involvement with Work Plan as appropriate so they have input
- Reinstating Council liaison to all Boards
- Make process explicit for selecting board members
- Boards could be clearly linked to Vision and how they contribute

Next Steps:

- Study session to review ordinances/roles- 1) BEDP/ 2) Others
- Take input from existing members
- Spell out factors/criteria for filling vacancies
- Integrate involvement in work plan items

Economic Development

- Business attraction and retention
- Focus of existing groups- do they meet the community needs? Do they need to be shifted to city-wide, region, vs. micro-focus?
- Business outreach
- Image and impediments
- Marketing
- Impact fees
- Improving/enhancing store fronts
- Special events in city to bring people in
- Town Square
- Auto Center

Next Steps

- More outreach
 - Regional retail & small chains
 - Council Members recruit
 - Office Incubator
- BEDP engaged

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- Matching funds
- Parking or Impact Fees?

Diverse Community outreach

- Develop level of trust in law enforcement
- Understand boundaries re: cultural behavior that can take place
- Communication- improve it, reach out
- We need to reach out to them, their existing events, meet them in their cultural environments
- Increase participation in local govt
- Develop soccer leagues
- ESL
- Create an extended day option as part of Kids and Cops for Homework assistance and sports; can include officers playing sports with kids (Basketball)
- Reexamine renters rights to ensure they feel comfortable asking questions

Next Steps

- Existing programs to help communication
- Develop more internal/external communication networks
- Effective creation and/or participation in cultural events
- Participate in other culture media

Kids and Cops

- ID key stakeholders
- Get grass root support
- Staff to staff conversation about how to move forward
- Council discussion simultaneously
- Contact school district for work session/retreat

Next Steps:

- Staff to staff conversation (principals)
- Council discussion re: identified issues
- Contact w/ School district
- Council/HSD Retreat
- Develop strategic Plan
 - Timeline
 - Performance measures

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Liquor & B & O taxes

- Understand what the change in law means for city- will know w/in 2-3 months
- B&O- will the state take it over or will city take it in-house

Next Steps

- What is being done at State level?
- Bring it in-house
 - Cost?
 - Control
- Repeal RCW that prohibits Local B & O

Storm Water and TIP

- Long term planning for street repair- multi-decade plan not addressed in workplan
- Statewide funding not adequate to fund state initiatives, so cities will need to address this

Next Steps

- Seek Fed/State demonstration grants for Miller Creek
- Look for effective model ordinances
- Surface water rate increase
- Council agreement/conversation
- Education/outreach for LID (ESC)
- TIP management plan

Wellness Cluster

- Questions re: it's effectively working, some successes
- Unclear buy-in or lack thereof
- No clear steps for moving it forward- formalizing it
 - Clear ID membership
 - Clear structure
 - Clear leadership
- Shift leadership to community-based stakeholders; there are resources available
- Pursue capacity building funding to move this group forward (Liz Heath)

Next Steps

- Formalize structure and approach: Membership, structure and leadership
 - If not, sunset it
- Shift leadership to stakeholders
- Liz Heath/Capacity building



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: August 20, 2012
SUBJECT: City Manager's Report

I. INTERNAL CITY INFORMATION

A. Seattle City Light (SCL) Property Discussions Conclude

Over the past year, City staff and representatives of SCL have been re-examining the potential use of the SCL-owned property on S. 136th St. adjacent to the Kennedy High School football field. SCL's plan remains to eventually construct a substation at the site. The City thought the site could be used for development and construction of a soccer field and associated parking lot and restrooms. Numerous options for field and substation layouts were examined; however it was deemed that joint use of the site was not practical nor physically possible as long as a substation were to be part of the site, and SCL does not have an alternate site for a substation. City staff has informed SCL that the City will not pursue a recreational use of the property.

B. Senior Program Receives Grant

At a recent board meeting for the Washington State Association of Senior Centers (WSASC), the Burien Senior Program received a grant to help improve the acoustics in two rooms at the Community Center. Recreation Supervisor Kristy Dunn and Recreation Specialist Bophary Du submitted a grant application for funds to purchase acoustic tiles for the Hilltop and Shorewood Rooms. These rooms are used for many senior programs and it is challenging for some of the seniors to hear well in either of them. The acoustical tile product will be purchased and installed soon.

C. Non-Resident Fees Established for Rentals

Effective August 1, non-city residents are paying a higher fee for room rentals at the Burien Community Center. Staff performed an analysis of comparable facilities that are rented out by the cities of SeaTac, Des Moines, and Tukwila. These cities also have resident and non-resident categories for their fees. The new fees were established after considering the other facilities' rental rates, room sizes, and other amenities. Although it is difficult to have absolute comparisons with these varying facilities, staff succeeded in establishing fees that will potentially increase revenue and still attract customers.

D. Annexation Information Provided in Burien City News

The next annexation informational forum will be held Thursday, August 23, 6 pm, at White Center Food Bank, 10829 8th Ave SW. Annexation informational forums to be held on September 13, 6 pm, Beverly Park Elementary School, 1201 S. 104th St, and October 18, 6 pm, Cascade Middle School, 11212 10th Ave SW, will be publicized in the fall edition of Burien City News, which will be mailed August 30. The newsletter also includes a page of information about the potential annexation, in the form of Frequently Asked Questions. Burien City News will be mailed to all households and businesses in Burien and the North Highline potential annexation area.

E. Federal Aviation Administration (FAA) Draft Environmental Assessment Available on New Performance Based Navigation Procedures (Page 123)

Staff received notice (attached) that the FAA has issued a Draft Environmental Assessment on proposed new arrival and departure procedures at SeaTac Airport. The new "Greener Skies" procedures would introduce satellite-guided technology, allowing precision approaches for aircraft that are equipped with the necessary avionics. Flying along invisible but precise pathways, jets would smoothly descend with engines at idle until near the runway, saving fuel and reducing emissions. For more information, see www.greener skies sea.com.

F. Quarterly Construction and Land Use Permit Report (Page 125)

Attached is the Construction and Land Use Permit Activity Report for the second quarter of 2012. Second quarter permit activity and inspections remain strong and running well ahead of second quarter numbers for 2011. A total of 186 permits were issued online, representing 50% of eligible online permits and 30% of all permits. The number of electrical permits also continues to increase and second quarter electrical permits accounted for 42% of all issued permits.

G. Planning Commission Meeting Night to Change in 2013

The Burien Planning Commission will change their meeting nights from the second and fourth Tuesdays to the second and fourth Wednesdays of each month beginning in January, 2013. The change is being made to allow a King County Library System program that has been meeting in the City Hall lobby on Tuesdays to relocate to the first floor meeting room.

H. City Receives Growth Management Act Competitive Planning Grant

The Community Development Department has received a \$45,000 grant from the Washington State Department of Commerce. This grant will provide funding to develop innovative policies, regulations and incentives to encourage re-development and infill of underutilized multi-family housing properties along identified high priority transit corridors.

I. COPS Hiring Grant Award

The City of Burien was recently awarded three police officer positions through the federal U.S. Department of Justice COPS Hiring Grant Program. The grant covers \$125,000 per officer over a three year period, which is \$41,666 per officer per year. Since the cost of a fully loaded officer is roughly \$180,000, this leaves the City having to fund about \$140,000 per officer per year. In the past the COPS Hiring Grant Program was more generous and provided for 100% of the approved entry level salary/benefits of an officer for all three years. During the upcoming 2013-2014 budget process, staff will ask the City Council for direction on whether to accept all three positions.

J. Cell Phones Migrating to Sprint Network

The City's cellular phone carrier, Nextel, is being phased out and replaced by Sprint. Staff is currently testing a new Sprint rugged mobile phone and network that includes both data and cellular services. The new equipment is being exchanged by Sprint for .99 cents per unit. Sprint now offers the free walkie-talkie service previously provided by Nextel, and provides improved cellular coverage throughout Burien. Staff working in difficult to reach service areas, such as Maplewild and Seahurst Park, now receive Sprint coverage from the service tower on Vashon Island.

K. Transit Oriented Development (TOD), Phase II

The Transit Oriented Development (TOD), Phase II project planned for the parcel just south of the park-and-ride garage in the new transit center on 4th Avenue SW and SW 150th St. has been delayed due to a change in anticipated funding approvals. The permitting process for this project was anticipated to begin as soon as this year. The project is slated to be about four stories of senior affordable housing with a small amount of retail. The developer, Wasatch Alliance, plans to pursue the next funding cycle for County/State gap financing in spring 2013, followed by a tax credit application in January 2014.

II. COUNCIL UPDATES/REPORTS

A. Discover Burien Marketing and Recruiting Update (Page 133)

The email (attached) from Gina Bourdage, Discover Burien Executive Director, is in response to Council's request for information regarding the organization's activities related to Marketing and Recruiting. Staff has received membership information provided by Discover Burien and prepared a map (attached) showing the members' locations. In addition to those identified on the map, there are approximately a dozen that are located outside the City boundaries.

B. Request for Proclamation for National Recovery Month (Page 135)

Attached is a request from the King County Department of Community and Human Services Mental Health, Chemical Abuse and Dependency Services Division inviting the City of Burien to participate in this event by declaring September National Recovery Month. A sample proclamation was provided and is attached.

C. Notices: (Page 139)

The following (attached) Notice was published:

- Notice of Application for a Short Plat-one residential lot into two residential lots. Written comments must be received prior to 5:00 p.m. on September 13, 2012.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of the Air Traffic Organization
Western Service Area

1601 Lind Avenue Southwest
Renton, Washington 98057

August 6, 2012

Mr. Chip Davis
Planner
City of Burien
400 S.W. 152nd St., Ste 300
Burien WA 98166

Dear Mr. Davis,

In accordance with the National Environmental Policy Act, a Draft Environmental Assessment (DEA) was prepared to address the potential environmental impacts that could result from the implementation of new Performance Based Navigation flight routes and procedures in the Seattle area. The proposal is the publication and implementation of optimized standard instrument arrival procedures serving air traffic flows from the northwest and southwest into Seattle-Tacoma International Airport.

The DEA is available online at <http://www.greenerskiesea.com/documents.html>. Hard copies are available for review at the Federal Way and the Ballard Branch libraries.

Agency Meeting

The FAA will host an agency meeting on September 5, 2012, at the Rainier Room, Wizards of the Coast Building – 1600 Lind Ave. SW, Renton, WA 98055 from 10:00am to 11:00am.

Public Meetings

Public meetings for the DEA are scheduled for the following locations:

- September 5, 2012, from 6:00 to 7:30 PM: Federal Way Library, 34200 1st Way South, Federal Way, WA 98003
- September 6, 2012, from 6:00 to 7:30 PM: Ballard Branch Library, 5614 22nd Ave. NW, Seattle, WA 98107

The meetings will be held in an open house format with display boards and with the FAA and consultant personnel available to answer questions. The evening will also include a presentation each night at 6:30 PM regarding project information and DEA findings. The same content will be presented at each meeting.

RECEIVED

AUG 07 2012

CITY OF BURIEN

The DEA will be available for review from August 7, 2012, through September 14, 2012. The FAA encourages interested parties to review the DEA and provide comments. Comments can be submitted at the public meetings, or by email to comments@greener skiesea.com. Submissions can be made by mail to:

Greener Skies EA
Augustin Moses, AJV-W2
Federal Aviation Administration
1601 Lind Avenue SW
Renton, WA 98057

Sincerely,


John Warner
Manager
Operations Support Group

CITY OF BURIEN, WASHINGTON

DATE: July 25, 2012
TO: Mayor Brian Bennett and City Council
FROM: Jan Vogee, C.B.O., Building Official
SUBJECT: Construction and Land Use Permit Activity Report for 2nd Quarter 2012

1. CONSTRUCTION-RELATED PERMITS ISSUED—QUARTERLY:

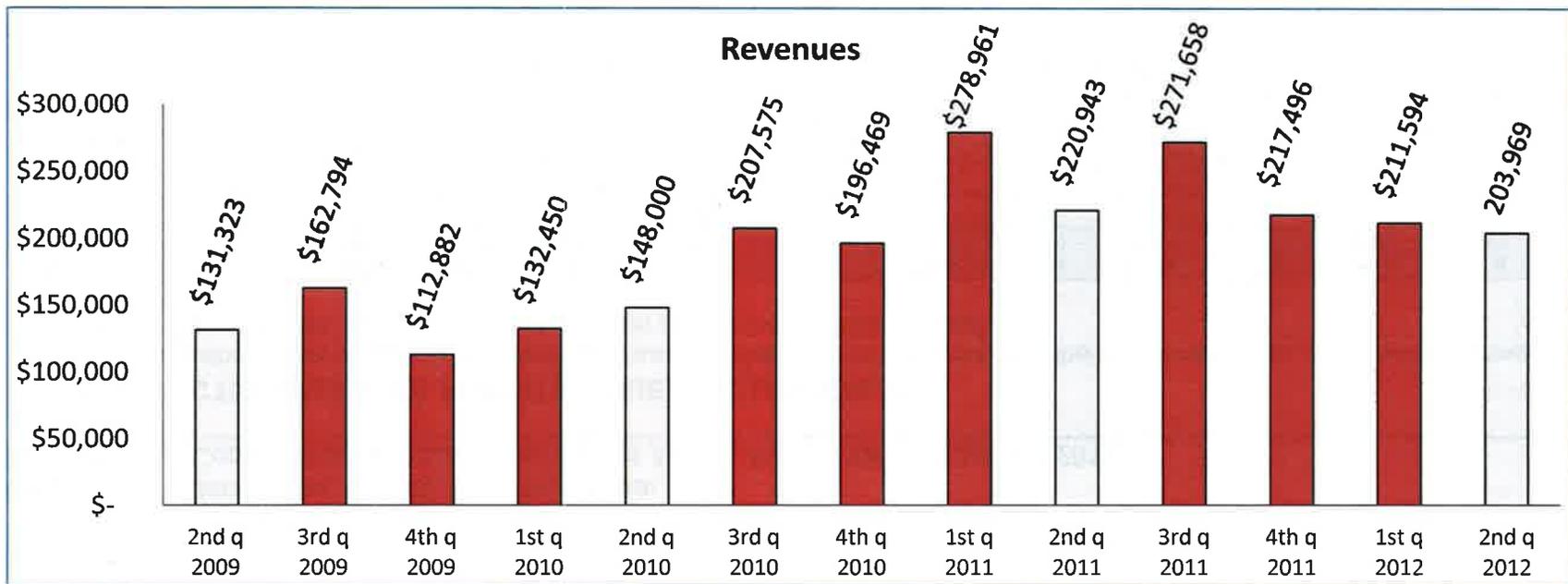
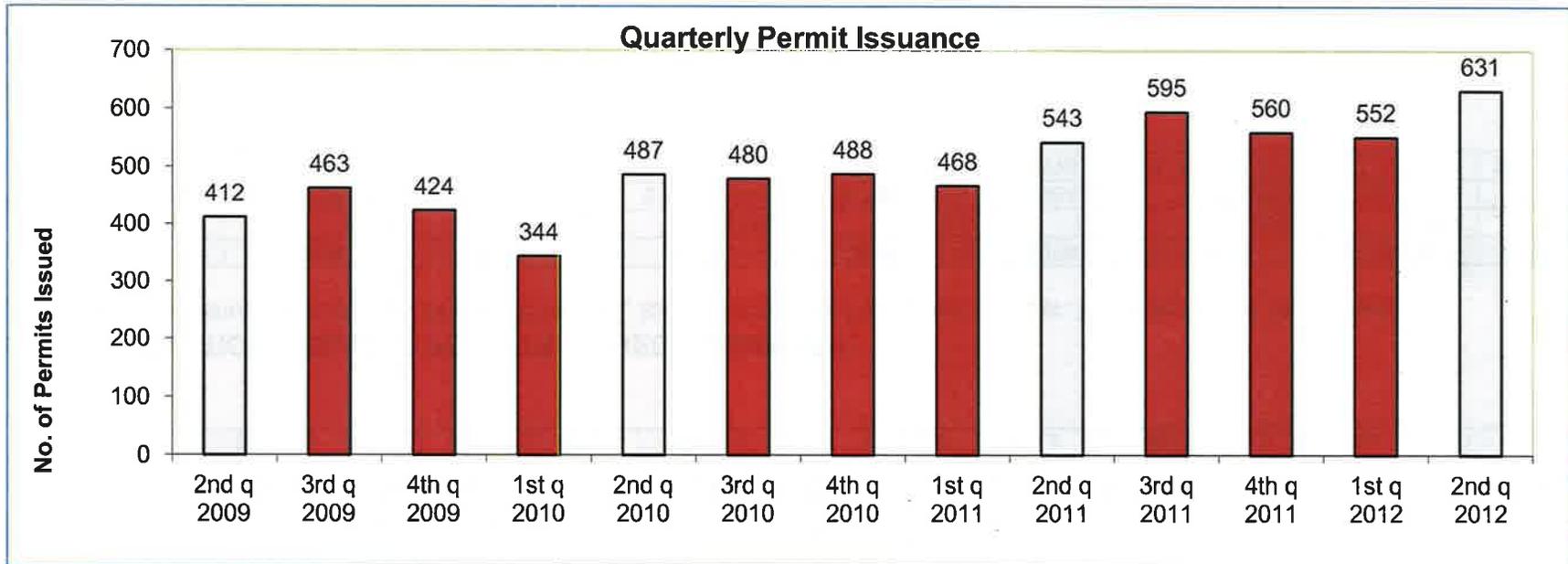
The chart below shows the number of different construction-related permits issued over the past three years, along with the revenues generated by those permits. Work continues to remain steady for the Building staff.

ISSUED PERMITS	2 nd q 2009	3 rd q 2009	4th q 2009	1 st q 2010	2 nd q 2010	3 rd q 2010	4th q 2010	1 st q 2011	2nd q 2011	3 rd q 2011	4th q 2011	1 st q 2012	2 nd q 2012
Building	73	81	54	54	62	75	73	73	117	110	76	68	78
Demolition	10	24	18	8	24	17	17	16	11	6	10	13	11
Electrical	128	124	136	112	172	146	169	179	201	223	209	235	262
Fire Protection	14	7	15	9	11	15	15	16	23	32	35	30	38
Mechanical	48	62	87	47	77	58	67	60	44	65	89	73	63
Plumbing	34	43	32	19	32	35	28	33	43	38	29	24	37
Right-of-Way	63	96	61	60	95	105	82	63	74	79	87	81	116
Sign	42	26	21	35	24	29	37	28	26	30	25	28	26
TOTALS	412	463	424	344	487	480	488	468	543	595	560	552	631
Revenues	\$131,322	\$162,794	\$112,182	\$132,450	\$148,000	\$ 207,575	\$196,469	\$278,961	\$220,943	\$271,658	\$217,496	\$211,594	\$203,969
Valuation (\$millions)	\$9.1	\$7.0	\$3.2	\$3.9	\$5.2	\$13.7	\$ 4.8	\$ 21.5	\$10.2	\$13.8	\$ 8.4	\$ 7.7	\$11.0

2. CONSTRUCTION-RELATED PERMITS ISSUED-- SUMMARY:

The chart below shows a summary of permits issued, total revenue, and valuation by year. Work continues to be steady.

	2006	2007	2008	2009	2010	2011	1 st q 2012	2 nd q 2012
Permits Issued	2003	2074	2153	1715	1799	2166	552	631
Total Revenues	\$ 1,005,796	\$ 916,181	\$ 1,122,922	\$ 507,866	\$ 684,494	\$ 989,058	\$211,594	\$ 203,969
Total Valuation	\$ 65,308,000	\$ 97,574,866	\$ 107,568,900	\$ 23,073,791	\$ 27,616,215	\$ 57,661,370	\$ 7,703,644	\$11,016,087



3. MAJOR CONSTRUCTION PERMITS ISSUED (over \$300,000 valuation):

The following table shows major construction permits issued in 2nd quarter of 2012 with a valuation over \$300,000. The most significant project to start this quarter is Fire Station 29.

Permit No.	Address	Project Name	Project Description	Valuation	Issued
BLD 12-0226	135 S NORMANDY RD	FIRE STATION 29	CONSTRUCTION OF NEW 2-STORY 19, 758 SF FIRE STATION - INCLUDES CLEAR & GRADE	\$ 3,700,000	6/25/2012
MEC 12-0233	135 S NORMANDY RD	FIRE STATION 29	MECHANICAL FOR NEW FIRE STATION	\$ 506,000	6/25/12
PLM 12-0234	135 S NORMANDY RD	FIRE STATION 29	PLUMBING FOR NEW FIRE STATION	\$ 362,000	6/25/12
BLD 12-0698	1635 SW 152ND ST	NEW SINGLE FAMILY	CONSTRCT NEW 3319 SF HOME WITH 817 SF GARAGE	\$ 404,100	6/20/2012
BLD 12-1037	16222 SYLVESTER RD SW	SYLVESTER MIDDLE SCHOOL	REROOF BUILDINGS.	\$ 395,000	6/25/12

4. E-PERMITS – (MyBuildingPermit.com, AKA MBP)

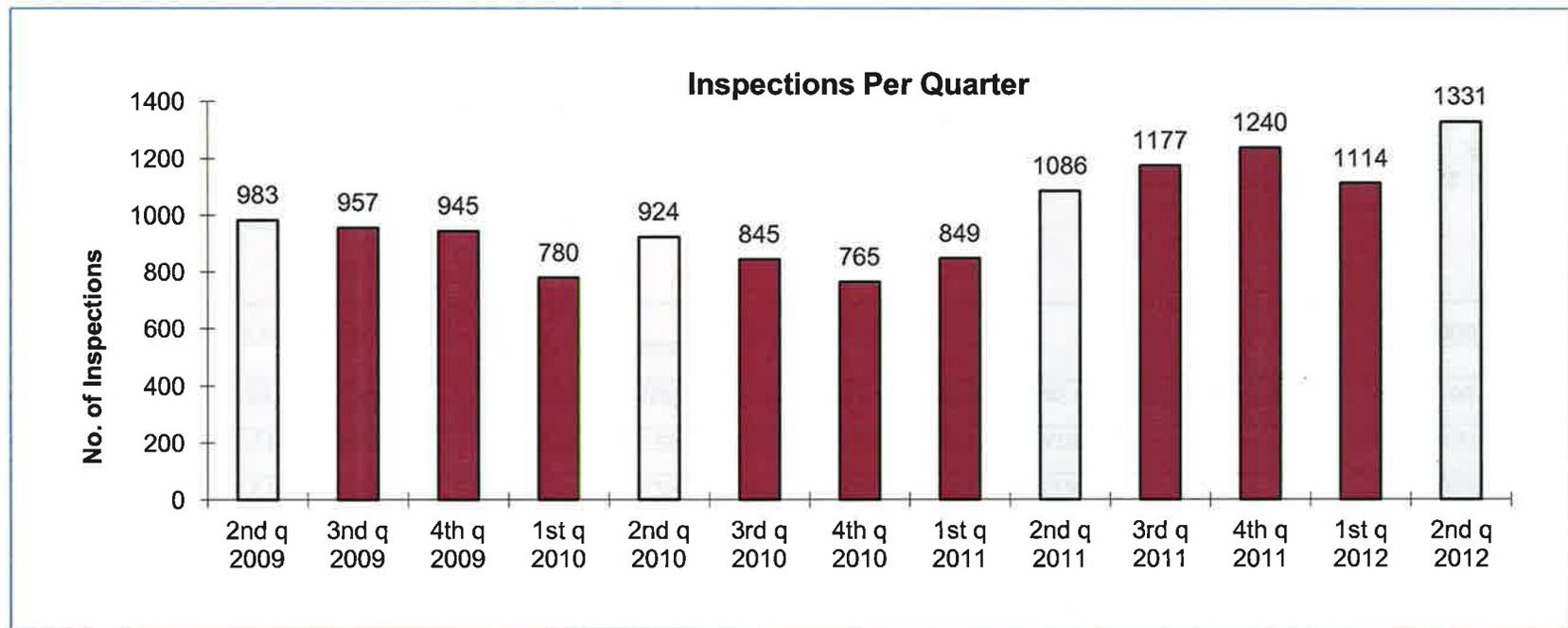
The chart below shows the number of permits that have been issued on line in relation to the total number of permits issued by the city for each permit type. Phase 1 of the E-plan (Electronic Plan Review) was completed September 8, 2011. All Plumbing, Mechanical, Electrical and Re-roof permits requiring review prior to issuance can be applied for and issued on-line. Staff is currently working on Phase 2 of the E-Plan project which will allow additional development related permits including all building, planning, fire service and right of way to be accepted, reviewed and issued online.

E-PERMITS ISSUED	2008 Totals	2009 Totals	1 st q 2010	2 nd q 2010	3 rd q 2010	4 th q 2010	2010 Totals	1 st q 2011	2 nd q 2011	3rd q 2011	4 th q 2011	2011 Totals	1 st q 2012	2 nd q 2012
Building (Re-roof)	3/43 (7%)	2/36 (6%)	2/6 (33%)	2/5 (40%)	0/9 (0%)	0/10 (0%)	4/30 (13%)	0/3 (0%)	2/24 (8%)	0/17 (0%)	0/6 (0%)	2/50 (4%)	0/4 (0%)	1/11 (9%)
Mechanical	68/160 (43%)	133/251 (53%)	25/45 (56%)	46/82 (56%)	30/60 (50%)	31/67 (46%)	132/254 (52%)	29/55 (53%)	22/45 (49%)	28/65 (43%)	63/89 (71%)	142/254 (56%)	39/74 (53%)	39/63 (62%)
Plumbing	37/108 (34%)	36/146 (25%)	5/17 (29%)	8/33 (24%)	11/36 (31%)	7/26 (27%)	31/112 (28%)	5/31 (16%)	8/42 (19%)	6/39 (15%)	7/29 (24%)	26/141 (18%)	4/23 (17%)	8/37 (22%)
Electrical	93/520 (18%)	117/502 (23%)	28/109 (26%)	42/177 (24%)	30/146 (21%)	45/166 (27%)	145/598 (24%)	49/166 (30%)	68/190 (36%)	62/215 (29%)	100/209 (48%)	279/ 80 (36%)	116/234 (50%)	138/262 (53%)
TOTALS	201/831 (24%)	288/935 (31%)	60/177 (41%)	98/297 (33%)	71/251 (28%)	83/269 (31%)	312/994 (32%)	83/255 (40%)	100/301 (33%)	96/336 (29%)	170/333 (51%)	449/1225 (38%)	159/335 (47%)	186/373 (50%)

5. CONSTRUCTION INSPECTIONS:

Burien's Building inspectors perform a variety of building, electrical, plumbing and mechanical inspections in addition to performing plan reviews and assisting the public at the counter and on the phone. They also assist with code enforcement complaints related to construction projects. Inspection requests can be called into a voice mail system, or submitted online through the City's website or www.mybuildingpermit.com. 2nd quarter inspections were the highest they have been since the building boom in 2007.

INSPECTIONS	1 st q 2009	2 nd q 2009	3 rd q 2009	4 th q 2009	2009 Total	1 st q 2010	2 nd q 2010	3 rd q 2010	4 th q 2010	2010 Total	1 st q 2011	2 nd q 2011	3 rd q 2011	4 th q 2011	2011 Total	1 st q 2012	2 nd q 2012
No. of Inspections	1095	983	957	945	3980	780	924	845	765	3314	849	1086	1177	1240	4352	1114	1331
Average No. of inspections per day per inspector	6.0	6.3	6.0	6.1	6.4	5.1	5.8	5.3	4.9	5.3	5.5	6.8	7.4	8.1	6.9	7.2	8.3



6. NORMANDY PARK PLAN REVIEWS AND INSPECTIONS:

In January, 2006, Burien began providing plan review and inspection services to the City of Normandy Park. These services are provided by Burien's Building Official and our three inspectors.

The following chart shows the number of plan reviews and inspections performed by Burien staff on behalf of Normandy Park.

	2006 Total	2007 Total	2008 Total	2009 Total	1st q 2010	2nd q 2010	3rd q 2010	4th q 2010	2010 Total	1st q 2011	2nd q 2011	3rd q 2011	4th q 2011	2011 Total	1st q 2012	2nd q 2012
No. of Plan Reviews + Other	48	77	125	56	13	11	6	3	33	9	11	10	8	38	6	12
No. of inspections	672	1242	1473	1035	176	235	137	114	695	124	149	164	175	612	161	156
Average No. of inspections per day	2.7	4.9	5.9	4.2	2.9	3.7	2.1	1.8	2.8	2	2.3	2.6	2.9	2.4	2.6	2.4

7. LAND USE PRE-APPLICATION MEETINGS:

Pre-application meetings are required for most planning and land use-related actions. Meetings are held every other Thursday for up to 4 pre-application reviews. Staff from planning, building, public works, fire, and police attends as needed to discuss fatal flaws and to identify various requirements for a proposed development. A written report is provided to the applicant, as well as meeting minutes. Although this service requires a substantial amount of staff time, it has proven to be valuable to both the applicant and the city and helps to expedite the formal review later in the process. The following chart shows the number of pre-application reviews by project type.

Pre-Application Project Type	2007 Total	2008 Total	2009 Total	1 st q 2010	2 nd q 2010	3 rd Q 2010	4 th q 2010	2010 Total	1 st q 2011	2 nd q 2011	3 rd q 2011	4 th q 2011	2011 Total	1st q 2012	2 nd q 2012
Short Plat (4 or fewer lots)	14	9	2	4		3	2	9	1	1	2		4	1	2
Subdivision (5 or more lots)	5	4					1	1							
Multi-Family	1	4								1		2	3	1	
Critical Area Review—Single-Family	17	5	2			2		2	1	1	2	1	5		2
Critical Area Review—Other	1	2	2	1				1							
Commercial/Mixed Use—New	8	6	4	1	2	3		6	1		2	1	4		1
Commercial/Mixed Use—Addition, Renovation	7	3	4	3		1	1	5	2	1		1	4	1	1
Change of Use	1	1			1	1	1	3	1		2	1	4	4	
Other	2	5	7	2		2	2	6		1		1	2		
TOTALS	56	39	21	11	3	12	7	33	6	5	8	7	26	7	6

8. LAND USE APPLICATIONS:

We received the following types of planning and land use applications, categorized as shown below.

Project Type	2008 TOTAL	2009 TOTAL	1 st Q 2010	2 nd q 2010	3 rd q 2010	4 th q 2010	2010 TOTAL	1 st q 2011	2 nd q 2011	3 rd q 2011	4 th q 2011	2011 TOTAL	1 st q 2012	2 nd q 2012
Accessory Dwelling Unit	9	9	1	3	1		5	2	2	1	1	6		4
Critical Area Review—Admin.	2					1	1		1			1		1
Critical Area Review—Type 1	1			2			2		3			3		
Lot Line Adjustment	6	8			4	1	5		6	2	2	10	2	3
Land Use Review—Type 1	5	6			1	1	2	3			1	4	1	
Land Use Review—Type 2	1	1	1			1	2							
Land Use Review—Type 3	1	1								1		1		
Master Sign Plan	2	1			1		1		1			1		
Multi-Family Tax Exemption	0													
Rezone	0	1												
Shoreline Exemption	4	2				3	3	3	1	3	1	8	1	1
Short Plat--Preliminary	5	1	2	3	2	1	8	1	1	1		3	1	1
Short Plat--Final	7	3			1	5	6		1		1	2	2	
Subdivision—Preliminary	3													
Subdivision--Final	1									1		1		
Tree Removal Permit	9	13	7	8	3	3	21	1	5	5	5	16	6	5
Temporary Use Permit	3	2							1			1		
TOTALS	59	48	11	17	13	16	57	10	22	14	11	57	13	15

9. LAND USE DECISIONS ISSUED:

	2008	2009	1 st Q 2010	2 nd q 2010	3 rd q 2010	4 th q 2010	2010 Total	1 st q 2011	2 nd q 2011	3 rd q 2011	4 th q 2011	2011 Total	1 st q 2012	2 nd q 2012
Number of Decisions Issued	16	15	2	6	7	3	18	2	3	6	3	14	1	0
Percent Issued By Target Date	69%	80%	50%	100%	86%	100%	89%	100%	67%	100%	100%	93%	0%	n/a

Dan Trimble

From: Gina Bourdage [gina@discoverburien.com]
Sent: Tuesday, August 14, 2012 3:34 PM
To: Dan Trimble
Cc: brian.frederick@comcast.net; 'Lori Adlen'
Subject: Discover Burien Membership and Recruitment Memo
Attachments: Membership Report by Address.xlsx

Hi Dan-

Attached you will find a chart of Discover Burien Members broken down by location either on SW 152nd or on another street. I have included the trending report from 2002 to present of membership totals as well for further reference.

We are currently focused on membership retention and recruitment primarily through our member ambassadors and networking events. Ambassadors from our membership committee are assigned zones within the community. In each of these zones we have a number of businesses that are currently members, former members and what we call future members. Each ambassador visits businesses within their zone, bringing invitation "tickets" to upcoming events, listens to their views on becoming a member and brings back information to our monthly committee meeting for review on what we can improve on and what we are doing that is well received. We use this valuable information to guide many of our future endeavors.

Both our marketing and membership committees as well as the strategic planning committee are developing ideas to better serve the current and future members of Discover Burien. A few of the programs in process are;

- Mobilizing an interactive visitors map and community guide.
- A printed visitor map.
- Membership welcome bags for new members.
- Online shopping hub for local retailers in the membership. Should this effort be successful, we will look to expand the idea to service and nonprofit hubs as well.
- Visitor "swag" bags. An item that is filled with information, discounts and events from local businesses. We plan to have these prepared before the start of holiday shopping season.
- Membership video features.
- Upcoming participation in managing the B-Townies bike share program.
- Cash Mob events
- Event Partnership Program
- & More

I strive to be as flexible as possible within our means to accommodate the needs of the members. We are always coming up with new and exciting ideas that we would like to launch to better meet the needs of our business community.

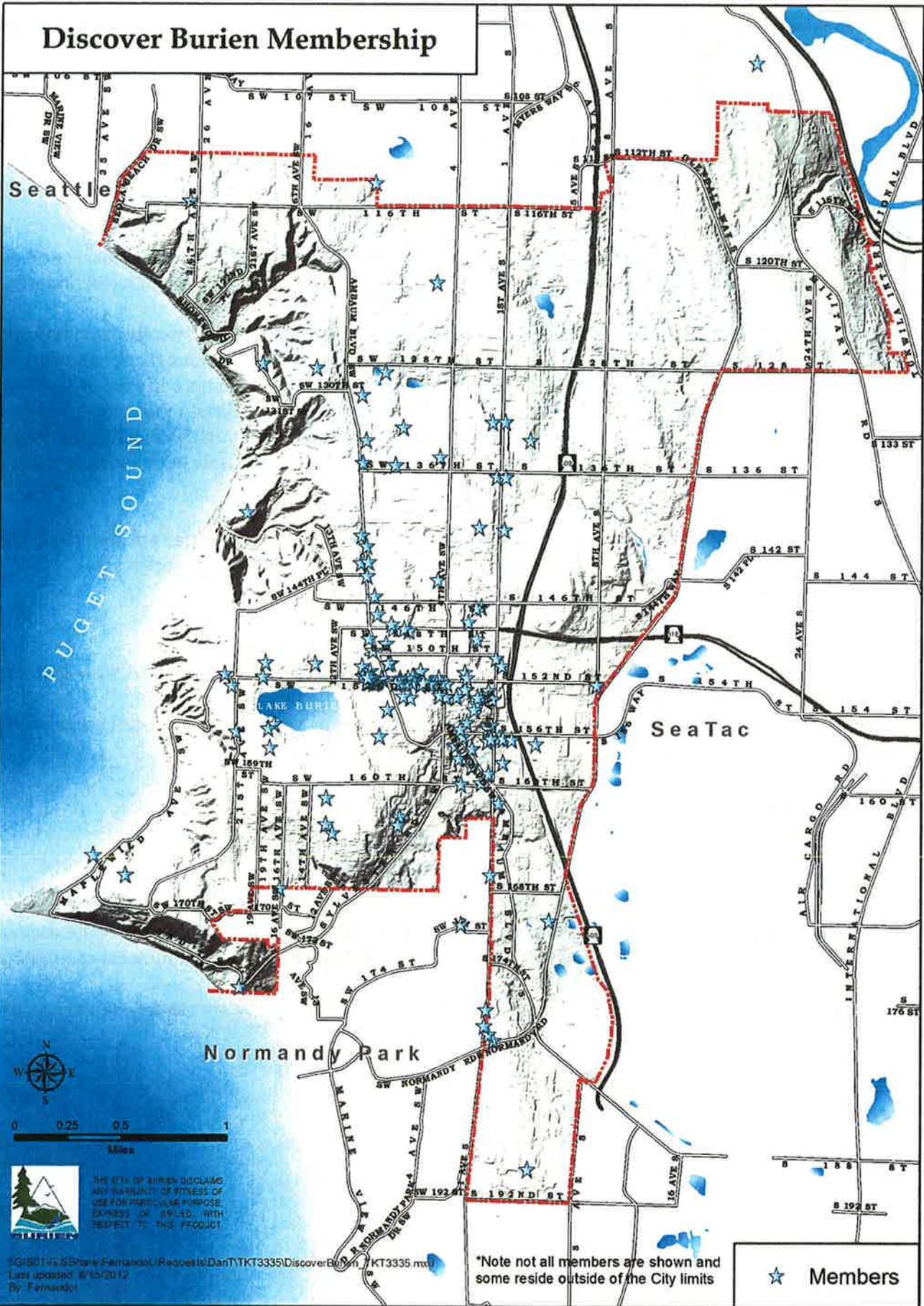
I hope this helps highlight just a short list of items we currently have in the works. We are always open to new ideas.

Thank you.

Talk to you soon.

Gina Bourdage
Executive Director
DISCOVER BURIEN
206.433.2882
427 SW 152nd Street
Burien, WA 98166
www.discoverburien.com

Discover Burien Membership



THE CITY OF BURIEN DISCLAIMS ANY WARRANTY OF FITNESS OF USE FOR ANY PARTICULAR PURPOSE, EXPRESS OR IMPLIED, WITH RESPECT TO THIS PRODUCT.

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 Last updated: 6/15/2012
 By: Fernando

*Note not all members are shown and some reside outside of the City limits

★ Members



King County

Mental Health, Chemical Abuse and Dependency Services Division

Department of
Community and Human Services

CNK-HS-0400
The Chinook Building
401 Fifth Avenue, Suite 400
Seattle, WA 98104

206-263-9000

206-296-0583 Fax

206-205-1634 Fax – Clinical Services

205-205-0569 TTY/TDD

July 30, 2012

The Honorable Brian Bennett
Mayor of Burien
400 SW 152nd Street – Suite 300
Burien, WA 98166

RE: Request for a Proclamation for *Recovery Month* September 2012

Dear Mayor Bennett:

We are writing today to request your assistance in securing a proclamation from the City of Burien in declaring the month of September 2012 as ***National Recovery Month***. Please join us in acknowledging this important issue. The theme for this year's ***Recovery Month*** is "**Join the Voices for Recovery: It's Worth It,**" which emphasizes that while the road to recovery may be difficult, the benefits of preventing and overcoming mental and/or substance use disorders are significant and valuable to the individual, their families, and our communities.

The purpose of ***Recovery Month*** is to promote recovery, celebrate those in treatment, and continue to educate our communities about how to overcome the barriers of stigma and discrimination. When a local government endorses ***Recovery Month***, more people in their community are educated about the conditions of substance use disorders and mental health issues as well as the benefits that treatment and recovery support services have on our local communities and society. ***Recovery Month*** spreads the message that behavioral health is essential to health and overall wellness, and that prevention works, treatment is effective, and people with substance use and mental health issues can and do recover. People in recovery lead healthier lifestyles, both physically and emotionally, and contribute in positive ways to their communities.

Throughout the years, hundreds of proclamations have been signed to support ***Recovery Month***, including 164 issued in communities across the country in 2011. The President of the United States has signed a proclamation declaring September as ***Recovery Month*** for the past 11 years, further recognizing substance use disorders and mental health issues as conditions that need to be addressed, just like any other illness. Last year, the Governor of the State of Washington, the King County Executive, and Mayors of 23 cities and towns in King County each signed proclamations declaring September ***Recovery Month***. Our goal is that every city and town in King County will celebrate the lives reclaimed and proclaim September 2012 ***Recovery Month***.

July 30, 2012

Page 2 of 2

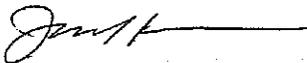
Now in its 23rd year, **Recovery Month** also honors the treatment and recovery service providers who assist the individuals and families with recovery. King County Mental Health, Chemical Abuse and Dependency Services Division (MHCADSD) contracts with service providers who deliver substance abuse and mental health services throughout King County, and we recognize their valuable contributions.

Each September, thousands of treatment and recovery programs and services around the country celebrate the recovery successes and share them with their neighbors, friends, and colleagues in an effort to educate the public about recovery, how it works, for whom, and why. There are millions of Americans whose lives have been transformed through recovery. These successes often go unnoticed by the broader population, therefore **Recovery Month** provides a vehicle to acknowledge and celebrate these accomplishments.

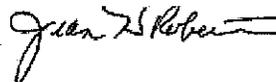
As part of our efforts to celebrate **Recovery Month** in September, King County MHCADSD is sponsoring the second Annual Recovery and Resiliency Conference as well as the Exemplary Service Awards Event. We would like you to join us in recognizing **Recovery Month** by issuing a proclamation. We have included a link [here](#) for you to review sample proclamations and have also included a link to the [National Recovery Month](#) website for further information. We are available to present additional information or testimony if that would be helpful. Please inform us if you intend to issue a proclamation, or if you have any questions about **Recovery Month**, by contacting Cheryl Goluch by e-mail at cheryl.goluch@kingcounty.gov or phone at 206-263-9111.

Thank you in advance for your consideration.

Sincerely,



Jim Vollendroff, MPA, NCACII, CDP
Assistant Division Director/ Substance Abuse
Prevention and Treatment Coordinator
206-263-8903



Jean Robertson, LICSW
Assistant Division Director/ RSN Administrator
206-263-8904



Join the Voices for Recovery: It's Worth It

National Recovery Month - September 2012

WHEREAS, behavioral health is an essential part of health and one's overall wellness, and prevention works, treatment is effective, and people can and do recover from substance use and mental disorders; and

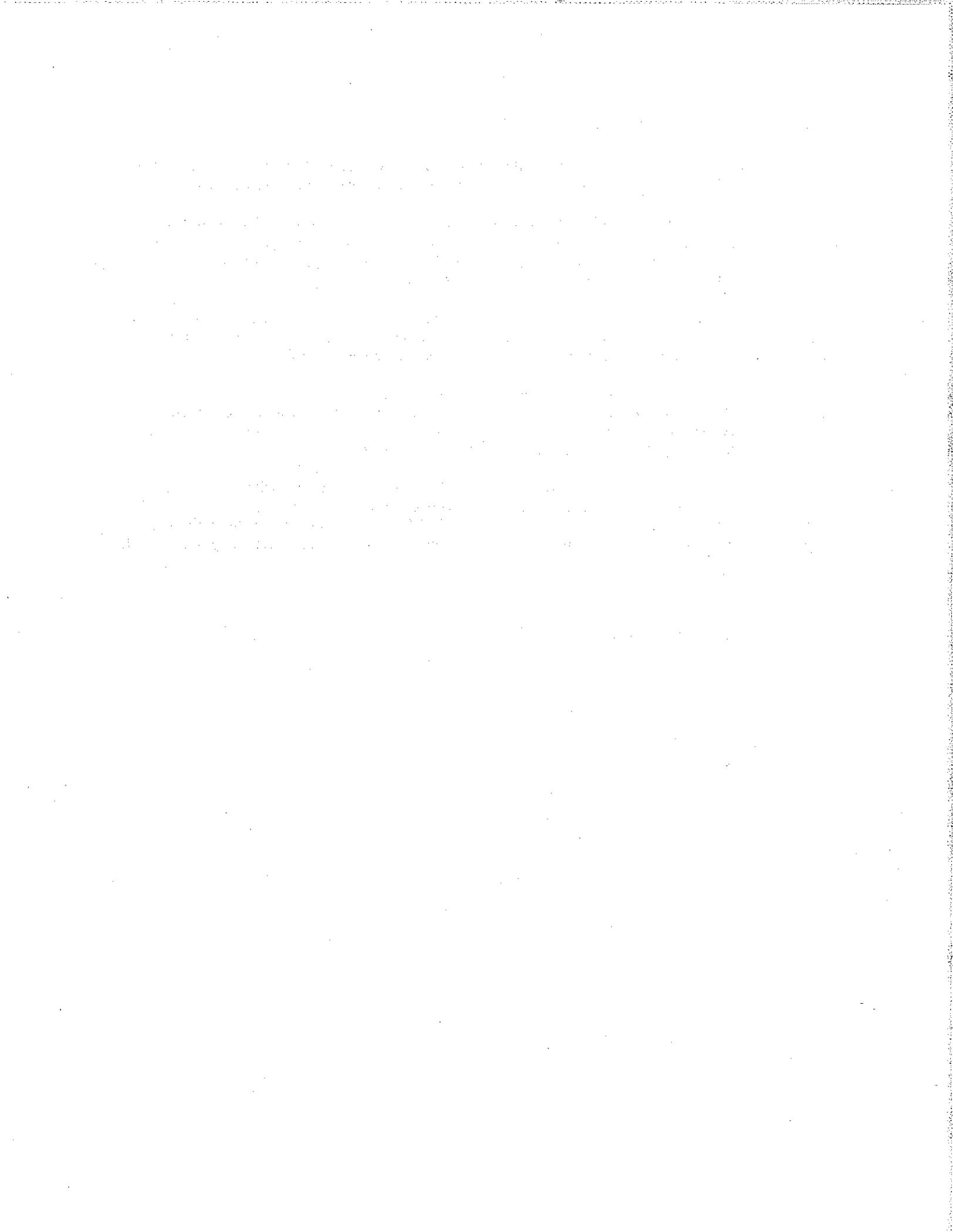
WHEREAS, all people have the fundamental and inherent value to be accepted and treated with respect, human dignity, and worth; and WHEREAS, individuals should have access to fully participate in community life including economic advancement and prosperity; fair and decent housing; quality education; positive opportunities to benefit from and contribute to material, cultural, and social progress; and

WHEREAS, it is critical to educate our policymakers, friends and family members, health care providers, and businesses that substance use and mental disorders are treatable, and that people should seek assistance for these conditions, with the same urgency as they would any other health condition; and

WHEREAS, to help more people achieve long-term recovery, and learn how recovery positively benefits the Nation's overall well-being, the U.S. Department of Health and Human Services the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy invite all residents of **NAME OF CITY** to participate in National Recovery Month; and

NOW, THEREFORE, we the undersigned **NAME OF CITY** Council do hereby proclaim the month of September 2012 as National Recovery Month: Prevention Works, Treatment is Effective, People Recover in **NAME OF CITY** and call upon the people of **NAME OF CITY** to observe this month with appropriate programs, activities, and ceremonies supporting this year's theme, Join the Voices for Recovery: It's Worth It.

SIGNED this XX day of September 2012





Notice of Application

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

Date August 14, 2012

Applicant Craig Haveson

Proposal Short Plat One Residential Lot Into Two Residential Lots.

File No. PLA 12-1413
File is available for viewing at Burien City Hall during regular business hours.

Location 1821 SW 114th Street, Burien, Washington

Tax Parcel No. 159160-0505

Current Zoning RS-7,200 Single-Family Residential Zone

Application Submitted/Complete
Submitted: July 18, 2012
Complete: August 6, 2012

Other Permits Needed Building Permit and Right-of-Way Permit

Other Studies Needed None

Existing Environmental Info. 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 September 13, 2012.** 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)
Charles W. "Chip" Davis, AICP
Department of Community Development
City of Burien
400 SW 152nd Street (Suite 300)
Burien, WA 98166
Phone: (206) 248-5501 E-Mail: chipd@burienwa.gov

Published in the Seattle Times Date of Notice: August 14, 2012

cc: Burien City Council
Burien Staff
Discover Burien
Highline Times
King County/Burien Public Library

Seahurst Post Office
White Center Now
B-Town Blog
Burien Daily
Web site: www.burienwa.gov