



CITY COUNCIL MEETING AGENDA

October 1, 2012

**6:30 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. Pages 3-6 Intentionally left blank. | | 3. |
| | b. Email Dated September 14, 2012, from Scott Greenberg, Community Development Director, Regarding Goodbye Burien, Hello Mercer Island. | | 7. |
| | c. Email Dated September 17, 2012, from Debi Wagner Regarding Flight Patterns Kids. | | 9. |
| | d. Email Dated September 19, 2012, from Robbie Howell Regarding Town Square Apartment Project. | | 11. |
| | e. Email Dated September 20, 2012, from Don Nold Regarding Open Council Meetings and Undergrounding of Utilities. | | 13. |
| | f. Email Dated September 23, 2012, from David Krull Regarding Community Policing – Missed Opportunity. | | 15. |
| | g. Email Dated September 23, 2012, from C. Edgar Transmitting Letter Regarding Libraries. | | 17. |
| | h. Email Dated September 27, 2012, (originally sent September 25) from Rachael Levine Transmitting Documents Regarding Libraries. | | 27. |
| 7. CONSENT AGENDA | a. Approval of Vouchers: Numbers 32709 - 32824 in the Amounts of \$1,607,364.23. | | 31. |
| | b. Approval of Minutes: Council Meeting, September 17, 2012; Council Study Session, September 24, 2012. | | 49. |
| | c. Motion to Adopt Resolution 338, Adopting a Modified Benefit Plan for All City Employees. | | 55. |

COUNCILMEMBERS

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

City Hall, 400 SW 152nd Street, 1st Floor

CITY COUNCIL MEETING AGENDA

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| 7. CONSENT AGENDA
(Cont'd.) | d. Motion to Adopt Resolution 339, Adopting a Modified Benefit Plan for All Non-Represented City Employees. | 57. |
| | e. Motion to Adopt Ordinance No. 566, Amending Title 2 of the Burien Municipal Code Relating to the Membership and Meetings for Advisory Boards. | 59. |
| 8. BUSINESS AGENDA | a. Introduction of Susan Enfield, Superintendent of Highline Public Schools. | |
| | b. Discussion on Motion to Authorize the City Manager to Sign an Interlocal Agreement with King County to Provide Landmark Preservation and Protection Services. | 67. |
| | c. Discussion on Proposed Zoning Code Amendment Related to Landmark Preservation and Protection. | 79. |
| | d. Discussion on Highline Forum's Revised Mission. | 103. |
| | e. Discussion on 2013-14 Preliminary Budget Including Capital Improvement Program, Human Services Funding and Arts & Culture Funding. | 107. |
| | f. City Business. | 113. |
| 9. COUNCIL REPORTS | | |
| 10. ADJOURNMENT | | |

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Carol Allread

From: Mike Martin
Sent: Monday, September 17, 2012 8:08 AM
To: Scott Greenberg; City Employees; Public Council Inbox
Subject: RE: Goodbye Burien, Hello Mercer Island

All:

What can I say except that we'll miss him. I'll start working with Scott and the department this week on a transition soon as I understand exactly what his plans are. Great run - 14 years. Lot of legacy, and the city is better off because of it.

Mike

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

From: Scott Greenberg
Sent: Friday, September 14, 2012 10:12 AM
To: City Employees; Public Council Inbox
Subject: Goodbye Burien, Hello Mercer Island

It is with mixed feelings that I am announcing my upcoming departure from the City of Burien. I have been offered a new position as Director of the Development Services Group for the City of Mercer Island. This is subject to discussion of salary and benefits details, but I am confident that this will be agreed to next week.

I will work with Mike and my staff to make this transition as smooth as possible. I'm happy to answer any questions when I return on Monday.

Scott

CFTR: 10/1/12

Carol Allread

From: Public Council Inbox
Sent: Monday, September 17, 2012 2:38 PM
To: 'Debi'
Subject: RE: Flight patterns kids

Dear Ms. Wagner,

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

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

From: Debi [<mailto:dwagner007@msn.com>]
Sent: Monday, September 17, 2012 1:46 AM
To: Public Council Inbox
Subject: Flight patterns kids

I am very concerned there are over 800 victims of airport pollution who as adults have auto immune disease. I am even more perplexed that Council member Clark has indicated in a response that the subject has been studied and no problems have been found having been one of the individual's so concerned herself about elevated cancer rates in our community for 20 years now.

There is cause for grave concern and contrary to Ms. Clark's statement, the issue has not been investigated thoroughly, there are more questions than answers in the reports she is familiar with and high cancers rates and other disease issues still persist. Most recently I've become aware that 22 million children in this country are being exposed to the largest airborne producer of, lead emissions which are the nations airports. There is no safe level of lead exposure for children. It causes brain damage. We have thousands of children in Highline schools in the area expected to be affected by GA lead emissions from Sea Tac yet nobody is reacting to this present high danger to protect these children and inform their families as is required by law. Black carbon, toxic particulate, carcinogenic hydrocarbons, ozone, lead, etc., emissions are produced at airports in quantities that rival the largest industries in this state, I.e., steel mills, refineries, incinerators and our children are living too close to and breathing in too much to escape certain illness, premature mortality and morbidity. It grieves me to hear this news from Flight Pattern Kids but it does not surprise me. And I am disgusted that emission experts at PSCAA and Ecology have not been more proactive in helping to protect us since I know they've known all along about the elevated risks.

I've copied a video below of a number of experts in the fields of emissions from UCLA and the South Coast AQMD on behalf of Jet Air Pollution in Santa Monica who give an impressive array of detailed analysis of some of the danger I've discussed. After viewing any of these individual experts testimony there should be no doubt the danger is real, is present and will cause harm. The only questions left will be who and when.

<http://www.youtube.com/playlist?list=PLFD3C97820F0483A6&feature>

Thank you

CFTR: 10/1/12

Debi Wagner
Sent from my iPad

Carol Allread

From: Public Council Inbox
Sent: Thursday, September 20, 2012 12:01 PM
To: 'Robbie Howell'
Subject: RE: Town Square Apartment project

Dear Robbie,

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: Robbie Howell [<mailto:robbieh@windermere.com>]
Sent: Wednesday, September 19, 2012 3:16 PM
To: Public Council Inbox
Subject: Town Square Apartment project

Dear Council Members,

The Town Square Apartment project will be very bad for Burien. It will turn prime property into a Ghetto. Already the adjoining properties have excessive vandalism and robberies because of the many apartments that are located a few blocks away. Many young people cause disruptions at the Burien Library. They pee in the elevator and the police have to be called to break up gang fights and other altercations and disruptions. Their have been shootings near the transit center, and many other criminal activities occur near the Dollar Tree and Burger King. When the artist came to paint the mural on the west wall of the Dollar Tree, she had her purse with all her ID and her computer stolen. Towards the end of her stay some bum accosted her.

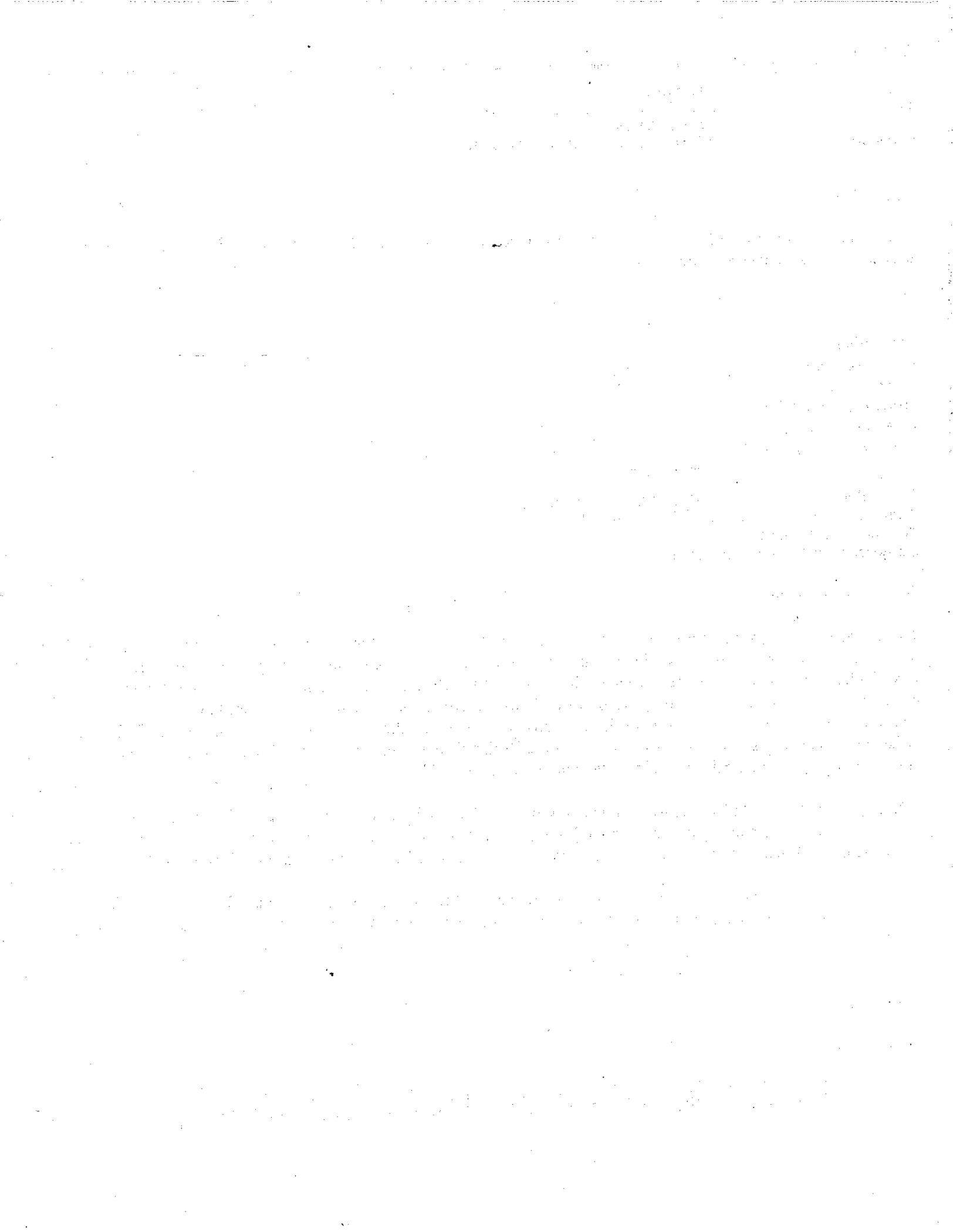
I am happy the Burien Town Square Park is being used in the summer, but on some days it is already filled to capacity. When these huge apartments are built the park will be totally inadequate to accommodate everyone from the apartments. What was once a destination park for everyone will be a local play ground for the apartments.

There is much more crime in Burien than is reported because the only crimes that are published in the public police reports are car vandalism and house break-ins. This will be a terrible waste of what could have been a community asset."

Robbie Howell

CFTR: 10/1/12

cc: Dan Trimble, Economic Development Manager



Carol Allread

From: Public Council Inbox
Sent: Thursday, September 27, 2012 10:28 AM
To: 'don'
Subject: RE: I have a few questions of the burien city council

Dear Mr. Nold,

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: don [mailto:don_nold@hotmail.com]
Sent: Thursday, September 20, 2012 3:14 PM
To: Public Council Inbox
Subject: I have a few questions of the burien city council

What I would like to know first is why doesn't Burien have open council meetings. I know that in most cities council meetings are open to the public so the public is able to ask questions of the city council. Why is it that in Burien's council meetings the public is only allowed to make statements and not question the council members. Is it that the council will be asked questions about decisions which they have made and really don't want to try and defend them. I would think questions from the citizen of Burien which are relevant to the way Burien is being run should be brought up before the council in an open form and the council should be able to address them.

Now I would like to get some direct answers from the city council about the underground utilities being installed along 1st. Ave. So. It would seem that something could be printed into the Burien City News letter about this project and telling the citizens of Burien why they have this extra charge on their City Light Bill..

1. I would like to know just how this project was conceived by who and when.
2. Which council members voted for this project and who in Burien's government approved its construction without a vote by the citizens of Burien. I would think a project this large and costing this much money would have needed a vote of the Burien citizens,
3. Why did the Burien City Council commit the city to pay to have this work done when in fact the city didn't have any money for it in the first place.
4. Who in the city council came up with the bright idea that since Burien actually doesn't have any money for construction of this project we will have City Light just add another .03% each month to all of a Burien's City Light customers to cover this cost. It doesn't sound like much but I have electric heat and I figure it will add about \$10.50 to my bill each billing cycle in the winter months and I can't see any benefit for me at all.

CFTR: 10/1/12

1 CC: Monica Lusk, City Clerk
kim Krause, Finance Director

5. The most important question is just what benefit does this have for all the residents of Burien who will be paying for this project for another 20-25 years. Is the benefit just being able to say "look no overhead utility wires". We all know that within a year the underground wires will have to be opened back up for some reason. We see this all the time when a road has new blacktop then 4 weeks later it has to be opened up.

6. I would like to know where they plan to start burying the wiring and where it will end. Will there still be utility poles along 1st. avenue So. after the cables have been buried? If not where do you plan to hang the street lights? If there will still be poles what was the point of installing the wiring underground? Who will pay to have the businesses along first avenue hooked up to the new underground utility system the business owners or is just an added cost of this project paid for by the citizens.

I expect some kind of a response from the city council answering these questions.

Regards

Don Nold

12208 16th. Ave So.

206-242-7873

Carol Allread

From: Public Council Inbox
Sent: Monday, September 24, 2012 11:02 AM
To: 'David Krull'
Subject: RE: Community Policing - Missed Opportunity

Dear Mr. Krull,

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: David Krull [<mailto:davidjkrull@gmail.com>]
Sent: Sunday, September 23, 2012 6:00 PM
To: Public Council Inbox
Subject: Community Policing - Missed Opportunity

Good afternoon Council members,

I hope that you will be able to share this note with your police force.

Last night Kennedy High School held a school dance that had one of your Sheriff's Deputies in attendance. For reasons that are still being investigated by the high school administration - the dance was ended early (it was scheduled to run from 9-midnight but was ended at 10:30pm).

Students aged 14-18 were told to leave the school property because the dance was being ended early by the adults running the dance. This left a lot of confused young people wandering around the grounds (Jack in the Box, Fred Myer parking lot) waiting to get picked up by parents.

When a group of about 20 of the 14 year old students tried to stay at the high school until parents could pick them up - the Sheriff on duty at the dance told them that they were not allowed to be on school property any more because the dance was over and that if they remained they would be arrested.

This is at 11pm at night - so your officer was telling these students (all dressed for the dance, with ID cards from Kennedy - all had purchased tickets to be at the dance and all waiting for parents to pick them up) that instead of waiting within the safety of the adults at their school - they needed to wander back towards 1st avenue/Fred Myer parking lot until their rides arrived.

I am not excusing the actions of Kennedy in sending this children out of the dance - that will be resolved - but what a lost opportunity for our police department to build up trust and relationships with our teenagers.

Why couldn't the officer - instead of making silly threats of arrest - kept the students in a safe environment until parents were called and picked them up? Why couldn't the officer have talked to the kids to keep them calm and

CFTR: 10/1/12

cc: Scott Kimerer, Burien Police Chief¹

together and establish a positive relationship with them??

I've been part of many efforts to get officers in front of kids at St. Francis and with Boy Scouts - and this one officer set back all that prior effort.

Thank you for your help in using this as an opportunity to make sure all of our officers understand the benefits of building trust and relationships within our community.

David Krull
(206) 313-5920

Carol Allread

From: Public Council Inbox
Sent: Monday, September 24, 2012 12:04 PM
To: 'Chestine Edgar'
Subject: RE: for the Study Session on Libraries

Dear Ms. Edgar,

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

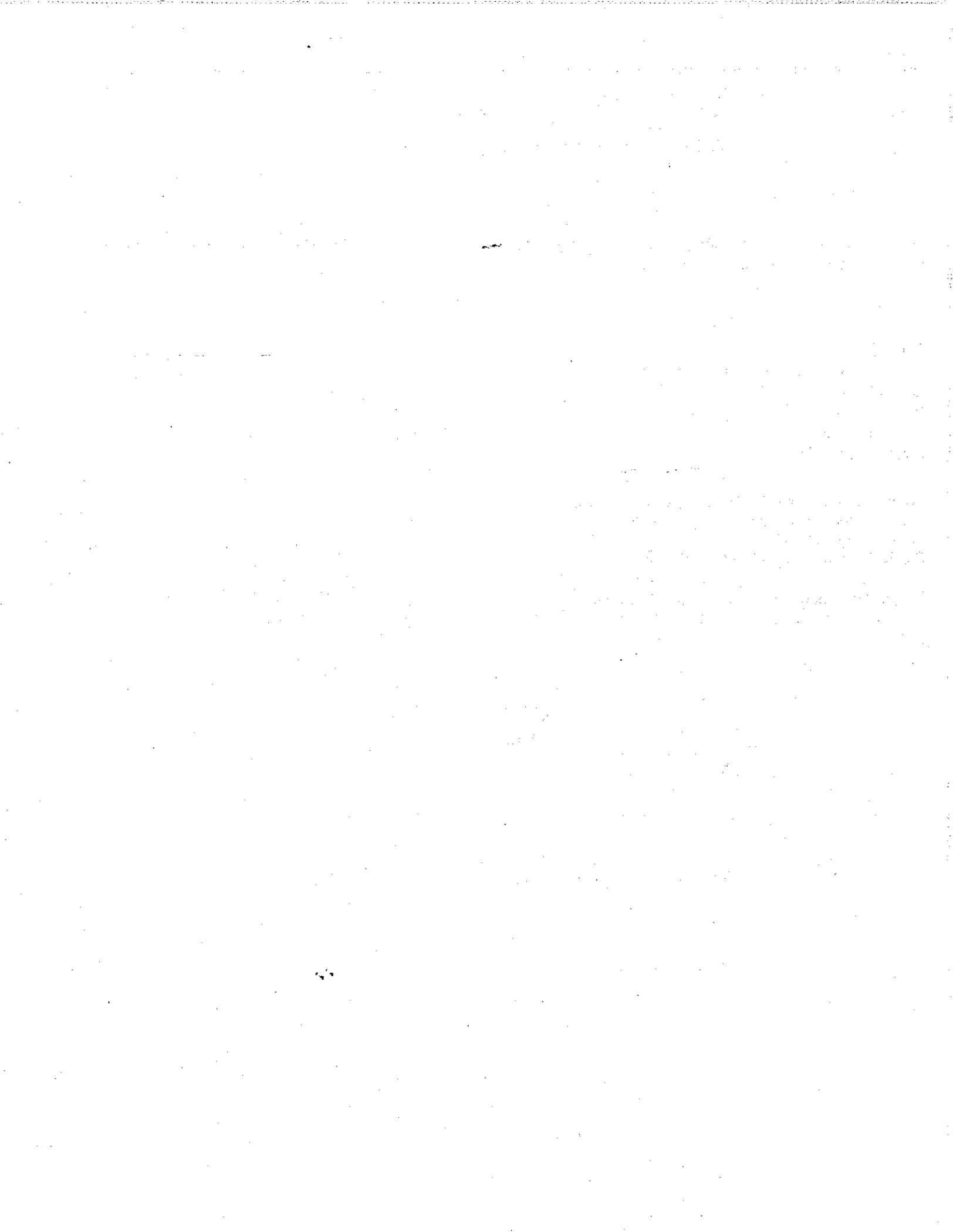
From: Chestine Edgar [mailto:c_edgar2@yahoo.com]
Sent: Sunday, September 23, 2012 8:25 PM
To: Public Council Inbox
Subject: for the Study Session on Libraries

Please see attached letter to the City Council.

C. Edgar

CFTR: 10/1/12

Cc: Nhan Nguyen, Management Analyst



September 20, 2012

To the Burien City Council for the study session on the libraries;

At the previous council meeting, I stated that I felt that a study session on the libraries was a topic that should be skipped as the council had no control over the libraries. The libraries come under the control of another agency and it was not the right of the Burien City Council to tell another agency how to conduct its affairs. However, some members of the council insisted that they had to have this session and to what purpose they were unclear.

The data to support this discussion of urban myths being passed around in Burien and North Highline comes from the **Library Service Area Analysis-North Highline-2011**. For this discussion it is important to note that the Burien, Boulevard Park and White Center libraries are all within the city limits of Burien.

MYTH #1-THE CITIZENS THAT USE THE WHITE CENTER AND BOULEVARD LIBRARIES HAVE LESS CARS THAN OTHER PEOPLE IN BURIEN AND FOR THAT REASON DESERVE MORE LIBRARIES.

Statistically, there is no significant difference in car ownership between Burien, White Center and Boulevard Park-see Table 25, page 19 below. There appears to be no truth to this urban myth.

Table 25

Household Vehicles	Des Moines	SeaTac	Normandy Park	Burien/Seahurst	White Center	Boulevard Park	King County
No Vehicles	6.32%	7.50%	3.94%	8.66%	9.15%	7.09%	8.06%
1 Vehicle	42.82%	43.17%	26.81%	36.18%	31.46%	36.45%	33.80%
2 Vehicles	33.26%	31.20%	44.00%	33.89%	35.63%	33.19%	37.80%
3 Vehicles	12.64%	11.56%	17.39%	14.88%	16.60%	16.77%	14.69%
4+ Vehicles	4.96%	6.58%	7.86%	6.39%	7.17%	6.50%	5.65%

MYTH #2-THE CITIZENS IN BOULEVARD PARK AND WHITE CENTER HAVE GOTTEN LESS THAN THEIR FAIR SHARE OVER THESE MANY YEARS ,

Statistically, from the King County Library System, the citizens in Boulevard Park and White Center have gotten more than their fair share of the system's money-see Tables 6, 7. They have not been cheated by the King County Library System and this myth is not true. While the citizens in these areas may feel they may have been cheated by some other agencies in the county, they have certainly not been cheated by the King County Library System. They get more floor space and services than they contribute to the system The building of a new consolidated library at a citizen convenient location between White Center and Boulevard Park libraries would not have further cheated them of the level of services some citizens loudly and ~~vociferously~~ declared was going to happen.

vociferously

Table 6

City	Assessed Value	Revenue	Libraries	Operating Cost	Revenue Over/(Under)
Burien	\$4,674,072,636	\$1,971,919	Burien White Center Boulevard Park	\$5,793,261	— (\$3,821,342)
Des Moines	\$2,758,796,983	\$1,163,894	Des Moines Woodmont	\$3,165,753	— (\$2,001,859)
SeaTac	\$4,529,370,361	\$1,910,871	Valley View	\$1,229,115	\$681,756
Tukwila	\$4,982,452,351	\$2,102,020	Foster Southcenter	\$2,713,948	— (\$611,928)
Kent	\$11,733,295,807	\$4,950,096	Kent	\$3,951,172	\$998,924

in the red
←

←

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Comparable data for Greenbridge cannot be obtained since it is located in unincorporated King County. Property taxes levied in unincorporated King County include Fall City, Greenbridge, Skyway, Fairwood and Kingsgate. In total, these unincorporated areas represent an assessed value of \$39,377,569,886. KCLS receives about \$16.6 million in revenue from unincorporated King County, as compared to a total operational cost for those five libraries of \$7,294,563.

Table 7

FAZ	KCLS Libraries	Population				Square Footage In 2020	
		2000 Census	2020 Forecast	2040 Forecast	40 Year % Growth	Base	Per 1,000 Population
Highline/Des Moines/SeaTac FAZ Group		126,303	139,126	152,163	20.5%	67,708	487
South	Des Moines Library Valley View Library Normandy Park Burien Library (split)	77,971	84,637	90,371	15.90%	10,230 6,558 0 16,000	387
North	Burien Library (split) Greenbridge Library White Center Library Boulevard Park Library	48,333	54,490	73,926	52.95%	16,000 2,300 10,000 6,536	639
Tukwila Area	Foster Southcenter	12,596	14,214	18,948	50.43%	5,250 3,195	594
Kent Area	Kent	50,044	56,312	62,276	24.44%	22,600	401
KCLS System Average		1,124,011	1,382,259	1,605,031	42.8%	606,453	439

As a collective FAZ group with 487 square feet per 1,000 of population in 2020, the Highline/Des Moines/SeaTac area is just slightly above the Library System average of 439 square feet per 1,000 of population in 2020 (see Table 7). The southern portion of the FAZ group has a lower ratio of square feet to population as compared to the Library System average when compared to the northern half (assuming that the Burien serves each portion about equally).

MYTH#3-IF WE JUST YELL LOUD ENOUGH, WE CAN FORCE ANOTHER AGENCY TO DO SOMETHING THAT IS NOT IN THE ECONOMIC BEST INTEREST OF THAT AGENCY.

Statistically, the costs of running the libraries in the North Highline Area exceeds what the library system can afford. The other members of the system are being cheated in an effort to serve North Highline at the levels it has become accustomed to. These libraries are not sustainable models of service-see Tables 6, 7. This myth is not true.

A second consolidated library in Burien would reduce operating costs for things like utilities, maintenance, centralization of supplies and materials, staffing, shipping, etc. and make the libraries more cost effective and sustainable over the long term. The King County Library System has no obligation to continue to run non-cost effective libraries just because a small vocal minority in the county keeps demanding more. Other members of the system have a right to insist that non-cost effective models be eliminated-in fairness to all of the members.

The idea that the Burien City Council would try to limit the library system as to where it can put its library/libraries to a single location through some kind of regressive zoning ordinance is bad business. It does not serve the citizens of Burien well and has the potential of forcing the library system to close libraries in the city without relocating them back into the city. This is in part what happened with our YMCA and some other agencies that left Burien.

For the KCLS libraries included in this study, the 2010 budgeted expenditures are:

Table 5

	Boulevard Park	Burien	Des Moines	Foster	Greenbridge	Kent	South-center	Valley View	White Center
Branch Expenses	544,952	1,615,089	912,761	828,601	397,486	2,009,536	837,340	664,915	641,717
Materials	140,860	561,160	226,430	123,120	44,295	566,515	136,160	145,330	159,605
Centralized Expenses	357,047	1,360,218	591,427	442,392	154,673	1,375,121	346,335	418,870	412,613
Total	1,042,859	3,536,467	1,730,618	1,394,113	596,454	3,951,172	1,319,835	1,229,115	1,213,935
Cost/Square Foot	\$159.56	\$110.51	\$169.17	\$265.55	\$259.33	\$174.83	\$413.09	\$187.42	\$190.57
Cost/Circulated Item ⁷	\$8.00	\$5.77	\$4.74	\$7.34	\$7.49	\$3.23	\$6.15	\$6.06	\$6.69
Cost/Visit ⁸	\$8.43	\$5.99	\$7.22	\$11.40	\$8.30	\$7.25	\$3.62	\$9.11	\$9.10

A comparison of the cost per circulated item (see Table 5) shows that all of the libraries included in this study, excluding the Kent Library, exceed the System cost of \$4.42 per circulated item. In contrast, half of the libraries in this study have a lower cost per visit than the System cost per visit at \$8.38 per visit.

Table 6

CITY	Assessed Value	Revenue	Libraries	Operating Costs	Revenue Over/ (Under)
Burien	\$4,674,072,636	\$1,971,919	Burien White Center Boulevard Park	\$5,793,261	← (\$3,821,342) ← in the red
Des Moines	\$2,758,796,983	\$1,163,894	Des Moines Woodmont	\$3,165,753	← (\$2,001,859) ←
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Kent	\$11,733,295,807	\$4,950,096	Kent	\$3,951,172	\$998,924

Comparable data for Greenbridge cannot be obtained since it is located in unincorporated King County.

MYTH #4-IT IS UNREASONABLE TO HAVE OF OUR STUDENTS/CITIZENS AT A ONE MILE WALKING DISTANCE FROM THE LIBRARY.

Statistically, many of our students/citizens are already at a one mile or greater walking distance from the library-see Attachment B, page 25. This myth is not true.

A centralized library to the south and east in place of the White Center Library and along a bus route from the east side of the city would actually improve library services for some of our citizens and students. However, it is important to note that all of the Highline Public Schools have library and computing services available to students.

Students attending our public schools are not being denied access to these services with the public library as their only access to these services. If a student is using his/her time productively at school, there is no need for them to have to use the public library on a daily basis. And many of our children could benefit from putting walking into their daily health regiment rather than the chauffeuring services they currently receive.

Many of the students/ citizens who are members of the King County Library System are at distances in excess of three miles from their nearest library and have far fewer libraries than are available in North Highline and Burien.

Here is a listing of some of the communities that belong to the King County Library System, their population size and how many libraries that they currently have:

<u>Area or City</u>	<u>Population</u>	<u>Number of Libraries</u>
Auburn	70,180	1
Bellevue	122,363	4
Burien	48,000	3
Des Moines	29,673	1
Federal Way	89,306	2
Issaquah	30,434	1
Kent	118,200	2
Kirkland	48,787	2
Mercer Island	22,699	1
Redmond	54,144	2
Renton	90,927	2
Shoreline	53,007	2

Currently, Burien has one library per 16,000 people. For the other areas that belong to the King County Library System combined, there appears to be one library per 36,486 persons. In just doing the math, it appears that Burien and North Highline have gotten more than the lion's share of libraries for their population. Even if Burien had only two libraries, it would have two of the large sized libraries-which is one library per 24,000 people. A new, consolidated library would have improved parking space and expanded facilities over what is currently available with the two small libraries-see attachment from the King County library system.

Attachment B

Elementary Schools	Nearest Library	Distance (miles)
Beverly Park Elementary	Boulevard Park	1.46
Bow Lake Elementary	Valley View	0.61
Cedarhurst Elementary	Boulevard Park	1.41
Des Moines Elementary	Des Moines	0.35
Gregory Height Elementary	Burien	1.34
Hazel Valley Elementary	White Center	1.71
Hilltop Elementary	Boulevard Park	0.43
Madrona Elementary	Des Moines	2.13
Marvista Elementary	Des Moines	2.3
McMicken Heights Elementary	Burien	1.02
Midway Elementary	Des Moines	1.42
Mount View Elementary	White Center	0.65
North Hill Elementary	Des Moines	1.86
Olympic Intermediate School	Des Moines	1.87
Parkside Elementary	Des Moines	2.81
Salmon Creek Elementary School	White Center	0.91
Seahurst Elementary	Burien	0.91
Shorewood Elementary	White Center	0.83
Southern Heights Elementary	Boulevard Park	0.86
Sunnydale Elementary School	Burien	1.02
Valley View Elementary	Valley View	0.33
White Center Heights Elementary	Greenbridge	0.49
Middle Schools		
Cascade Middle School	White Center	0.49
Chinook Middle School	Valley View	1.28
Pacific Middle School	Des Moines	1.58
Sylvester Middle School	Burien	0.73
High Schools		
Academy of Citizenship and Empowerment	Valley View	1.09
Aviation High School	Des Moines	1.87
Global Connections High School	Valley View	1.09
Evergreen High School	White Center	0.63
Highline Big Picture	Foster	1.04
Highline High School	Burien	0.41
JFK Memorial High School	Burien	1.06
Mount Rainier High School	Des Moines	0.98
Puget Sound Occupational Skills Center	Burien	2.51
Tyee High School	Valley View	1.09
Manhattan Learning Center & Alternative Satellite High	Burien	2.73
Private Schools		
St Bernadette School	White Center	1.12
Normandy Park Academy Montessori	Burien	0.47
St Francis of Assisi	Burien	1.03
West Seattle Montessori	White Center	0.15
Shorewood Christian	White Center	1.18
Three Tree Montessori	Burien	0.90

Capital Plan Revisions North Highline

An examination of where users of the Burien Library come from is also informative. Figure 1 shows where patrons live that checked out items at the Burien Library during a week in October 2010. The distribution of patron addresses shows clearly that the existing Burien Library currently serves patrons living in White Center and Boulevard Park communities.

Finding of Fact:

The Burien Library is a destination library that not only serves the City of Burien, but also the broader North Highline area and draws library users from throughout the area, including South King County and Seattle.

Distribution of Square Feet per Capita

After the 2004 Capital Bond Measure passed, construction costs increased 28%² nationwide as of summer 2007, significantly exceeding KCLS cost projections. The abrupt rise of uncontrollable external costs required KCLS to look at alterations to library improvement projects in order to ensure funding for all projects. To safeguard that any adjustments to projects didn't result in an inequitable distribution of libraries throughout the County, KCLS did an analysis of the square feet per capita.

A comparison of per capita measures for the North Highline area shows that the southern portion of the area has a lower ratio of square feet to population (387) when compared to the northern half (639). The northern half is also significantly higher than the Library System average (439).

Table 1

FAZ Group	KCLS Libraries	Population			Square Footage In 2020	
		2000 Census	2020 Forecast	20 Year Growth	Base	Per 1,000 Population
Highline/Des Moines/SeaTac		126,303	139,126	10.15%	67,708	487
South	Des Moines Library Valley View Library Normandy Park Burien Library (<i>split</i>)	77,971	84,636	8.55%	10,230 6,558 0 16,000	387
North	Burien Library (<i>split</i>) Greenbridge Library White Center Library Boulevard Park Library	48,332	54,490	12.74%	16,000 2,300 10,000 6,536	639
KCLS System Average		1,124,011	1,382,259	22.98%	606,453	439

The per capita figures in Table 1 above assume the implementation of all projects included in the 2004 CIP and that the Burien Library serves the entire region.

In addition, the per capita figures are based on 2020 population forecast figures by the Puget Sound Regional Council (PSRC). These PSRC forecasts project significant population growth in the North Highline area — 10% growth in the White Center area and 14.1% growth in the Boulevard Park area by 2020. Existing trends, however, show that the population of these areas has actually decreased by 0.3% in White Center and 0.9% in Boulevard Park since 2000.

Finding of Fact:

After accounting for potential growth in the area, the square feet per 1,000 of population in the North Highline area is notably higher than the System average. In addition, growth trends during the past decade are inconsistent with growth projections for the area. If the population does not grow to the expected level, the disproportionate number of square feet per capita will be intensified.

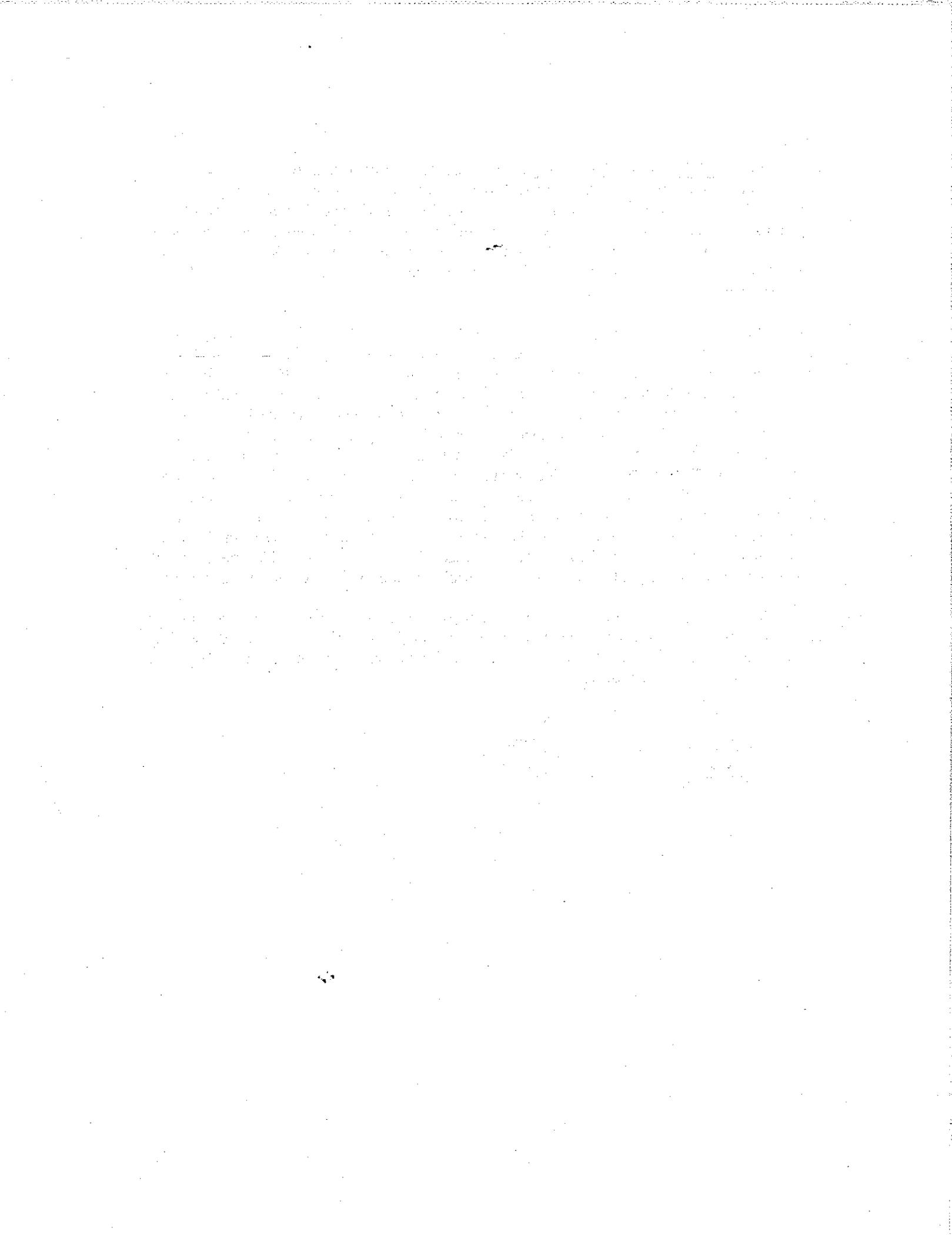
² Turner Cost Index

IN CONCLUSION- I have been a long time supporter of libraries and even wrote a letter of support to keep both the White Center Library and the Blvd. Park Library open. However, in looking over the data and locations of the King County Libraries, I think that some important facts are being missed as certain residents of both Unincorporated North Highline and Burien continue to protest on about the possible consolidation of these two small libraries. I have seriously reconsidered my first letter/position for keeping both libraries open.

Both areas have received more than their fair share of the library dollars than what they have kicked into the system. The money that is generated for the King County Library system is based on levy dollars which is based on assessed value of residential properties. Both Burien and Unincorporated North Highline have some of the very lowest property values and as a result contribute far less to the King County Library System pot of money than areas such as Federal Way, Issaquah, Kent, Bellevue or Redmond. However, Burien and North Highline have far more libraries per geographic area and per 1000 of person population than these other areas. Plainly stated, Burien and North Highline pay proportionally less into the KCLS system but are getting a much bigger slice of the money pie. To keep two small library sites open is far less cost effective than running a larger site. The extra costs come from staffing, lighting, heating and maintenance. This is the very reason that a number of school districts have elected to close down their small school sites and consolidated to larger sites. In reading the ballot measure that was put before the public in 2004, there were no specific promises made to any specific library.

No one likes to lose their favorite library but when you belong to a collective pool there always remains the issue of fairness and sustainability to all who belong to the system. The Burien City Council needs to consider these things in its study session before getting involved in any further resolutions or ordinances about libraries.

C. Edgan
Burien



Carol Allread

From: Carol Allread
Sent: Thursday, September 27, 2012 10:16 AM
To: Public Council Inbox
Subject: FW: Documents for Burien City Council Members

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.

Sincerely,

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

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

From: P Levine [<mailto:levinepr@comcast.net>]
Sent: Thursday, September 27, 2012 10:15 AM
To: Carol Allread
Subject: Documents for Burien City Council Members

On September 24, I submitted the following 3 documents for the consideration of the members of the Burien City Council:

Summary of KCLS "Libraries in the North Highline Area" from the North Highline Library Service Area Analysis: May 24, 2011

Letter from Angelica Alvarez, President of the Highline School Board, to Bill Ptacek, Director of KCLS: December 15, 2011

Resolution No. 2479 passed by the Highline School Board: December 14, 2011

"Opposition to the Closure/Consolidation of the White Center and Boulevard Park Libraries"

Rachael Levine
430 s. 124th St.
Burien, WA 98168

CFTR: 10/1/12

CC: Nhan Nguyen, management Analyst

Libraries in the North Highline Area

BACKGROUND

In April 2010, the King County Library System (KCLS) Board of Trustees voted to postpone capital improvements to the White Center Library (as described in the 2004 Capital Bond program) and maintain current library service until the issue of annexation of the unincorporated North Highline area is resolved. In response to concerns expressed by community members about this delay, KCLS staff researched possible scenarios where KCLS could move forward with capital improvements, regardless of the annexation outcome.

Beginning in June 2010, demographic information about the North Highline community and statistical data about library use was gathered. When the North Highline Library Service Area Analysis (LSAA) report was complete in early 2011, staff presented a series of key trends and conclusions to the KCLS Board, as well as a number of key community groups including the White Center Library Guild, North Highline Unincorporated Area Council and the Burien City Council.

PUBLIC INPUT

During February/March 2011, KCLS conducted a thorough public input process to assess residents' opinions of their neighborhood library and identify library features that are most important to their household. It also included questions to determine whether those residents would support or oppose a possible consolidation of the White Center and Boulevard Park libraries. KCLS worked with Godbe Research to conduct an 18-minute telephone survey of a random and representative sampling of 800 residents from White Center, Boulevard Park and Burien. An Internet survey was also offered to allow residents, who weren't asked to complete the telephone survey, to provide their input. Both surveys were offered in English and Spanish. KCLS mailed postcards to area residents informing them of the Internet survey and how to access it.

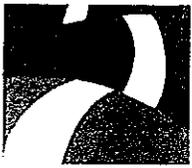
POSSIBLE SCENARIOS

Based on all of the information gathered, the KCLS Board considered two courses of action:

1. Continue to postpone capital improvements to the White Center Library until the remaining unincorporated portion of North Highline annexes to either the City of Seattle or the City of Burien.
2. Alter Bond plans to enable KCLS to proceed with capital improvements immediately — regardless of which city the remaining unincorporated portion of North Highline annexes to. Under this second scenario, the Board looked at two options:
 - A. Expand the White Center Library at a new location south of the current site and leave the Boulevard Park Library at its current location; or
 - B. Consolidate the White Center and Boulevard Park libraries into a single, new facility located south of the current branches and between the two communities.

CURRENT STATUS

After reviewing and discussing the information in the LSAA report, including the results of the public input process, **the KCLS Board of Trustees decided to continue to postpone capital improvements to the White Center Library until more definitive information is available regarding the annexation of the remaining unincorporated portion of North Highline.**



HIGHLINE

PUBLIC SCHOOLS

16370 Ambaum Boulevard Southwest
Burien, Washington 98148
highlineschools.org
206.433.0111

BOARD OF DIRECTORS: Angelica Alvarez • Tyrone Curry •
Bernie Dorsey • Susan Goding • Michael D. Spear
INTERIM SUPERINTENDENT: Alan Spicciati, Ed.D.

December 15, 2011

Bill Ptacek, Director
King County Public Libraries
960 Newport Way NW
Issaquah, WA 98027

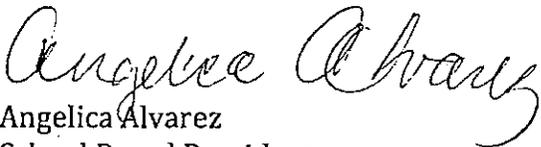
Dear Bill:

It is our understanding that the King County Library System Board of Trustees is seriously considering closing White Center and Boulevard Park libraries. This action would adversely affect a number of our students—students that come from low-income families; therefore, we are extremely opposed to any such closures.

The primary responsibility of the Highline School District is to ensure *all* students are prepared for college, career, and citizenship. A decision by the King County Library System Board of Trustees to close these libraries would cause an undue hindrance for disadvantaged children to succeed.

The Highline School District's Board of Directors approved Resolution No. 2479 expressing their opposition to closing either one of these libraries. The state has a vested interest in working with communities to correct system inequities. Closing these libraries will have an adverse impact on these communities.

Sincerely,


Angelica Alvarez
School Board President

Attachment

RESOLUTION NO. 2479

RESOLUTION NO. 2479 - OPPOSITION TO THE
CLOSURE/CONSOLIDATION OF THE WHITE CENTER AND BOULEVARD
PARK LIBRARIES

WHEREAS, the King County Library System Board of Trustees is considering consolidating the White Center and Boulevard Park libraries and using a facility location that would be further from the current locations; and

WHEREAS, other King County libraries that are being considered as alternate locations are not accessible to local schools and many community members; and

WHEREAS libraries are needed in local communities to ensure the success of students and adults; and

WHEREAS there are several new housing units going up in White Center for low-income and mixed-income families; and

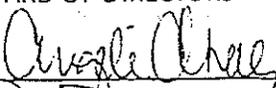
WHEREAS the libraries are needed to ensure equity in learning for low-income families; and

WHEREAS these communities are racially diverse and there was no accommodation to address the multiple language barriers, other than Spanish, and many community citizens aren't aware that their library might be closing;

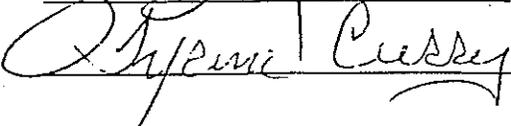
NOW THEREFORE, the Highline School District Board of Directors is formally opposing the proposed plan for closure/consolidation of the White Center and Boulevard Park libraries.

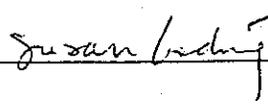
Passed by the School Board on 14th day of December 2011.

BOARD OF DIRECTORS









I, Alan Spicciati, Secretary to the Board of Directors of Highline School District No. 401, King County, do hereby certify that the above is a true and accurate copy of original Resolution No. 2479 for the use and purpose intended.



Dr. Alan Spicciati
Secretary to the Board

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 1st day of October 2012 the FOLLOWING:

CHECK NOS. 32709 – 32824

IN THE AMOUNTS OF \$1,607,364.23

WITH VOIDED CHECK NOS. 0

SECRET

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL

SECRET

Accounts Payable
Checks for Approval



User: CathyR
Printed: 09/27/2012 - 7:33 AM

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
32709	10/01/2012	General Fund	Rental & Lease	First Student	240.00
32709	10/01/2012	General Fund	Rental & Lease	First Student	240.00
32709	10/01/2012	General Fund	Rental & Lease	First Student	1,200.00
Check Total:					1,680.00
32710	10/01/2012	General Fund	Professional Services	Affordable Backflow Testing	960.00
32710	10/01/2012	General Fund	Professional Services	Affordable Backflow Testing	186.32
32710	10/01/2012	General Fund	Repair and Maintenance	Affordable Backflow Testing	1,083.94
Check Total:					2,230.26
32711	10/01/2012	Street Fund	Traffic Calming Installation	ACE Hardware	21.85
32711	10/01/2012	Street Fund	Office And Operating Supplies	ACE Hardware	49.21
32711	10/01/2012	General Fund	Repairs & Maint. - Fleet	ACE Hardware	5.46
Check Total:					76.52
32712	10/01/2012	General Fund	Repairs And Maintenance	Tyco Integrated Security LLC	88.88
Check Total:					88.88
32713	10/01/2012	General Fund	Operating Rents & Leases	AGRII Party & Events	782.93
Check Total:					782.93
32714	10/01/2012	General Fund	Operating Rentals And Leases	Airgas Nor Pac Inc	25.46
Check Total:					25.46
32715	10/01/2012	General Fund	Nuisance Abatement Costs	David Karch	63.75
32715	10/01/2012	General Fund	Nuisance Abatement Costs	David Karch	85.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
32715	10/01/2012	General Fund	Nuisance Abatement Costs	David Karch	63.75
32715	10/01/2012	General Fund	Nuisance Abatement Costs	David Karch	127.50
32715	10/01/2012	General Fund	Nuisance Abatement Costs	David Karch	63.75
32715	10/01/2012	General Fund	Nuisance Abatement Costs	David Karch	42.50
32715	10/01/2012	General Fund	Nuisance Abatement Costs	David Karch	63.75
32715	10/01/2012	General Fund	Nuisance Abatement Costs	David Karch	63.75
32715	10/01/2012	General Fund	Nuisance Abatement Costs	David Karch	63.75
Check Total:					637.50
32716	10/01/2012	Street Fund	Office And Operating Supplies	Alpine Products Inc	520.75
32716	10/01/2012	Street Fund	Office And Operating Supplies	Alpine Products Inc	1,246.66
32716	10/01/2012	Street Fund	Office And Operating Supplies	Alpine Products Inc	838.61
32716	10/01/2012	Street Fund	Office And Operating Supplies	Alpine Products Inc	232.69
Check Total:					2,838.71
32717	10/01/2012	General Fund	Office and Operating Supplies	Amerigas - Kent	401.17
Check Total:					401.17
32718	10/01/2012	General Fund	Professional Services	Administrative Office of the C	6.00
Check Total:					6.00
32719	10/01/2012	General Fund	Office And Operating Supplies	Aramark Uniform Services	37.78
Check Total:					37.78
32720	10/01/2012	General Fund	Telephone	AT&T Mobility	19.04
Check Total:					19.04
32721	10/01/2012	General Fund	Office and Operating Supplies	Lupita Ayon	157.16
Check Total:					157.16
32722	10/01/2012	General Fund	Telephone	JACK BLOCK, JR.	55.48
Check Total:					55.48
32723	10/01/2012	Surface Water Management Fund	Repairs And Maintenance	Bryant's Tractor & Mower Inc	29.31
32723	10/01/2012	Street Fund	Repairs And Maintenance	Bryant's Tractor & Mower Inc	29.31

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
32723	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	Bryant's Tractor & Mower Inc	12.47
32723	10/01/2012	Street Fund	Office And Operating Supplies	Bryant's Tractor & Mower Inc	12.47
32723	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	Bryant's Tractor & Mower Inc	65.37
Check Total:					148.93
32724	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	Burien Bark L.L.C.	169.99
32724	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	Burien Bark L.L.C.	170.00
32724	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	Burien Bark L.L.C.	110.38
32724	10/01/2012	Street Fund	Office And Operating Supplies	Burien Bark L.L.C.	60.44
32724	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	Burien Bark L.L.C.	60.44
32724	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	Burien Bark L.L.C.	32.85
32724	10/01/2012	Street Fund	Office And Operating Supplies	Burien Bark L.L.C.	32.84
Check Total:					636.94
32725	10/01/2012	General Fund	Parks Building Security	Cascade Alarm, LLC	209.15
32725	10/01/2012	General Fund	Repairs and Maintenance	Cascade Alarm, LLC	755.55
32725	10/01/2012	General Fund	Repairs and Maintenance	Cascade Alarm, LLC	307.70
Check Total:					1,272.40
32726	10/01/2012	Street Fund	Repairs & Maint. - Fleet	Case Power & Equipment	2,539.88
32726	10/01/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Case Power & Equipment	2,539.89
Check Total:					5,079.77
32727	10/01/2012	General Fund	Repair and Maintenance	Critter Control of Seattle	383.26
Check Total:					383.26
32728	10/01/2012	General Fund	Computer Related Supplies	CDW-G	137.35
Check Total:					137.35
32729	10/01/2012	General Fund	Drug seizure proceeds KCSO	Cellebrite USA Corp.	89.97
Check Total:					89.97
32730	10/01/2012	General Fund	Miscellaneous	ANGELA CHAUFY	29.57
32730	10/01/2012	General Fund	Miscellaneous	ANGELA CHAUFY	95.94
32730	10/01/2012	General Fund	Office/operating Supplies	ANGELA CHAUFY	16.74

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount	
					Check Total:	142.25
32731	10/01/2012	General Fund	Telephone	ROSE CLARK	53.62	
					Check Total:	53.62
32732	10/01/2012	General Fund	Telephone	CenturyLink	45.40	
32732	10/01/2012	General Fund	Telephone	CenturyLink	44.22	
32732	10/01/2012	General Fund	Telephone	CenturyLink	61.70	
32732	10/01/2012	Street Fund	Telephone	CenturyLink	49.58	
32732	10/01/2012	Surface Water Management Fund	Telephone	CenturyLink	49.58	
32732	10/01/2012	General Fund	Telephone	CenturyLink	45.35	
					Check Total:	295.83
32733	10/01/2012	General Fund	Burien Marketing Strategy	Cardmember Service	43.33	
32733	10/01/2012	General Fund	Burien Marketing Strategy	Cardmember Service	114.94	
32733	10/01/2012	General Fund	Lodging	Cardmember Service	116.87	
32733	10/01/2012	General Fund	Postage	Cardmember Service	53.50	
32733	10/01/2012	General Fund	Annexation	Cardmember Service	16.71	
32733	10/01/2012	General Fund	Professional Services	Cardmember Service	87.60	
32733	10/01/2012	General Fund	Office/operating Supplies	Cardmember Service	16.40	
32733	10/01/2012	General Fund	Registration - Training/workshp	Cardmember Service	160.00	
32733	10/01/2012	General Fund	Miscellaneous	Cardmember Service	50.00	
32733	10/01/2012	General Fund	Miscellaneous	Cardmember Service	50.00	
32733	10/01/2012	General Fund	Registration - Training/workshp	Cardmember Service	249.00	
32733	10/01/2012	General Fund	Office and Operating Supplies	Cardmember Service	525.78	
32733	10/01/2012	General Fund	Office and Operating Supplies	Cardmember Service	150.34	
32733	10/01/2012	General Fund	Office and Operating Supplies	Cardmember Service	48.80	
32733	10/01/2012	General Fund	Miscellaneous	Cardmember Service	225.80	
32733	10/01/2012	General Fund	Admission and Entrance Fees	Cardmember Service	795.00	
32733	10/01/2012	General Fund	Office and Operating Supplies	Cardmember Service	97.72	
32733	10/01/2012	General Fund	Admission and Entrance Fees	Cardmember Service	280.00	
32733	10/01/2012	General Fund	Other Travel	Cardmember Service	52.00	
32733	10/01/2012	General Fund	Office and Operating Supplies	Cardmember Service	148.52	
32733	10/01/2012	General Fund	Office and Operating Supplies	Cardmember Service	130.88	
32733	10/01/2012	General Fund	Office and Operating Supplies	Cardmember Service	17.50	
32733	10/01/2012	General Fund	Senior Trips	Cardmember Service	773.00	
32733	10/01/2012	General Fund	Admission and Entrance Fees	Cardmember Service	168.00	
32733	10/01/2012	General Fund	Other Travel	Cardmember Service	25.94	
32733	10/01/2012	General Fund	Office And Operating Supplies	Cardmember Service	1,138.51	
32733	10/01/2012	General Fund	Repair and Maintenance	Cardmember Service	38.05	
32733	10/01/2012	General Fund	Operating Rentals and Leases	Cardmember Service	621.41	

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
32733	10/01/2012	General Fund	Operating Rentals and Leases	Cardmember Service	50.31
32733	10/01/2012	General Fund	Software Subscription Fees	Cardmember Service	59.95
32733	10/01/2012	General Fund	Registration - Training/workshp	Cardmember Service	480.00
Check Total:					6,785.86
32734	10/01/2012	General Fund	Code Supplement	Code Publishing Co.	334.52
Check Total:					334.52
32735	10/01/2012	General Fund	Online Video Streaming	COMCAST	45.21
32735	10/01/2012	General Fund	Utilities	COMCAST	66.95
32735	10/01/2012	General Fund	Utilities	COMCAST	71.90
32735	10/01/2012	General Fund	Utilities	COMCAST	71.90
32735	10/01/2012	Street Fund	Telephone	COMCAST	35.95
32735	10/01/2012	Surface Water Management Fund	Telephone	COMCAST	35.95
Check Total:					327.86
32736	10/01/2012	General Fund	Office And Operating Supplies	Creative House Branding	742.48
32736	10/01/2012	General Fund	Office and Operating Supplies	Creative House Branding	742.48
Check Total:					1,484.96
32737	10/01/2012	General Fund	Operating Rentals and Leases	Center Tool Rentals, Inc.	65.70
Check Total:					65.70
32738	10/01/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	16.80
32738	10/01/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	27.78
32738	10/01/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	17.08
32738	10/01/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	17.36
32738	10/01/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	17.22
32738	10/01/2012	Street Fund	Utilities-street Lighting	City of Seattle	57.12
32738	10/01/2012	Street Fund	Utilities-street Lighting	City of Seattle	24.78
32738	10/01/2012	Street Fund	Utilities-street Lighting	City of Seattle	12.36
32738	10/01/2012	Street Fund	Utilities-street Lighting	City of Seattle	14.42
32738	10/01/2012	Street Fund	Utilities-street Lighting	City of Seattle	4,000.95
32738	10/01/2012	Street Fund	Utilities - Traffic Signals	City of Seattle	108.54
Check Total:					4,314.41
32739	10/01/2012	Street Fund	Operating Rentals And Leases	City of SeaTac	287.50

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount	
32739	10/01/2012	Surface Water Management Fund	Operating Rentals And Leases	City of SeaTac	287.50	
					Check Total:	575.00
32740	10/01/2012	Street Fund	Office And Operating Supplies	Culligan Seattle	16.43	
32740	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	Culligan Seattle	16.42	
					Check Total:	32.85
32741	10/01/2012	Equipment Reserve Fund	Machinery And Equipment	Dell Computer Corporation	3,569.13	
					Check Total:	3,569.13
32742	10/01/2012	General Fund	Community Survey	DHM Research	16,815.00	
					Check Total:	16,815.00
32743	10/01/2012	Transportation CIP	construction	DPK Inc.	23,200.00	
32743	10/01/2012	Transportation CIP	construction	DPK Inc.	6,981.86	
32743	10/01/2012	Transportation CIP	construction	DPK Inc.	182,611.13	
					Check Total:	212,792.99
32744	10/01/2012	Street Fund	Office And Operating Supplies	Dunn Lumber Co.	550.85	
32744	10/01/2012	Street Fund	Office And Operating Supplies	Dunn Lumber Co.	165.09	
					Check Total:	715.94
32745	10/01/2012	General Fund	Repairs And Maintenance	Elidrew, LLC	11.83	
32745	10/01/2012	General Fund	Repair/maint-vehicle	Elidrew, LLC	11.83	
32745	10/01/2012	General Fund	Repair/maint-vehicle	Elidrew, LLC	11.83	
					Check Total:	35.49
32746	10/01/2012	General Fund	Telephone	Robert Edgar	69.95	
32746	10/01/2012	General Fund	Meals	Robert Edgar	31.22	
32746	10/01/2012	General Fund	Mileage	Robert Edgar	139.86	
					Check Total:	241.03
32747	10/01/2012	General Fund	Admission and Entrance Fees	Experience Music Project	230.00	

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	230.00
32748	10/01/2012	Surface Water Mgmt CIP	Construction	Evergreen Concrete Cutting Inc	809.48
				Check Total:	809.48
32749	10/01/2012	Street Fund	Repairs & Maint. - Fleet	Fab Shop	320.00
32749	10/01/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Fab Shop	319.99
				Check Total:	639.99
32750	10/01/2012	General Fund	Office and Operating Supplies	FASTSIGNS	84.95
				Check Total:	84.95
32751	10/01/2012	General Fund	Professional Services	Goodbye Graffiti	1,761.86
				Check Total:	1,761.86
32752	10/01/2012	General Fund	Lodging	SCOTT M. GREENBERG	266.64
32752	10/01/2012	General Fund	Mileage	SCOTT M. GREENBERG	175.38
				Check Total:	442.02
32753	10/01/2012	Surface Water Management Fund	Operating Rentals And Leases	Greenbaum Burien-Phillips R Es	522.00
32753	10/01/2012	Street Fund	Operating Rentals And Leases	Greenbaum Burien-Phillips R Es	522.00
				Check Total:	1,044.00
32754	10/01/2012	General Fund	Office and Operating Supplies	Halfon Candy Co., Inc.	442.44
				Check Total:	442.44
32755	10/01/2012	General Fund	Instructors Prof Svcs	Victoria E. Hamilton	162.00
				Check Total:	162.00
32756	10/01/2012	Street Fund	Small Tools & Minor Equipments	H.D. Fowler Company	380.52
				Check Total:	380.52

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
32757	10/01/2012	Street Fund	Office And Operating Supplies	ICON Materials	398.48
32757	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	ICON Materials	398.49
32757	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	ICON Materials	343.83
32757	10/01/2012	Street Fund	Office And Operating Supplies	ICON Materials	343.83
32757	10/01/2012	Street Fund	Office And Operating Supplies	ICON Materials	515.75
32757	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	ICON Materials	515.74
32757	10/01/2012	Street Fund	Office And Operating Supplies	ICON Materials	64.47
32757	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	ICON Materials	64.47
32757	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	ICON Materials	73.97
32757	10/01/2012	Street Fund	Office And Operating Supplies	ICON Materials	73.97
32757	10/01/2012	Street Fund	Office And Operating Supplies	ICON Materials	64.47
32757	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	ICON Materials	64.47
32757	10/01/2012	Street Fund	Office And Operating Supplies	ICON Materials	150.42
32757	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	ICON Materials	150.43
32757	10/01/2012	Street Fund	Office And Operating Supplies	ICON Materials	175.96
32757	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	ICON Materials	175.96
32757	10/01/2012	Street Fund	Office And Operating Supplies	ICON Materials	107.45
32757	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	ICON Materials	107.44
32757	10/01/2012	Street Fund	Office And Operating Supplies	ICON Materials	325.63
32757	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	ICON Materials	325.62
Check Total:					4,440.85
32758	10/01/2012	General Fund	Operating Rentals And Leases	RICOH USA Inc	647.46
Check Total:					647.46
32759	10/01/2012	General Fund	Miscellaneous	Iron Mountain	567.88
32759	10/01/2012	General Fund	Miscellaneous	Iron Mountain	404.25
32759	10/01/2012	General Fund	Miscellaneous	Iron Mountain	582.04
Check Total:					1,554.17
32760	10/01/2012	General Fund	Telephone	Integra Telecom	1,329.20
Check Total:					1,329.20
32761	10/01/2012	General Fund	Telephone	LUCY KRAKOWIAK	54.99
Check Total:					54.99
32762	10/01/2012	General Fund	Office and Operating Supplies	Gina Kallman	92.67

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	92.67
32763	10/01/2012	General Fund	Substance Abuses	King County Finance	5,078.28
				Check Total:	5,078.28
32764	10/01/2012	General Fund	Police Contract - King Co	King County Sheriff's Office	817,584.00
				Check Total:	817,584.00
32765	10/01/2012	Transportation CIP	design engineering	KING COUNTY FINANCE	28,613.67
32765	10/01/2012	Street Fund	Traffic Signal/control.mainten	KING COUNTY FINANCE	10,952.57
32765	10/01/2012	Street Fund	Traffic Signal/control.mainten	KING COUNTY FINANCE	54,282.10
32765	10/01/2012	Transportation CIP	design engineering	KING COUNTY FINANCE	10.16
32765	10/01/2012	Street Fund	Traffic Signal/control.mainten	KING COUNTY FINANCE	681.97
32765	10/01/2012	Surface Water Management Fund	Swm Billed By King Co Roads	KING COUNTY FINANCE	16,136.77
32765	10/01/2012	Street Fund	Professional Services	KING COUNTY FINANCE	432.25
				Check Total:	111,109.49
32766	10/01/2012	General Fund	Drug seizure proceeds KCSO	K.C.Sheriff-Sgt.R. Crenshaw	2,245.00
				Check Total:	2,245.00
32767	10/01/2012	General Fund	Repair and Maintenance	King County Solid Waste Divisi	77.76
				Check Total:	77.76
32768	10/01/2012	Transportation CIP	Construction-inspection	KPG, Inc.	21,118.19
				Check Total:	21,118.19
32769	10/01/2012	General Fund	Professional Services	Jami Krause	200.00
				Check Total:	200.00
32770	10/01/2012	General Fund	Burien/Highline Jt Venture	Latinos for Community Transfor	10,621.00
				Check Total:	10,621.00
32771	10/01/2012	General Fund	Professional Services	Clay Martin	400.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount	
					Check Total:	400.00
32772	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	22.72	
32772	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	28.77	
32772	10/01/2012	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	86.61	
32772	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	62.91	
32772	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	9.16	
32772	10/01/2012	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	9.16	
32772	10/01/2012	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	32.48	
32772	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	12.96	
32772	10/01/2012	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	35.79	
					Check Total:	300.56
32773	10/01/2012	Parks & Gen Gov't CIP	Construction	Most Dependable Fountain	3,850.00	
					Check Total:	3,850.00
32774	10/01/2012	General Fund	Professional Services	Reginald Meisler	300.00	
					Check Total:	300.00
32775	10/01/2012	Street Fund	Repairs & Maint. - Fleet	NC Machinery Co.	1,902.58	
32775	10/01/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	NC Machinery Co.	1,902.58	
					Check Total:	3,805.16
32776	10/01/2012	General Fund	Operating Rents & Leases	National Construction Rentals,	279.00	
					Check Total:	279.00
32777	10/01/2012	Street Fund	Repairs & Maint. - Fleet	Nelson Truck Equipment Co. Inc	219.55	
32777	10/01/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Nelson Truck Equipment Co. Inc	219.55	
32777	10/01/2012	Street Fund	Repairs & Maint. - Fleet	Nelson Truck Equipment Co. Inc	273.75	
32777	10/01/2012	Street Fund	Repairs & Maint. - Fleet	Nelson Truck Equipment Co. Inc	53.22	
32777	10/01/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Nelson Truck Equipment Co. Inc	53.21	
					Check Total:	819.28
32778	10/01/2012	General Fund	City Hall Custodial	National Maintenance Cont.	1,032.29	

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount	
					Check Total:	1,032.29
32779	10/01/2012	General Fund	Building Maintenance	OpenWorks-Billing Agent	605.00	
32779	10/01/2012	General Fund	Building Maintenance	OpenWorks-Billing Agent	1,003.00	
					Check Total:	1,608.00
32780	10/01/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts	4.37	
32780	10/01/2012	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts	4.37	
32780	10/01/2012	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts	15.86	
32780	10/01/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts	15.87	
32780	10/01/2012	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts	5.19	
32780	10/01/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts	5.19	
					Check Total:	50.85
32781	10/01/2012	Surface Water Mgmt CIP	DRAINAGE MASTER PLAN	OTAK, Inc	522.50	
32781	10/01/2012	Surface Water Mgmt CIP	Predesign-engineering	OTAK, Inc	5,206.00	
					Check Total:	5,728.50
32782	10/01/2012	General Fund	Operating Rentals And Leases	Park Place Professional Bldg	490.00	
					Check Total:	490.00
32783	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	Pacific Industrial Supply	109.50	
32783	10/01/2012	Street Fund	Office And Operating Supplies	Pacific Industrial Supply	109.50	
32783	10/01/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Pacific Industrial Supply	41.96	
32783	10/01/2012	Street Fund	Repairs & Maint. - Fleet	Pacific Industrial Supply	41.96	
32783	10/01/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Pacific Industrial Supply	18.25	
32783	10/01/2012	Street Fund	Repairs & Maint. - Fleet	Pacific Industrial Supply	18.25	
32783	10/01/2012	Street Fund	Repairs & Maint. - Fleet	Pacific Industrial Supply	121.00	
32783	10/01/2012	Street Fund	Office And Operating Supplies	Pacific Industrial Supply	329.52	
					Check Total:	789.94
32784	10/01/2012	General Fund	Office/operating Supplies	Pitney Bowes Inc.	171.50	
					Check Total:	171.50
32785	10/01/2012	General Fund	Building Maintenance	Performance Mechanical Group	114.98	

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	114.98
32786	10/01/2012	General Fund	City Hall Bldg Maintenance	PRG Investment Company, LLC	2,000.00
				Check Total:	2,000.00
32787	10/01/2012	General Fund	Building Maintenance	Protection One Alarm Monitorin	47.38
				Check Total:	47.38
32788	10/01/2012	Surface Water Management Fund	Surface Water Mgmt Inventory	Pipeline Video&Cleaning North	16,792.23
				Check Total:	16,792.23
32789	10/01/2012	General Fund	Professional Services	Tom Rawson	300.00
				Check Total:	300.00
32790	10/01/2012	General Fund	Refund Clearing Account -Parks	Heather McCulloch-Neal	56.00
				Check Total:	56.00
32791	10/01/2012	General Fund	Electrical Permit	ADT Security Services Inc	59.20
32791	10/01/2012	General Fund	Electrical Permit	ADT Security Services Inc	59.20
				Check Total:	118.40
32792	10/01/2012	General Fund	Refund Clearing Account -Parks	Ieva Young	225.00
				Check Total:	225.00
32793	10/01/2012	Street Fund	Business Licenses	Superior Fire	45.00
				Check Total:	45.00
32794	10/01/2012	Street Fund	Business Licenses	Harsco Infrastructure	45.00
				Check Total:	45.00
32795	10/01/2012	Street Fund	Business Licenses	City Glass & Upholstery Inc	27.75

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	27.75
32796	10/01/2012	General Fund	Refund Clearing Account -Parks	Jane Conrad	39.00
				Check Total:	39.00
32797	10/01/2012	General Fund	Refund Clearing Account -Parks	Gracey Ryan	75.00
				Check Total:	75.00
32798	10/01/2012	Street Fund	Office And Operating Supplies	Renton Concrete Recyclers LLC	15.75
32798	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	Renton Concrete Recyclers LLC	15.75
32798	10/01/2012	Street Fund	Office And Operating Supplies	Renton Concrete Recyclers LLC	136.66
32798	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	Renton Concrete Recyclers LLC	136.65
32798	10/01/2012	Street Fund	Office And Operating Supplies	Renton Concrete Recyclers LLC	78.75
32798	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	Renton Concrete Recyclers LLC	78.75
32798	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	Renton Concrete Recyclers LLC	39.38
32798	10/01/2012	Street Fund	Office And Operating Supplies	Renton Concrete Recyclers LLC	39.37
				Check Total:	541.06
32799	10/01/2012	General Fund	Printing/binding/copying	Claude McAlpin, III	512.19
32799	10/01/2012	General Fund	Printing/binding/copying	Claude McAlpin, III	5.48
				Check Total:	517.67
32800	10/01/2012	General Fund	Office and Operating Supplies	School Specialty Inc.	110.31
				Check Total:	110.31
32801	10/01/2012	General Fund	Miscellaneous	Patt Schwab	200.00
				Check Total:	200.00
32802	10/01/2012	General Fund	Jail contracts	SCORE	29,668.34
				Check Total:	29,668.34
32803	10/01/2012	General Fund	Office and Operating Supplies	Seattle Pottery Supply Inc.	132.44
				Check Total:	132.44

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
32804	10/01/2012	General Fund	Advertising	Seattle Times	498.92
32804	10/01/2012	General Fund	Advertising	Seattle Times	144.95
32804	10/01/2012	General Fund	Advertising/legal Publications	Seattle Times	150.00
Check Total:					793.87
32805	10/01/2012	Street Fund	Traffic Calming Installation	Seatown Locksmith	9.86
32805	10/01/2012	General Fund	Repairs & Maint. - Fleet	Seatown Locksmith	8.21
Check Total:					18.07
32806	10/01/2012	General Fund	Professional Services	Sound Law Center	241.50
Check Total:					241.50
32807	10/01/2012	General Fund	Utilities - Fire Hydrants	Seattle Public Utilities	13,940.42
Check Total:					13,940.42
32808	10/01/2012	General Fund	Professional Services	State Auditor's Office	484.88
Check Total:					484.88
32809	10/01/2012	Street Fund	Office And Operating Supplies	Sunset Materials Inc	83.00
32809	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	Sunset Materials Inc	83.00
32809	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	Sunset Materials Inc	14.63
32809	10/01/2012	Street Fund	Office And Operating Supplies	Sunset Materials Inc	14.62
32809	10/01/2012	Surface Water Management Fund	Office And Operating Supplies	Sunset Materials Inc	615.38
Check Total:					810.63
32810	10/01/2012	Surface Water Mgmt CIP	Construction	Superlon Plastics	99.78
32810	10/01/2012	Surface Water Mgmt CIP	Construction	Superlon Plastics	244.19
Check Total:					343.97
32811	10/01/2012	General Fund	Registration & Training	SWKC Chamber of Commerce	20.00
Check Total:					20.00
32812	10/01/2012	General Fund	Prof. Svcs-instructors	Sallie Tierney	186.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	186.00
32813	10/01/2012	General Fund	Parks Maintenance	Trugreen-landcare/NW Region	41,011.18
				Check Total:	41,011.18
32814	10/01/2012	Transportation CIP	Construction-inspection	Michael Sorensen	2,701.41
32814	10/01/2012	Street Fund	Traffic Calming Installation	Michael Sorensen	1,343.31
				Check Total:	4,044.72
32815	10/01/2012	General Fund	Utilities	Valley View Sewer District	47.10
				Check Total:	47.10
32816	10/01/2012	General Fund	Instructors Prof Srvs	Minh Huynh	286.65
				Check Total:	286.65
32817	10/01/2012	Street Fund	Professional Services	Washington Audiology Services,	90.00
32817	10/01/2012	Surface Water Management Fund	Professional Services	Washington Audiology Services,	90.00
				Check Total:	180.00
32818	10/01/2012	Street Fund	Office And Operating Supplies	Washington Tractor	18.95
32818	10/01/2012	Surface Water Management Fund	Repairs And Maintenance	Washington Tractor	25.71
32818	10/01/2012	Street Fund	Repairs And Maintenance	Washington Tractor	25.71
32818	10/01/2012	Surface Water Management Fund	Repairs And Maintenance	Washington Tractor	81.56
32818	10/01/2012	Surface Water Management Fund	Repairs And Maintenance	Washington Tractor	81.56
				Check Total:	233.49
32819	10/01/2012	Street Fund	Landscape Maint - Utilities	Water District No. 49	1,192.50
32819	10/01/2012	Street Fund	Landscape Maint - Utilities	Water District No. 49	65.00
32819	10/01/2012	Street Fund	Landscape Maint - Utilities	Water District No. 49	65.00
32819	10/01/2012	Street Fund	Landscape Maint - Utilities	Water District No. 49	65.00
32819	10/01/2012	Street Fund	Landscape Maint - Utilities	Water District No. 49	80.75
				Check Total:	1,468.25
32820	10/01/2012	Transportation CIP	Construction	West Coast Construction Co. In	218,986.40

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
					Check Total: 218,986.40
32821	10/01/2012	General Fund	Subscriptions/publications	West Payment Center	404.94
					Check Total: 404.94
32822	10/01/2012	Street Fund	Operating Rentals And Leases	Wilken Properties, LLC	2,783.16
32822	10/01/2012	Surface Water Management Fund	Operating Rentals And Leases	Wilken Properties, LLC	2,783.17
					Check Total: 5,566.33
32823	10/01/2012	General Fund	Professional Services	Washington State Patrol	40.00
					Check Total: 40.00
32824	10/01/2012	General Fund	Drug seizure proceeds KCSO	Yes of Course, Inc.	22.96
32824	10/01/2012	Surface Water Management Fund	Telephone	Yes of Course, Inc.	16.98
32824	10/01/2012	General Fund	Telephone	Yes of Course, Inc.	16.98
					Check Total: 56.92
					Report Total: 1,607,364.23



CITY COUNCIL MEETING MINUTES

September 17, 2012

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

7:00 p.m. – Regular Meeting

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, Dan Trimble, Economic Development Manager and Scott Greenberg, Community Development Director.

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

Administrative staff present: Mike Martin, City Manager; Craig Knutson, City Attorney; Angie Chaufy, Human Resources Manager; Scott Greenberg, Community Development Director; David Johanson, Senior Planner; and, Monica Lusk, City Clerk.

AGENDA CONFIRMATION

Direction/Action

Motion was made by Deputy Mayor Clark, seconded by Councilmember McGilton and passed unanimously to affirm the September 17, 2012, Agenda.

PUBLIC COMMENT

Dennis Manes and Don Frey, 22010 76th Avenue South, Kent
Mr. Manes, South King County General Manager for Allied Waste, noted their donation of 100 bags to the Highline Food Bank. Information on Allied Waste's services was distributed.

Shelley Park, 3106 SW 169th Street, Burien
Ms. Park, Arts Commissioner, read a letter submitted by the Arts Commission to the City Council recommending that the Town Square be designated as an Arts and Cultural District.

Goodspaceguy, 10219 Ninth Avenue South, Seattle
Mr. Goodspaceguy spoke to the waste of human labor in Burien.

Chestine Edgar, 1811 SW 152nd Street, Burien
Ms. Edgar requested the Council's Study Session discussion on libraries be cancelled, and requested that the inventory lists submitted by the Lake Burien residents be part of the Shoreline Master Program's technical documents.

Cheryl Rogers, 15707 4th Avenue SW, #4-13, Burien
Ms. Rogers spoke to the illegal activity at the Cambridge Square, Courtyard Square and Woodcrest Apartments.

Jolene Ewaliko, 259 South 156th Street, #2, Burien
Ms. Ewaliko spoke to speeding traffic on SW 156th Street and 4th Avenue SW, and the gang graffiti on Des Moines Way.

Eric Dickman, Burien Little Theatre
Mr. Dickman voiced his support for an Arts and Cultural District. He spoke to the Theatre's upcoming comedy "Dead Man's Cell Phone."

Martin Metz, 1636 South 260th Street, Des Moines
Mr. Metz introduced himself stating that he is running for State Representative 33rd Legislative District, Position No. 2.

Mark Ufkus, 10735 22nd Avenue SW, Seattle
Mr. Ufkus, representing the White Center Home Owners Association, spoke to the use of the City's Reserve Fund, addressing the revenue shortfall prior to the annexation vote and possible tax increases.

Rance Arnold, 13611 2nd Avenue SW, Burien
Mr. Arnold spoke to the Council's suggestions for cutting the TruGreen landscaping contract.

Mike Hart, 2660 SW 152nd Street, Burien
Mr. Hart stated, when biking on SW 156th Street over the I509 Interchange and by Moshier Field, he has found handgun shell casings in the bike path twice in the last six months.

CORRESPONDENCE FOR THE RECORD

- a. Email Dated August 9, 2012, from Michele Smith Regarding Sandwich Boards.

- b. Email Dated August 19, 2012, from Pat De Feo Regarding SeaTac Airport ... "Flight Pattern Kids."
- c. Email Dated August 23, 2012, from Tom Lane Regarding Normandy Park City Official.
- d. Email Dated August 23, 2012, from Randy and Diane Mullinax Regarding Burien Town Square Condominiums.
- e. Email Dated August 25, 2012, from Pat De Feo Regarding SeaTac Airport "Flight Pattern Kids."
- f. Written Public Comments for Meeting of August, 27, 2012, from C. Edgar Regarding Planning Commission Appointments.
- g. Email Dated August 28, 2012, from Don Nold Regarding Council Meetings.
- h. Response from Economic Development Manager Dan Trimble to Email Dated August 28, 2012, from Ray Brimhall Regarding Town Square Condos.
- i. Email Dated August 29, 2012, from Jill Moodie Regarding Crime in Burien.
- j. Email Dated August 29, 2012, from Alan Lee Regarding Yes to Plastic Grocery Bags.
- k. Response from Deputy Mayor Clark to Email Dated August 30, 2012, from Pat De Feo Regarding SeaTac Airport ... "Flight Pattern Kids."
- l. Email Dated August 30, 2012, from Tom Lane Regarding City of Normandy Park.

Follow-up

Staff will respond to Randy and Diane Mullinax's correspondence regarding the Burien Town Square condominiums.

CONSENT AGENDA

- a. Approval of Vouchers: Numbers 32469 - 32708 in the Amounts of \$2,495,088.77.
- b. Approval of Minutes: Council Meeting, August 20, 2012; Council Study Session, August 27, 2012.

Direction/Action

Motion was made by Deputy Mayor Clark, seconded by Councilmember McGilton, and passed unanimously to approve the September 17, 2012, Consent Agenda.

BUSINESS AGENDA

Discussion of Proposed Resolution 338, Regarding an Amendment to the Employee Medical Benefit Package

Direction/Action

Councilmembers requested placing Resolution 338 on the October 1, 2012, Consent Agenda for approval.

Discussion of Proposed Resolution 339, Regarding Modifications to the Non-Represented Employee Benefit Package

Direction/Action

Councilmembers requested placing Resolution 339 on the October 1, 2012, Consent Agenda for approval.

Discussion on Shoreline Master Program Working Group Recommendations

Follow-up

Staff will provide a process check on the Shoreline Master Program Working Group recommendations in the October 1, 2012, City Manager's Report.

Discussion of Ordinance No. 566, Relating to the Advisory Boards

Direction/Action

Councilmembers requested placing Ordinance No. 566 on the October 1, 2012, Consent Agenda for approval.

Follow-up

Staff will revise the ordinance to incorporate the following: change the reappointment to a two year absence; add agenda preparation language to the Planning Commission section; add the "City Staff Support" section to the Arts Commission, Business & Economic Development Partnership and Planning Commission; make the quorum language consistent for all boards; and remove "and five affirmative votes shall be necessary to carry any proposition" from the Arts Commission language.

Review of Proposed Council Agenda Schedule

Direction/Action

Councilmembers agreed to hold the discussion on White Center and Boulevard Park Libraries as scheduled and to extend an invitation to Library Director Bill Ptacek.

Follow-up

Staff will change agenda items listed as presentations to discussions on the schedule, and schedule the discussion on A-Frame signs on October 1, 2012.

City Business

Follow-up

Staff will pursue Cheryl Rogers' and Jolene Ewaliko's complaints about illegal activity at the Cambridge Square, Courtyard Square and Woodcrest Apartments and the speeding on SW 156th Street; incorporate the signed, budgeted contracts over \$25,000 into the quarterly financial reports; include mechanisms that are in place to prevent future Capital Improvement Program (CIP) cost overruns for the September 24 Study Session budget discussion; and, the process to restart the overlay program.

COUNCIL REPORTS

Councilmember Block spoke to the Community Schools Collaboration (CSC) Block Party Fundraiser that he attended.

ADJOURNMENT

Direction/Action

MOTION was made by Deputy Mayor Clark, seconded by Councilmember McGilton and passed unanimously to adjourn the meeting at 9:30 p.m.

Brian Bennett, Mayor

Monica Lusk, City Clerk



CITY COUNCIL STUDY SESSION MINUTES

September 24, 2012

7:00 pm

CALL TO ORDER

Mayor Bennett called the Study Session 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; Deputy Mayor Rose Clark; Councilmembers Jack Block, Jr.; Bob Edgar; Lucy Krakowiak; Joan McGilton; and, Gerald F. Robison.

Administrative staff present: Mike Martin, City Manager; Craig Knutson, City Attorney; Kim Krause, Finance Director; Nhan Nguyen, Management Analyst; and, Kathy Wetherbee, Administrative Assistant.

DISCUSSION ITEMS

Discussion on White Center and Boulevard Park Libraries.

Councilmembers spoke to reaffirming their commitment to keep the libraries in the present locations, creating an oversight committee of elected officials, reiterating their concerns that the allocated bond monies may not be spent in this area when taxes have been paid by the citizens for the past several years, being an advocate for the citizens and noting that annexation is a very important factor when deciding on the placement of the libraries.

Chestine Edgar, 1811 SW 152nd Street, Burien

Ms. Edgar spoke to 2011 Library Service Area Analysis report and stated that the Council should be cautious to bring a resolution forward for agencies the City does not control.

Rachel Levine, 430 South 124th Street, Burien

Ms. Levine spoke to the 2011 Library Service Area Analysis report and stated that the King County Library Board decided to postpone the capital improvement plans on the White Center Library until annexation has been decided.

Goodspaceguy, 10219 9th Avenue South, Seattle

Mr. Goodspaceguy stated he regards the library as a "Do it yourself university" and expressed his pleasure with the King County Library System.

Bob Price, 10905 A Glen Acres Drive South, Boulevard Park

Mr Price spoke to the use of the White Center Library by the kids, and stated that the local politicians need to follow through with their promises.

Phillip Levine, 430 South 124th Street, Burien

Mr. Levine spoke to his understanding of conflict of interest, and stated his pleasure in the Councils' support the libraries.

Bill Ptacek, King County Library System

Mr. Ptacek, Director, spoke to operating costs and stated that the White Center and Boulevard Park libraries are two of the most expensive to operate on the cost per circulation and the King County Library Board's continued commitment in this area.

Discussion on Preliminary Operating Budget.

Follow-up

Staff will make the budget easier to locate on the website, provide how much King County Fire Department's and Highline School District's tax collection is a levy or a voted rate, explore using Community Center funds or Waste Management fees to help fund police officers, collaborate with the Highline School District to hire a security officer at less money than a uniformed School Resource Officer (SRO), and explore raising a onetime tax to the business license fee to pay for an Economic Development study .

Ed Dacy 2016 SW 146th Street Burien

Mr. Dacy spoke to property tax values and surface water management fees.

Goodspaceguy, 10219 9th Avenue South, Seattle

Mr. Goodspaceguy spoke to government budget constraints and stated extra monies should be used to hire the unemployed at minimum wage to bring down the unemployment rate.

Review of Study Session Topics and Retreat Notes.

The Study Session Topics and Retreat Notes were not discussed.

Councilmember McGilton spoke to the King County Metro Ride Free Zone ending September 29, 2012.

Councilmember McGilton provided the City Manager with a letter from the King County Board of Health regarding its Medicine Take Back program to be included in the next Council packet and possibly writing a letter in support of the program.

ADJOURNMENT

Direction/Action

MOTION was made by Councilmember McGilton, seconded by Councilmember Krakowiak and passed unanimously to adjourn the meeting at 9:17 p.m.

Brian Bennett, Mayor

Kathy Wetherbee, Department Assistant

CITY OF BURIEN, WASHINGTON

RESOLUTION NO. 338

**A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON,
ADOPTING A MODIFIED BENEFIT PLAN FOR ALL CITY
EMPLOYEES.**

WHEREAS, the City of Burien wishes to provide a comprehensive benefit package that promotes financial sustainability, aids recruitment efforts, and encourages employee retention;

WHEREAS, on November 28, 2011, the City of Burien adopted Resolution No. 324 which modified the employee medical benefit package for all City employees, clarified the employee's share of the medical premium, and established a high deductible health plan incentive;

WHEREAS, the plan names of the City's two high deductible health plans were inadvertently left out of the list of available medical plan options identified in Section 1;

WHEREAS, the City of Burien wishes to amend Section 1 of Resolution No. 324.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Benefit Plan. Section 1 of Resolution No. 324 is hereby amended as follows:

~~Effective January 1, 2012,~~ †The City's benefit package for employees of the City shall be the Association of Washington Cities Employee Benefit Trust's Regence Blue Shield HealthFirst 250 Plan, Group Health \$10 Copay Plan, Regence High Deductible Health Plan, Group Health High Deductible Health Plan, Washington Dental Service Plan E, Willamette Dental Plan \$10 Copay Plan, and Vision Service Plan \$10 Deductible Plan with second pair rider.

Section 2. Effective Date. This resolution shall take effect immediately upon passage by the Burien City Council.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, AT A REGULAR MEETING THEREOF THIS ____ DAY OF _____, 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:
Passed by the City Council:
Resolution No. 338

CITY OF BURIEN, WASHINGTON

RESOLUTION NO. 339

**A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON,
ADOPTING A MODIFIED BENEFIT PLAN FOR ALL NON-
REPRESENTED CITY EMPLOYEES.**

THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Vacation Cashout Program. Effective January 1, 2013, a non-represented employee can cash out up to 40 hours of vacation hours per year upon taking at least seven consecutive work days of vacation time. The following parameters shall apply:

- The program is available to employees who have completed their probation period after initial hire.
- The seven consecutive work days may be a combination of vacation and/or floating holiday time.
- Cashout is available one time per year per employee.
- Payout will be available on the paycheck prior to the vacation being taken.
- The benefit and program requirements shall not be pro-rated for part-time employees.

Section 2. Effective Date. This resolution shall take effect immediately upon passage by the Burien City Council.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, AT A REGULAR MEETING THEREOF THIS ____ DAY OF _____, 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:
Passed by the City Council:
Resolution No. 339

CITY OF BURIEN, WASHINGTON

ORDINANCE NO. 566

AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, AMENDING TITLE 2 OF THE BURIEN MUNICIPAL CODE RELATING TO THE MEMBERSHIP AND MEETINGS OF THE PLANNING COMMISSION, BUSINESS AND ECONOMIC DEVELOPMENT PARTNERSHIP, PARKS AND RECREATION ADVISORY BOARD, AND ARTS COMMISSION

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

Section 1. Chapter 2.45 of the Burien Municipal Code, Planning Commission, is hereby amended by amending BMC 2.45.020 and 2.45.030 and adding BMC 2.45.050 to read as follows:

2.45.020 Membership.

(1) Number of Members. The planning commission shall consist of seven voting members.

(2) Appointment. All members of the planning commission shall be appointed by the city council. The four positions filled in 2003 (Positions 1, 2, 3, and 4) shall be appointed for terms expiring March 31, 2006, or until their successors are duly appointed and confirmed. The three incumbent positions (Positions 5, 6, and 7) shall expire March 31, 2004, or until their successors are duly appointed and confirmed. Subsequent appointments for full terms shall begin as of April 1st and shall be for four-year terms, or until their successors are duly appointed and confirmed. There shall be a term limit of two consecutive full terms. After a ~~four~~two year absence, members may be reappointed. Members must reside within the city. The planning commission shall at all times include between five and seven voting members. All planning commission members shall be selected without respect to political affiliation and shall serve without compensation. The city council shall attempt, but shall not be obligated, to appoint planning commission members so that all geographic areas of the city are represented. Employees of the City of Burien are not eligible. [Ord. 566 § 1, 2012]

(3) Removal. Planning commission members may be removed by a majority vote of the entire city council for neglect of duty, conflict of interest, malfeasance in office or other just cause. Members may be removed if they have unexcused absences totaling 25% of the regularly scheduled meetings for the calendar year or three consecutive unexcused absences, including absence for more than eight regular meetings in a calendar year. The city manager shall notify the city council of any such absences. The decision of the city council shall be final and there shall be no appeal therefrom. [Ord. 566 § 1, 2012]

(4) Vacancies. Vacancies occurring other than through the expiration of a term shall be filled for the unexpired term in the same manner as for appointments as provided in this chapter. [Ord. 388 § 2, 2003; Ord. 187 § 2, 1996; Ord. 113 § 2, 1995]

2.45.030 Meetings.

(1) The planning commission shall hold such regular and special meetings as may be necessary to complete its responsibilities. The planning commission shall elect from among its members a chair who shall preside at all meetings and a vice chair who shall preside in the absence of the chair. A majority of the planning commission members shall constitute a quorum for the transaction of business, and a majority vote of members present shall be necessary to carry any motion. Staff will prepare meeting agendas with advice from the chair.

(2) The planning commission shall adopt such rules and regulations as are necessary for the conduct of its business.

2.45.050 City staff support.

Administrative staff support shall be provided by the community development director or any other designee of the city manager. Said staff support shall be responsible for the agenda packets, written record of the proceedings of the arts commission, and such other support as necessary to enable the planning commission to conduct business and carry out its duties and responsibilities.

Section 2. Chapter 2.50 of the Burien Municipal Code, Business and Economic Development Partnership, is hereby amended by amending BMC 2.50.020 and 2.50.030 and adding BMC 2.50.050 to read as follows:

2.50.020 Membership.

(1) Number, Terms and Qualifications of Members. The partnership shall consist of 14 appointed members and one nonvoting ex officio member. Appointed members shall serve four-year terms running from April 1st through March 31st, or until a member's successor is duly appointed and confirmed. The appointments shall be staggered with every odd-numbered year, half of the members due for re-appointment or replacement.

The voting membership shall be selected with a goal of having predominantly business representation. To the extent available, representation should include applicants from the following areas serving Burien:

- (a) Business owners, managers and employees;
- (b) Commercial property owners;
- (c) Chambers of commerce and merchants' associations;
- (d) Burien city residents;
- (e) Employment and job training services;

(f) Education;

(g) Others with interest in Burien.

In addition, the city manager or the city manager's designee shall be a nonvoting ex officio member of the partnership.

(2) Appointment. Members of the partnership shall be appointed by the city council in a manner consistent with the council's appointment procedures. Members shall be selected without respect to political affiliation and shall serve without compensation. Employees of the City of Burien are not eligible.

(3) There shall be a term limit of two consecutive full terms. After a ~~four~~two year absence, members may be reappointed. [Ord. 566 § 1, 2012]

(4) Removal. Members may be removed by a majority vote of the entire city council. The decision of the city council shall be final and there shall be no appeal therefrom. Members may be removed if they have unexcused absences totaling 25% of the regularly scheduled meetings for the calendar year or three consecutive unexcused absences.

(5) Vacancies. Vacancies occurring other than through the expiration of the term shall be filled for the unexpired term in the same manner as for appointments as provided in this chapter. [Ord. 258 § 2, 1999; Ord. 114 § 2, 1995]

2.50.030 Meetings.

(1) The partnership shall hold such regular and special meetings as may be necessary to complete its responsibilities. The partnership shall elect from among its members a chair who shall preside at all meetings and a vice chair who shall preside in the absence of the chair. A majority of the partnership members shall constitute a quorum for the transaction of business, and a majority vote of those present shall be necessary to carry any motion. Staff will prepare meeting agendas with advice from the chair.

(2) The partnership shall adopt bylaws and such rules and regulations as are necessary for the conduct of its business, subject to approval by the city council. [Ord. 258 § 3, 1999; Ord. 114 § 3, 1995]

2.50.050 City staff support.

Administrative staff support shall be provided by the economic development manager or any other designee of the city manager. Said staff support shall be responsible for the agenda packets, written record of the proceedings of the arts commission, and such other support as necessary to enable the partnership to conduct business and carry out its duties and responsibilities.

Section 3. Chapter 2.55 of the Burien Municipal Code, Parks and Recreation Advisory Board, is hereby amended by amending BMC 2.55.020, 2.55.040, and 2.55.050 to read as follows:

2.55.020 Creation – Eligibility.

(1) There is hereby created an advisory parks and recreation board, consisting of seven voting members, each appointed by a majority vote of the city council, from among the residents of the city. Appointments shall be made from citizens of recognized fitness for the position, based on a demonstrated interest in parks and recreation, dedication to representing the interests of the public, and to some degree, based on professional training/expertise in related fields. Employees of the City of Burien are not eligible to be appointed to the board.

(2) The Council may also appoint alternate (non-voting) members. The Board may from time to time create short-term ad-hoc committees that include non-members who are deemed important in performing the Board's duties. Tenure shall vary with the need as determined by the Board's voting members. Non-members and alternate members shall not have voting rights.

2.55.040 Terms of board members – Vacancies.

(1) Except as noted in subsection (2) of this section, board members shall be appointed to four-year terms running from April 1st through March 31st, or until a member's successor is duly appointed and confirmed; provided, that the term of the member's successor will be shortened by the length of the hold-over and will be considered a full term. Members of the board may be excused by majority vote of the city council. Vacancies shall be filled for the remaining unexpired portion of the term being filled. Members may be removed if they have unexcused absences totaling 25% of the regularly scheduled meetings for the calendar year or three consecutive unexcused absences.

(2) During the initial organization of the Board, three of the members shall be appointed to two-year terms to stagger initial membership expiration.

(3) There shall be a term limit of two consecutive full terms. A member who has served two full terms may reapply to serve on the board after a period of ~~one four year term~~ two years has elapsed.

2.55.050 Officers – Meetings – Quorum – Records.

(1) Members of the Board shall meet and organize by electing from the members of the Board a Chair and Vice-Chair and such other officers as may be necessary. The Chair and Vice-Chair shall be elected for a one-year term. All Board members present are eligible to vote. In the event the Chair is unable to complete his or her term, the Vice-Chair will assume the position of the Chair until the expiration of the one-year term, and a new Vice-Chair shall be elected.

(2) The chair shall preside at all meetings of the board and in his or her absence, the vice-chair shall preside. Staff will prepare meeting agendas with advice from the chair.

(3) A majority of the Board shall constitute a quorum, and ~~four (4) affirmative votes shall be necessary to carry any proposition~~ a majority vote of those present shall be necessary to carry any motion.

(4) A meeting of the Board shall be held at least once a month.

Section 4. Chapter 2.60 of the Burien Municipal Code, Arts Commission, is hereby amended by amending BMC 2.60.020, 2.60.040, and 2.60.050 and adding BMC 2.60.070 to read as follows:

2.60.020 Creation – Eligibility.

(1) There is hereby created an advisory arts commission, consisting of nine voting members, each appointed by a majority vote of the city council, from among the residents of the city. Appointments shall emphasize citizens involved in nonprofit arts organizations. Employees of the City of Burien are not eligible to be appointed to the commission.

(2) The council may also appoint alternate (non-voting) members. The commission may from time to time create short-term ad-hoc committees that include non-members who are deemed important in performing the commission's duties. Tenure shall vary with the need as determined by the commission's voting members. Non-members and alternate members shall not have voting rights.

2.60.040 Terms of commission members – Vacancies.

(1) Except as noted in subsection (2) of this section, commission members shall be appointed to four-year terms running from April 1st through March 31st, or until a member's successor is duly appointed and confirmed; provided, that the term of the member's successor will be shortened by the length of the hold-over and will be considered a full term. Members of the commission may be excused by majority vote of the city council. Vacancies shall be filled for the remaining unexpired portion of the term being filled. Members may be removed if they have unexcused absences totaling 25% of the regularly scheduled meetings for the calendar year or three consecutive unexcused absences.

(2) During the initial organization of the Commission, three of the members shall be appointed to two-year terms to stagger initial membership expiration.

(3) There shall be a term limit of two consecutive full terms. A member who has served two full terms may reapply to serve on the board after a period of ~~one four-year term~~ two years has elapsed.

2.60.050 Officers – Meetings – Quorum – Records.

(1) Members of the Commission shall meet and organize by electing from the members of the Commission a Chair, Vice-Chair, Recording Secretary, and such other officers as may be necessary. The Chair and Vice-Chair shall be elected for a one-year term. All Commission members present are eligible to vote. In the event the Chair is unable to complete his or her term, the Vice-Chair will assume the position of the Chair until the expiration of the one-year term, and a new Vice-Chair shall be elected.

(2) The chair shall preside at all meetings of the commission and in his or her absence, the vice-chair shall preside. The recording secretary shall keep and publish a summary of the minutes and provide those minutes to the city clerk. Staff will prepare meeting agendas with advice from the chair.

(3) A majority of the commission shall constitute a quorum, and ~~five affirmative votes shall be necessary to carry any proposition~~ a majority vote of those present shall be necessary to carry any motion.

(4) A meeting of the Commission shall be held at least once a month.

2.60.070 City staff support.

Administrative staff support shall be provided by the parks and recreation manager or any other designee of the city manager. Said staff support shall be responsible for the agenda packets, written record of the proceedings of the arts commission, and such other support as necessary to enable the arts commission to conduct business and carry out its duties and responsibilities.

Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publications.

ADOPTED by the City Council at a regular meeting thereof on the ____ day of _____, 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:
PASSED BY THE CITY COUNCIL:
Ordinance No.: 566
Date of Publication:

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Discussion on Motion to Authorize the City Manager to Sign an Interlocal Agreement With King County to Provide Landmark Preservation and Protection Services		Meeting Date: October 1, 2012
Department: Community Development	Attachments: 1-Memo to Council 2-Draft Interlocal Agreement 3-Description of Regional Historic Preservation Program 4-Incentive Programs for Landmark Owners	Fund Source: General Fund—Community Development—Professional Services Activity Cost: To be determined Amount Budgeted: To be determined Unencumbered Budget Authority: To be determined
Contact: Scott Greenberg Comm. Development Director		
Telephone: (206) 248-5519		
Adopted Work Plan Priority: Yes ___ No <u>X</u> ___	Work Plan Item Description: N/A	
PURPOSE/REQUIRED ACTION: The purpose of this agenda item is for the City Council to discuss and provide direction to staff on a proposed motion authorizing the City Manager to execute an Interlocal Agreement (ILA) with King County for landmark designation and protection services (Attachment 2). The motion should be approved prior to or simultaneously with the proposed Zoning Code amendment related to landmarks (see next agenda bill). No action is required at this meeting. BACKGROUND (Include prior Council action & discussion): See Attachment 1. OPTIONS (Including fiscal impacts): There are three actions required: <u>Interlocal Agreement:</u> <ol style="list-style-type: none"> 1. Authorize City Manager to execute ILA. 2. Authorize City Manager to execute ILA. 3. Do not authorize City Manager to execute ILA. <u>Fees:</u> <ol style="list-style-type: none"> 1. Direct staff to include fee reimbursement in fee schedule. 2. Direct staff to not include fee reimbursement in fee schedule. <u>Appointment to Landmarks Commission:</u> Direct staff on process Council would like to use.		
Administrative Recommendation: Discuss proposed motion and provide direction to staff.		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: Authorize the City Manager to sign an interlocal agreement with King County to provide landmark preservation and protection services, and add fee reimbursement to the City's fee schedule.		
Submitted by: Scott Greenberg		
Administration _____	City Manager _____	
Today's Date: September 24, 2012	File Code: R:\CC\Agenda Bill 2012\100112cd-2 Landmark Services ILA.docx	

CITY OF BURIEN, WASHINGTON MEMORANDUM

DATE: September 24, 2012

TO: Mayor Bennett and Councilmembers

FROM: Scott Greenberg, AICP, Community Development Director

SUBJECT: Interlocal Agreement with King County for Landmark Designation and Protection Services

PURPOSE

The purpose of this agenda item is for the City Council to discuss and provide direction to staff on a proposed motion authorizing the City Manager to execute an Interlocal Agreement (ILA) with King County for landmark designation and protection services (Attachment 2).

BACKGROUND

Recently, the City was approached by a resident seeking landmark designation for his property. Burien's Comprehensive Plan calls for historic properties and sites to be indentified and protected:

Pol. HT.1.1 The City should protect local historic, archeological and cultural sites and structures through designation and incentives for the preservation of such properties.

A benefit to the owner of a designated landmark is the number of available tax and other financial incentives. These are offered and run by other agencies, as described on Attachment 3.

King County's Historic Preservation Program offers landmark designation and protection services to cities within King County through an ILA. Seventeen cities have signed the ILA with King County: Auburn, Black Diamond, Carnation, Des Moines, Issaquah, Kenmore, Kent, Kirkland, Maple Valley, Newcastle, North Bend, Redmond, Sammamish, Shoreline, Skykomish, Snoqualmie and Woodinville. A summary of the program is on Attachment 4.

The ILA allows member cities to use the King County Landmarks Commission to act on the City's behalf in landmark designation cases and on Certificates of Appropriateness. An applicant for landmark designation would apply to King County. County staff would forward the application to city staff for review and comment. The Landmarks Commission would review the application and make a final decision on landmark designation. That decision can be appealed. In the separate Zoning Code Amendment agenda bill, we are proposing that it be a local appeal to Burien's Hearing Examiner.

Once designated, alterations to a landmark require Landmark Commission approval of a Certificate of Appropriateness.

In addition to the nine King County-appointed members to the Landmarks Commission, each City is required to appoint a "special member" who joins the Commission to vote on cases involving the member's city. More information about the Landmarks Commission is at <http://www.kingcounty.gov/property/historic-preservation/landmarks-commission.aspx>. If Burien signs the ILA, the Council will need to appoint a special member to the Landmarks Commission. *Staff is*

requesting direction on the process to be used to appoint the special member. The special member can be a Councilmember or another person.

The City would reimburse King County for services on an hourly basis for review and processing of a landmark designation and for a Certificate of Appropriateness. There will be some city staff costs to review applications and coordinate with King County (maybe a few hours). ***Staff recommends collecting 100% of King County's costs from applicants.*** Of seven cities to reply to an inquiry, only one charges fees to the applicant. Shoreline collects a fee to cover city staff costs. There are also grant opportunities available in 2014 to fund these costs from 4Culture and the State Dept. of Archaeology and Historic Preservation. If grant funds were available in 2014, Council could eliminate collection of applicant fees, if those were covered by the grant.

NEXT STEPS

The motion should be approved prior to or simultaneously with the proposed Zoning Code amendment related to landmarks (see next agenda bill). No action is required at this meeting.

INTERLOCAL AGREEMENT FOR LANDMARK SERVICES

AN AGREEMENT BETWEEN KING COUNTY AND THE CITY OF BURIEN RELATING TO LANDMARK DESIGNATION AND PROTECTION SERVICES

THIS IS AN AGREEMENT between King County, a home rule charter county and a political subdivision of the State of Washington, hereinafter referred to as the "County," and the City of Burien, a municipal corporation of the State of Washington, hereinafter referred to as the "City".

WHEREAS, the City is incorporated; and

WHEREAS, local governmental authority and jurisdiction with respect to the designation and protection of landmarks within the city limits resides with the City; and

WHEREAS, the City desires to protect and preserve the historic buildings, structures, districts, sites, objects, and archaeological sites within the city for the benefit of present and future generations; and

WHEREAS, the County is able to provide landmark designation and protection services for the City; and

WHEREAS, the City has elected to contract with the County to provide such services; and

WHEREAS, it is in the public interest that the jurisdictions cooperate to provide efficient and cost effective landmark designation and protection; and

WHEREAS, pursuant to R.C.W. 39.34, the Interlocal Cooperation Act, the parties are each authorized to enter into an agreement for cooperative action;

NOW THEREFORE, the County and the City hereby agree:

1. Services. At the request of the City, the County shall provide landmark designation and protection services using the criteria and procedures adopted in King County Ordinance 10474, King County Code (K.C.C.), Chapter 20.62 within the City limits.
2. City's Responsibilities
 - A. Adopt an ordinance establishing regulations and procedures for the designation of historic buildings, structures, objects, districts, sites, objects, and archaeological sites as landmarks and for the protection of landmarks. Regulations and procedures shall be substantially the same as the regulations and procedures set forth in K.C.C. Chapter 20.62. The ordinance shall provide that the King County Landmarks Commission, with

the addition of a special member, acting as the City of Burien Landmarks Commission (Commission) shall have the authority to designate and protect landmarks within the City limits in accordance with the City ordinance. The ordinance shall include:

- 1) Provision for the appointment of a special member to the Commission as provided by K.C.C. Chapter 20.62.030.
- 2) A provision that appeals from decisions of the Commission pertaining to real property within the City limits shall be taken to the City of Burien Hearing Examiner.
- 3) A provision for penalties for violation of the certificate of appropriateness procedures (K.C.C. Chapter 20.62.080).
- 4) A provision that the official responsible for the issuance of building and related permits shall promptly refer applications for permits which affect historic buildings, structures, objects, sites, districts, or archaeological sites to the King County Historic Preservation Officer (HPO) for review and comment. The responsible official shall seek and take into consideration the comments of the HPO regarding mitigation of any adverse effects affecting historic buildings, structures, objects, sites or districts.

B. Appoint a Special Member to the Commission in accordance with the ordinance adopted by the City. Pursuant to K.C.C. Chapter 20.62 such Special Member shall be a voting member of the Commission on all matters relating to or affecting landmarks within the City, except review of applications to the Special Valuation Tax Program, and the Current Use Taxation Program.

C. Except as to Section 5, the services provided by the County pursuant to this agreement do not include legal services.

3. County Responsibilities

- A. Process all landmark nomination applications and conduct planning, training, and public information tasks necessary to support landmarking activities in the City. Such tasks shall be defined by mutual agreement of both parties on an annual basis.
- B. Process all Certificate of Appropriateness applications to alter, demolish, or move any significant feature of a landmark property within the City limits.
- C. Act as the "Local Review Board" for the purposes related to Chapter 221, 1986 Laws of Washington, (R.C.W. 84.26 and WAC 254.20) for the special valuation of historic properties within the city limits.
- D. Review and approve all applications to the King County Landmark Loan Program.

- E. Review and comment on applications for permits which affect historic buildings, structures, objects, sites, districts, and archaeological sites. Comments shall be forwarded to the city official responsible for the issuance of building and related permits.

4. Compensation

A. **Costs.** The City shall reimburse the County fully for all costs incurred in providing services under this contract, including overhead and indirect administrative costs. Costs charged to the City may be reduced by special appropriations, grants, or other supplemental funds, by mutual agreement of both parties. The rate of reimbursement to the County for labor costs shall be revised annually, by mutual agreement of both parties. Maximum total cost to the City shall be revised annually.

B. **Billing.** The County shall bill the City quarterly. The quarterly bill shall reflect actual costs plus the annual administrative overhead rate. Payments are due within 30 days of invoicing by the County.

5. Indemnification.

A. The County shall indemnify and hold harmless the City and its officers, agents and employees or any of them from any and all claims, actions, suits, liability, loss, costs, expenses, and damages of any nature whatsoever, by reason or arising out of any negligent act or omission of the County, its officers, agents, and employees, or any of them, in providing services pursuant to this agreement. In the event that any suit based upon such a claim, action, loss, or damage is brought against the City, the County shall defend the same at its sole cost and expense; provided, that the City retains the right to participate in said suit if any principle of governmental or public law is involved; and if final judgment be rendered against the City and its officers, agents, employees, or any of them, or jointly against the City and the County and their respective officers, agents and employees, or any of them, the County shall satisfy the same.

B. In executing this agreement, neither party assumes liability or responsibility for or in any way releases the other party from any liability or responsibility which arises in whole or in part from the existence or effect of the other party's ordinances, rules or regulations, polices or procedures. If any cause, claim, suit, actions or administrative proceeding is commenced regarding the enforceability and/or validity of any ordinance, rule or regulation of either party, said party shall defend the same at its sole expense and if judgment is entered or damages are awarded against said party, said party shall satisfy the same, including all chargeable costs and attorneys' fees.

C. The City shall indemnify and hold harmless the County and its officers, agents, and employees, or any of them from any and all claims, actions, suits, liability, loss, costs, expenses and damages of any nature whatsoever, by reason of or arising out of any negligent act or omission of the City, its officers, agents, and employees, or any of them. In the event that any suit based upon such a claim, action, loss or damage is brought against the County, the City shall defend the same at its sole cost and expense; provided

that the County retains the right to participate in said suit if any principle of governmental or public laws is involved; and if final judgment be rendered against the County, and its officers, agents, and employees, or any of them, the City shall satisfy the same.

- D. The City and the County acknowledge and agree that if such claims, actions, suits, liability, loss, costs, expenses and damages are caused by or result from the concurrent negligence of the City, its agents, employees, and/or officers and the County, its agents, employees, and/or officers, this Article shall be valid and enforceable only to the extent of the negligence of each party, its agents, employees and/or officers.
6. Duration. This agreement is effective beginning upon execution, and shall be reviewed annually.
 7. Termination. Either party may terminate this agreement by forty-five (45) days written notice from one party to the other.
 8. Administration. This agreement shall be administered for the County by the Director of the Department of Natural Resources and Parks, or the director's designee, and for the City by the City Manager or the manager's designee.
 9. Amendments. This Agreement may be amended at any time by mutual written agreement of the parties.

IN WITNESS WHEREOF, the parties have executed this agreement this _____ day of _____, 2012.

CITY OF BURIEN

By: _____
Mike Martin

Title: City Manager _____

KING COUNTY

By: _____
King County Executive

Approved as to form:

By: _____
King County Prosecutor



King County

Historic Preservation Program

Department of Natural Resources & Parks
201 South Jackson Street, Suite 700 [MS: KSC-NR-0700]
Seattle, WA 98104
206.296-8689

REGIONAL HISTORIC PRESERVATION PROGRAM

King County is working with cities throughout the county to provide landmark designation and protection services. This cooperative approach to preserving our region's history and character has many benefits:

- compliance with growth management requirements for historic preservation
- cost efficient delivery of professional services
- preservation and enhancement of significant aspects of local history
- protection and enhancement of key elements of community character
- access to incentives for property owners
- access to state and federal funding sources for preservation
- basis for tourism development programs

These services are provided through the County's Historic Preservation Program, located in the Department of Natural Resources and Parks, via an interlocal agreement between King County and the participating city. Services include, but are not limited to, designation and protection of significant historic and cultural properties. Additional services may include preparing nomination applications, conducting survey and inventory of historic properties and maintaining the inventory data, developing and implementing design guidelines, and assisting with preservation planning, or other preservation-related work, all of which are at the City's option.

The County is required by state law to receive full reimbursement for these services; however, grants from the State Department of Archaeology and Historic Preservation are available to defray much of the cost to cities.

One of the primary benefits of the program is that owners of designated landmark properties in the city are eligible to apply for a variety of incentive programs including property tax reductions, low interest loans, brick-and-mortar grants, and technical assistance from qualified preservation professionals.

To date, half of the cities in King County participate in the program. For more information contact Julie Koler, Preservation Officer at 206.296.8689 or by email at julie.koler@kingcounty.gov

INCENTIVE PROGRAMS FOR LANDMARK OWNERS

Technical Paper No. 16



King County

Historic Preservation Program, Department of Natural Resources and Parks
201 S. Jackson, Suite 700, Seattle, WA 98104, 206-296-8689
TTY Relay: 711

Background

A generous program of incentives balances the controls imposed by the King County Landmark Designation Program. The incentive programs currently available are described below. These programs have changed over time and will continue to change as tax and zoning laws evolve or new sources of grant funds become available. Individuals owning King County landmarks, owners of landmarks in the cities with which King County has interlocal agreements for landmarking services, or individuals who are considering designation are encouraged to contact the King County Historic Preservation Program at 206-296-8689 for updated information on incentive programs.

Special Valuation: A Local Tax Incentive Program for Rehabilitating Historic Buildings

Special valuation subtracts eligible costs associated with the rehabilitation of historic properties (land value is not included) for up to ten years. The primary benefit of the program is that during the ten-year special valuation period, property taxes do not reflect substantial improvements made to the property. Prior to the passage of this law, owners rehabilitating historic buildings were subject to increased property taxes once the improvements were made. To be eligible, the property must have undergone an approved rehabilitation within two years prior to applying for special valuation, and the rehabilitation must be equal in cost to at least 25% of the assessed value of the improvement (excluding land value).

Current Use Taxation for Open Space

Landmark property owners are eligible for tax relief through the Current Use Taxation (CUT) program (<http://www.kingcounty.gov/environment/stewardship/sustainable-building/resource-protection-incentives.aspx>). This program establishes a “current use” property tax assessment for qualifying property that is lower than the “highest and best use” assessment level that is applied to most land in the county. The reduction in taxable value ranges from 50% to 90% for the portion of the property in “current use.” Landmark property owners qualify for a 50% reduction in taxable value for the *land* buffers, special habitat, etc. – the percentage may be higher. Properties determined *eligible* for landmark designation may also qualify for this program if they include another eligible category.

For property to be entered in to the CUT program, either the potential for additional development or use must be present, or the owner must provide some form of public access or agree to other provisions in return for the tax reduction. Public access is encouraged, however, access is not required particularly when visitation could damage or endanger the resource (for example an archaeological site).

Landmark Loan Fund

Low-interest loans are available to landmark property owners through programs administered jointly between the King County Historic Preservation Program and participating local banks. The

Landmarks Commission reviews proposed loan-funded projects for compliance with restoration and rehabilitation standards, while the banks focus on the financial eligibility of the borrower. Loans are available for the restoration or rehabilitation of privately owned residential and commercial properties.

Technical Assistance

Owners of King County landmarks are eligible to receive a range of technical assistance services from the Landmarks Commission and staff. Primary among these is assistance from members of the Commission's Design Review Committee who review and approve all changes to designated features of significance of landmark properties. Included on this committee are architects and preservation specialists who can share both their technical knowledge and broad experience working with historic buildings. In addition, the Program maintains technical papers and has access to information on a wide range of historic preservation issues.

Investment Tax Credits

The Tax Reform Act of 1986 authorizes owners of buildings listed in the National Register of Historic Places to take a 20% income tax credit on the cost of rehabilitating their buildings for industrial, commercial, or rental residential purposes. Many King County Landmarks are eligible for listing on the National Register. An owner investing in rehabilitation of a registered historic property will have credit against federal taxes. The Preservation Assistance Division of the National Park Service monitors this program, which is administered by the Washington State Department of Archaeology and Historic Preservation. For additional information contact Nicholas Vann at Nicholas.Vann@dahp.wa.gov or 360-586-3079.

Landmark Grant Programs

4Culture, a King County-chartered public development authority, administers two grant programs to which landmark property owners are eligible to apply:

- *Cultural Facilities Program*
A cultural organization (either arts or heritage) that owns or uses a King County Landmark is eligible to apply to the Cultural Facilities Program for the purchase, restoration or rehabilitation of the building.
- *Landmark Stabilization and Rehabilitation Grants*
In 2002, King County established an annual grant-in-aid program for the stabilization and rehabilitation of landmark properties. Individuals owning King County landmarks, or owners of landmarks in the cities with which King County has interlocal agreements for landmarking services are eligible to apply to this program.

Grant awards for both of these programs are made on a competitive basis. Funding decisions are made based on the criteria and priorities outline in the program guidelines. For additional information contact Flo Lentz at flo.lentz@4culture.org or 206-296-8682.

This information is available upon request in alternative formats for persons with disabilities at 206-296-7580 TTY.

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Discussion on Proposed Zoning Code Amendment Related to Landmark Preservation and Protection		Meeting Date: October 1, 2012
Department: Community Development	Attachments: 1-Memo to City Council 2-Draft Ordinance 567 and Exhibit A 3-King County Code Chapter 20.62	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Scott Greenberg, AICP Community Development Director		
Telephone: (206) 248-5519		
Adopted Work Plan Priority: Yes ___ No <u>X</u> .	Work Plan Item Description:	
<p>PURPOSE/REQUIRED ACTION: The purpose of this agenda item is for the City Council to discuss and provide direction to staff on a proposed Zoning Code Amendment related to landmark preservation and protection. No action is required at this meeting.</p> <p>BACKGROUND (Include prior Council action & discussion): See Attachment 1 for greater detail. The City was recently approached by a resident seeking landmark designation for his property. Burien's Comprehensive Plan calls for historic properties and sites to be identified and protected. The Planning Commission considered the proposed amendments at their August 28 and September 11, 2012 meetings and recommended approval of the attached amendments (Attachment 2).</p> <p>A related Council decision will be whether the City of Burien should join King County's Historic Preservation Program. This will be presented and discussed as a separate agenda item prior to this one.</p> <p>OPTIONS (Including fiscal impacts): 1-Adopt recommended amendment. 2-Adopt recommended amendment with changes. 3-Do not adopt recommended amendment</p>		
Administrative Recommendation: Discuss Planning Commission recommendation and provide direction to staff.		
Committee Recommendation: N/A		
Advisory Board Recommendation: The Planning Commission unanimously recommended approval of the proposed amendments on Attachment 2.		
Suggested Motion: None required		
Submitted by: Scott Greenberg		
Administration _____	City Manager _____	
Today's Date: September 21, 2012	File Code: R:\CC\Agenda Bill 2012\100112cd-1 Landmark Preservation Zoning Code Amendment.docx	

CITY OF BURIEN, WASHINGTON MEMORANDUM

DATE: September 21, 2012

TO: Mayor Bennett and Councilmembers

FROM: Scott Greenberg, AICP, Community Development Director

SUBJECT: Zoning Code Amendment—Preservation and Protection of Landmarks

PURPOSE

The purpose of this agenda item is for the City Council to discuss and provide direction to staff on a proposed Zoning Code Amendment related to landmark preservation and protection.

BACKGROUND

The City was recently approached by a resident seeking landmark designation for his property. Burien's Comprehensive Plan calls for historic properties and sites to be identified and protected. The Planning Commission considered the proposed amendments at their August 28 and September 11, 2012 meetings and recommended approval of the attached amendments (Attachment 2). The recommended regulations and procedures would amend BMC 19.85, the existing Historic Preservation chapter in the Zoning Code. The current chapter is inadequate to protect such resources and offers no incentives or process for designation and protection.

DISCUSSION

The recommended amendments heavily reference King County's Zoning Code chapter on landmark preservation. Another agenda item addresses a proposed Interlocal Agreement (ILA) with King County to provide landmark designation services for the City of Burien. If the ILA is approved by Council, Burien's regulations and procedures relating to landmarks must be substantially the same as the King County landmark ordinance (Attachment 3).

Recommended Code Amendments

The following summarizes the recommended amendments to BMC 19.85:

- Title: Changed to "Protection and Preservation of Landmarks", to better reflect proposed regulations and procedures.
- 19.85.010--Purpose: Added a few words to better align with King County's code.
- 19.85.020—City of Burien landmarks: Eliminated list of landmarks. These have never been officially designated as landmarks. Any future landmark designation would be made by the King County Landmarks Commission using the proposed procedures.
- 19.85.020—Limit on noise impacts: Duplicate section numbering (two with 19.85.020). This section is recommended for elimination. It was adopted prior to third runway operation to protect the listed properties from airport noise impacts.
- 19.85.030--Requirement for noise mitigation plan: This section is recommended for elimination. It was adopted prior to third runway operation to protect the listed properties from airport noise impacts.

- NEW 19.85.020—King County Code Chapter 20.62 adopted: This new section adopts a number of King County Code sections by reference. This is the primary connection with the King County regulations, designation criteria and procedures for designation.
- NEW 19.85.030—Landmarks Commission Created: This new section authorizes King County’s Landmarks Commission to act on behalf of the City of Burien. Of note is the requirement for the City Council to appoint a “special member” to the Landmarks Commission. This member serves as a voting member of the Commission on matters related to landmark designations and other issues relating to Burien.
- NEW 19.85.040—Review of building and related permits: This new section authorizes the City to consider comments from the King County Historic Preservation Officer when determining any required mitigation of adverse effects affecting historic resources.
- NEW 19.85.050—Appeal procedure: Allows appeal of a Landmarks Commission decision using the same procedure as a Type 1 appeal.

Burien Comprehensive Plan Policies:

The following existing Comprehensive Plan polices apply to historic preservation and landmark designation. The Planning Commission is also considering amendments to these policies as part of the annual Comprehensive Plan amendment package that Council will review this fall. These are included here for your information.

Existing Policies:

Goal HT.1 Ensure that historic properties and sites are identified, protected from undue adverse impacts associated with incompatible land uses or transportation facilities, and protected from detrimental exterior noise levels.

Pol. HT.1.1 The City should protect local historic, archeological and cultural sites and structures through designation and incentives for the preservation of such properties.

Pol. HT 1.2 Historic properties and sites which exhibit one or more of the following characteristics may be designated by the City as locally significant historic resources:

- a. It is listed, or eligible for listing, in the National Register for Historic Places or the King County Inventory of Historic Places;
- b. It is associated with events that have made a significant contribution to the broad patterns of national, state, or local history;
- c. It is associated with the life of a person who is important in the history of the community, city, state, or nation or who is recognized by local citizens for substantial contribution to the neighborhood or community;
- d. It embodies the distinctive characteristics of a type, period, style or method of construction;
- e. It is an outstanding or significant work of an architect, builder, designer or developer who has made a substantial contribution to the profession;
- f. It has yielded, or may be likely to yield, information important in prehistory or history;
- g. Because of its location, age or scale, it is an easily identifiable visual feature and contributes to the distinctive quality or identity of the community or City;

- h. The property or site includes significant cultural facilities such as amphitheaters, museums, community centers, sports complexes, marinas, etc.

Discussion: Using the above criteria, the City should be able to identify historic properties and sites as locally significant and worthy of protection from incompatible land uses and activities

Pol. HT1.3 The City shall consider the impacts of new development on historical resources as a part of its environmental review process and require any appropriate mitigation measures.

Pol. HT 1.4 The City will take all reasonable actions within its means to preserve and protect locally significant historic properties and sites incompatible land uses.

Pol. HT 1.5 In order to minimize adverse impacts related to noise, unless prohibited by federal or state law historic properties and sites of local significance should be protected from exterior noise exposure levels that exceed a Ldn of 55 dBA.

Amended Policies Under Consideration by Planning Commission:

Goal HT.1 Ensure that historic properties and sites are identified, protected from undue adverse impacts associated with incompatible land uses or transportation facilities.

Pol. HT.1.1 Protect local historic, archeological and cultural sites and structures through designation and incentives for the preservation of such properties.

Pol. HT 1.4 The City will take all reasonable actions within its means to preserve and protect locally significant historic ~~properties and sites~~ resources from incompatible land uses.

(Policies HT 1.2, HT 1.3 and HT 1.5 would be deleted)

Add new definition: Historic resource: A district, site, building, structure or object significant in national, state or local history, architecture, archeology, and culture.

CITY OF BURIEN, WASHINGTON

ORDINANCE NO. 567

AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, AMENDING TITLE 19 OF THE BURIEN MUNICIPAL CODE RELATED TO THE PROTECTION AND PRESERVATION OF LANDMARKS, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, historic preservation fosters civic pride in the beauty and accomplishments of the past and improves the economic vitality of our communities; and

WHEREAS, the City of Burien desires to designate, protect, and enhance those sites, buildings, districts, structures and objects that reflect significant elements of its cultural, aesthetic, social, economic, political, architectural, ethnic, archaeological, engineering, and other history; and

WHEREAS, King County is able to provide landmark designation and protection services to the City; and

WHEREAS, the City has elected to contract with King County to provide such services; and

WHEREAS, it is in the public interest that the jurisdictions cooperate to provide efficient and cost effective landmark designation and protection; and

WHEREAS, the Planning Commission held a duly noticed public hearing to receive public comments on September 11, 2012 and subsequently recommended approval of the proposed amendments; and

WHEREAS, the City Council has received a unanimous recommendation from the Planning Commission regarding the proposed amendments; and

WHEREAS, the City provided the proposed amendments to the Washington State Department of Commerce and did not receive any comments during the 10-day expedited comment deadline; and

WHEREAS, the City Council held public meetings on October 1 and 15, 2012 to review and discuss the proposed amendments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN,

WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1: Amendments to BMC Title 19. The City Council of the City of Burien hereby amends BMC Title 19 as set forth in Exhibit A, which is attached hereto and is incorporated herein by this reference.

Section 2: Findings and Criteria. In accordance with the criteria set forth in BMC 19.65.100, the City Council finds that the amendments adopted herein are consistent with the Comprehensive Plan, bear a substantial relation to the public health, safety, or welfare, and are in the best interest of the community as a whole.

Section 3: Severability. Should any section, subsection, 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 4: Savings. The enactments of this ordinance shall not affect any case, proceeding, appeal or other matter currently pending in any court or in any way modify any right or liability, civil or criminal, which may be in existence on the effective date of this ordinance.

Section 5: Effective Date. This ordinance shall be published by summary 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 THIS ____ DAY OF _____, 2012, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS ____ DAY OF _____, 2012.

CITY OF BURIEN

/s/ Brian Bennett, Mayor

ATTEST/AUTHENTICATED:

/s/ Monica Lusk, City Clerk

Approved as to form:

/s/ Craig D. Knutson, City Attorney

Filed with the City Clerk: _____, 2012

Passed by the City Council: _____, 2012

Ordinance No. 567

Date of Publication: _____, 2012

ORDINANCE 567

Exhibit A

19.85 ~~Historic Preservation~~ Protection and Preservation of Landmarks

- 19.85.010 Purpose.
- 19.85.020 ~~City of Burien Landmarks.~~ King County Code Chapter 20.62 Adopted.
- ~~19.85.020 Limit On Noise Impacts to Significant Sites, Districts, Buildings, Structures, and Objects.~~
- 19.85.030 ~~Requirement For Noise Mitigation Plan.~~ Landmarks Commission Created—Membership and Organization
- 19.85.040 Review of Building and Related Permits.
- 19.85.050 Appeal Procedure.

19.85.010 Purpose.

The purposes of this chapter are to:

1. Designate ~~and~~, preserve, protect, enhance and perpetuate those sites, buildings, districts, structures and objects which reflect significant elements of the city of Burien's, the county's, the state's, and the nation's cultural, aesthetic, social, economic, political, architectural, ethnic, archaeological, engineering, historic, and other heritage;
2. Foster civic pride in the beauty and accomplishments of the past;
3. Stabilize and improve the economic values and vitality of landmarks;
4. Encourage, pProtect and enhance the city of Burien's tourist industry by promoting heritage-related tourism;
5. Promote the continued use, exhibition and interpretation of significant sites, districts, buildings, structures, and objects for the education, inspiration, and welfare of the people of the city of Burien;
6. Promote and continue incentivess for ownership and utilization of landmarks;
7. Assist, encourage and provide incentivess to public and private owners for preservation, restoration, rehabilitation, and use of landmark buildings, sites, districts, structures, and objects;
8. Work cooperatively with other jurisdictions to identify, evaluate, and protect historic resources in furtherance of the purposes of this chapter. [Ord. 545 § 1, 2010, Ord. 130 § 1, 1995]

~~19.85.020 City of Burien landmarks.~~

~~The following is a list of currently identified significant sites, districts, buildings, structures, and objects within the city of Burien:~~

- ~~1. Highline High School, 251 SW 152nd Street;~~
- ~~2. Sunnyside School, 15631 8th Avenue South;~~

ORDINANCE 567

Exhibit A

- ~~3. Subdivision 44, 7th Avenue South, 128th Street to S. 132nd Street;~~
- ~~4. Brick Commercial Structure, 658 S. 152nd Street;~~
- ~~5. Derion House, 505 S. 150th Street;~~
- ~~6. Dodd Homestead, 606 S. 140th Street;~~
- ~~7. Pacific Telephone Building, 14605 8th Avenue South;~~
- ~~8. Pollock House, 624 S. 152nd Street;~~
- ~~9. YMCA House, 17874 Des Moines Way South; and~~
- ~~10. Crosby House, 14628 8th Avenue South. [Ord. 545 § 1, 2010, Ord. 130 § 1, 1995]~~

~~19.85.020 Limit on noise impacts to significant sites, districts, buildings, structures, and objects.~~

~~Significant sites, districts, buildings, structures, and objects shall not be subject to adverse land uses which generate exterior noise exposure levels exceeding 55 dbA Ldn. [Ord. 545 § 1, 2010, Ord. 130 § 1, 1995]~~

~~19.85.030 Requirement for noise mitigation plan.~~

~~Proponents of projects which will increase exterior noise levels to which significant sites, districts, buildings, structures, and objects are exposed above an Ldn of 55 dbA must submit a noise mitigation plan to the city of Burien department of community development for review and approval before required permits are issued to allow the project to proceed. The city manager, with the assistance of the director of the department of community development, is authorized and directed to develop criteria for such review and approval. Such criteria shall be available in writing to applicants and shall, at minimum, require that the best available technology be employed to achieve no more than the maximum allowable noise standard set forth in this section. [Ord. 545 § 1, 2010, Ord. 130 § 1, 1995]~~

19.85.020 King County Code Chapter 20.62 adopted.

The following sections of Chapter 20.62 King County Code (KCC) are incorporated by reference herein and made a part of this chapter:

1. K.C.C. 20.62.020 – Definitions, except as follows:
 - A. Paragraph H. is changed to read ““Director” is the director of the City of Burien Department of Community Development or his/her designee.”
 - B. Add paragraph: Z. “Council” is the City of Burien City Council.
2. K.C.C. 20.62.040 - Designation Criteria, except all references to "King County" are changed to read “City of Burien.”

ORDINANCE 567

Exhibit A

3. K.C.C. 20.62.050 - Nomination Procedure.
4. K.C.C. 20.62.070 - Designation Procedure, except all references to "King County" are changed to read "City of Burien."
5. K.C.C. 20.62.080 - Certificate of Appropriateness Procedure, except the last sentence of paragraph A thereof.
6. K.C.C. 20.62.100 - Evaluation of Economic Impact.
7. K.C.C. 20.62.130 - Penalty for Violation of Section 20.62.080 (Paragraph 5. above).
8. K.C.C. 20.62.140 - Special Valuation for Historic Properties
9. Permit applications for changes to landmark properties shall not be considered complete unless accompanied by a certificate of appropriateness pursuant to Section 5 above. Upon receipt of an application for a development proposal, which affects a King County landmark or an historic resource that has received a preliminary determination of significance as defined in Section 1 above, the application circulated to the King County historic preservation officer shall be deemed an application for a certificate of appropriateness pursuant to Section 5 above, if accompanied by the additional information required to apply for such certificate.

19.85.030 Landmarks Commission Created—Membership and Organization.

1. The King County Landmarks Commission ("Commission"), established pursuant to King County Code (K.C.C.), Chapter 20.62, is hereby designated and empowered to act as the Landmarks Commission for the City of Burien pursuant to the provisions of this chapter.
2. The Special Member of the Commission, provided for in Section 20.62.030 of the King County Code, shall be appointed by the City Council. Such special member shall have a demonstrated interest and competence in historic preservation. Such appointment shall be made for a three-year term. Such special member shall serve until his or her successor is duly appointed and confirmed. In the event of a vacancy, an appointment shall be made to fill the vacancy in the same manner and with the same qualifications as if at the beginning of the term, and the person appointed to fill the vacancy shall hold the position for the remainder of the unexpired term. Such special member may be reappointed but may not serve more than two consecutive, three-year terms. Such special member shall be deemed to have served one full term, if such special member resigns at any time after appointment or if such special member serves more than two years of an unexpired term. The special member of the Commission shall serve without compensation.
3. The Commission shall file its rules and regulations, including procedures consistent with this chapter, with the City Clerk.

ORDINANCE 567

Exhibit A

19.85.040 Review of Building and Related Permits.

The official responsible for the issuance of building and related permits shall promptly refer applications for permits which “affect” historic buildings, structures, objects, sites, districts, or archaeological sites to the King County Historic Preservation Officer (HPO) for review and comment. For the purposes of this section, “affect” shall be defined as an application for change to the actual structure, on a property with a landmark structure or designated as a landmark property, or on an adjacent property sharing a common boundary line. The responsible official shall seek and take into consideration the comments of the HPO regarding mitigation of any adverse effects affecting historic buildings, structures, objects, sites, or districts.

19.85.050 Appeal procedure.

1. A party of record aggrieved by a decision of the commission designating or rejecting a nomination for designation of a landmark, or issuing or denying a certificate of appropriateness may, appeal such decision pursuant to the procedures established for a Type 1 Decision in BMC 19.65.065.5 through 19.65.065.12.
2. If, after the appeal hearing, the hearing examiner determines:
 - A. An error in fact was made by the commission, the hearing examiner shall remand the proceeding to the commission for reconsideration; or
 - B. The decision of the commission is based on an error in judgment or conclusion, the hearing examiner may modify or reverse the decision of the commission.

20.54.110 Amendments to designations of King County agricultural districts or agricultural lands of county significance.

A. Applications to amend boundaries of King County agricultural districts and agricultural lands of county significance to include lands not so designated by this chapter shall be made to the office of agriculture in writing with such supporting evidence as required by the office of agriculture. Boundaries of agricultural districts or agricultural lands of county significance may be amended where lands are found to meet the criteria for designation contained in this chapter.

B. All applications to revise the boundaries of King County agricultural districts shall be heard directly by the King County council.

C. All applications to revise the boundaries of agricultural lands of county significance shall be heard by the zoning and subdivision examiner in accordance with the procedures in King County Code Chapter 20.24.

D. For applications to revise the boundaries of agricultural lands of county significance, the hearing examiner may consider special exceptions to the criteria set forth in Attachment F* and to the procedures set forth in King County Code Chapter 20.24 for those lands producing horticultural crops which the producer sells directly to the public through public markets, u-pick operations, and roadside stands. (Ord. 3064 § 11, 1977).

20.54.120 Development of agricultural protection program.

A. Agricultural land programs, and information for the purchase and trade of certain agricultural lands and other agricultural support programs, shall be developed in conjunction with agricultural district advisory committees as set forth in Ordinance 3074, and presented to the council by the King County office of agriculture as specified in Attachment G*, which is incorporated by reference. The council intends that these programs shall be, to the fullest extent possible, implemented on a voluntary basis, based on the expressed interest of affected property owners.

B. The following criteria shall be considered in the development of priorities for the agricultural land program:

1. The criteria set forth on Attachment F*;
2. Farmer-owned and operated agricultural land;
3. Farming activity on lands since 1970;
4. Lands producing horticultural crops which are sold directly by the producer to the public through public markets, u-pick operations, or roadside stands; and
5. Lands zoned in the agricultural zoning classifications. (Ord. 3064 § 12, 1977).

*Available in the office of the clerk of the council.

20.54.130 Duration. Continued application of the provisions of Section 20.54.070 beyond eighteen months from February 10, 1977, shall require further council action by ordinance. Extension of the provisions of Section 20.54.070 or comparable provisions beyond such period shall not occur unless the agricultural land and support programs as set forth in Attachment G* have been developed and approved by the council and the funding for such programs has been approved. (Ord. 3064 § 13, 1977).

*Available in the office of the clerk of the council.

20.62 PROTECTION AND PRESERVATION OF LANDMARKS, LANDMARK SITES AND DISTRICTS

Sections:

- 20.62.010 Findings and declaration of purpose.
- 20.62.020 Definitions.
- 20.62.030 Landmarks commission created - membership and organization.
- 20.62.040 Designation criteria.
- 20.62.050 Nomination procedure.
- 20.62.070 Designation procedure.
- 20.62.080 Certificate of appropriateness procedure.
- 20.62.100 Evaluation of economic impact.
- 20.62.110 Appeal procedure.
- 20.62.120 Funding.
- 20.62.130 Penalty for violation of Section 20.62.080.
- 20.62.140 Special valuation for historic properties.
- 20.62.150 Historic Resources - review process.

20.62.010 Findings and declaration of purpose. The King County council finds that:

A. The protection, enhancement, perpetuation and use of buildings, sites, districts, structures and objects of historical, cultural, architectural, engineering, geographic, ethnic and archaeological significance located in King County, and the collection, preservation, exhibition and interpretation of historic and prehistoric materials, artifacts, records and information pertaining to historic preservation and archaeological resource management are necessary in the interest of the prosperity, civic pride and general welfare of the people of King County.

B. Such cultural and historic resources are a significant part of the heritage, education and economic base of King County, and the economic, cultural and aesthetic well-being of the county cannot be maintained or enhanced by disregarding its heritage and by allowing the unnecessary destruction or defacement of such resources.

C. Present heritage and preservation programs and activities are inadequate for insuring present and future generations of King County residents and visitors a genuine opportunity to appreciate and enjoy our heritage.

D. The purposes of this chapter are to:

1. Designate, preserve, protect, enhance and perpetuate those sites, buildings, districts, structures and objects which reflect significant elements of the county's, state's and nation's cultural, aesthetic, social, economic, political, architectural, ethnic, archaeological, engineering, historic and other heritage;

2. Foster civic pride in the beauty and accomplishments of the past;

3. Stabilize and improve the economic values and vitality of landmarks;

4. Protect and enhance the county's tourist industry by promoting heritage-related tourism;

5. Promote the continued use, exhibition and interpretation of significant historical or archaeological sites, districts, buildings, structures, objects, artifacts, materials and records for the education, inspiration and welfare of the people of King County;

6. Promote and continue incentives for ownership and utilization of landmarks;

7. Assist, encourage and provide incentives to public and private owners for preservation, restoration, rehabilitation and use of landmark buildings, sites, districts, structures and objects;

8. Assist, encourage and provide technical assistance to public agencies, public and private museums, archives and historic preservation associations and other organizations involved in historic preservation and archaeological resource management; and

9. Work cooperatively with all local jurisdictions to identify, evaluate, and protect historic resources in furtherance of the purposes of this chapter. (Ord. 14482 § 68, 2002: Ord. 10474 § 1, 1992: Ord. 4828 § 1, 1980).

20.62.020 Definitions. The following words and terms shall, when used in this chapter, be defined as follows unless a different meaning clearly appears from the context:

A. "Alteration" is any construction, demolition, removal, modification, excavation, restoration or remodeling of a landmark.

B. "Building" is a structure created to shelter any form of human activity, such as a house, barn, church, hotel or similar structure. Building may refer to an historically related complex, such as a courthouse and jail or a house and barn.

C. "Certificate of appropriateness" is written authorization issued by the commission or its designee permitting an alteration to a significant feature of a designated landmark.

D. "Commission" is the landmarks commission created by this chapter.

E. "Community landmark" is an historic resource which has been designated pursuant to K.C.C. 20.62.040 but which may be altered or changed without application for or approval of a certificate of appropriateness.

F. "Designation" is the act of the commission determining that an historic resource meets the criteria established by this chapter.

G. "Designation report" is a report issued by the commission after a public hearing setting forth its determination to designate a landmark and specifying the significant feature or features thereof.

H. "Director" is the director of the King County department of development and environmental services or his or her designee.

I. "District" is a geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history.

J. "Heritage" is a discipline relating to historic preservation and archaeology, history, ethnic history, traditional cultures and folklore.

K. "Historic preservation officer" is the King County historic preservation officer or his or her designee.

L. "Historic resource" is a district, site, building, structure or object significant in national, state or local history, architecture, archaeology, and culture.

M. "Historic resource inventory" is an organized compilation of information on historic resources considered to be significant according to the criteria listed in K.C.C. 20.62.040A. The historic resource inventory is kept on file by the historic preservation officer and is updated from time to time to include newly eligible resources and to reflect changes to resources.

N. "Incentives" are such compensation, rights or privileges or combination thereof, which the council, or other local, state or federal public body or agency, by virtue of applicable present or future legislation, may be authorized to grant to or obtain for the owner or owners of designated landmarks. Examples of economic incentives include but are not limited to tax relief, conditional use permits, rezoning, street vacation, planned unit development, transfer of development rights, facade easements, gifts, preferential leasing policies, private or public grants-in-aid, beneficial placement of public improvements, or amenities, or the like.

O. "Interested person of record" is any individual, corporation, partnership or association which notifies the commission or the council in writing of its interest in any matter before the commission.

P. "Landmark" is an historic resource designated as a landmark pursuant to K.C.C. 20.62.060.

Q. "Nomination" is a proposal that an historic resource be designated a landmark.

R. "Object" is a material thing of functional, aesthetic, cultural, historical, or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.

S. "Owner" is a person having a fee simple interest, a substantial beneficial interest of record or a substantial beneficial interest known to the commission in an historic resource. Where the owner is a public agency or government, that agency shall specify the person or persons to receive notices under this chapter.

T. "Person" is any individual, partnership, corporation, group or association.

U. "Person in charge" is the person or persons in possession of a landmark including, but not limited to, a mortgagee or vendee in possession, an assignee of rents, a receiver, executor, trustee, lessee, tenant, agent, or any other person directly or indirectly in control of the landmark.

V. "Preliminary determination" is a decision of the commission determining that an historic resource which has been nominated for designation is of significant value and is likely to satisfy the criteria for designation.

W. "Significant feature" is any element of a landmark which the commission has designated pursuant to this chapter as of importance to the historic, architectural or archaeological value of the landmark.

X. "Site" is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains an historical or archaeological value regardless of the value of any existing structures.

Y. "Structure" is any functional construction made usually for purposes other than creating human shelter. (Ord. 14482 69, 2002: Ord. 11620 § 13, 1994: Ord. 10474 § 2, 1992: Ord. 4828 § 2, 1980).

20.62.030 Landmarks commission created - membership and organization.

A. There is created the King County landmarks commission which shall consist of nine regular members and special members selected as follows:

1. Of the nine regular members of the commission at least three shall be professionals who have experience in identification, evaluation, and protection of historic resources and have been selected from among the fields of history, architecture, architectural history, historic preservation, planning, cultural anthropology, archaeology, cultural geography, landscape architecture, American studies, law, or other historic preservation related disciplines. The nine regular members of the commission shall be appointed by the county executive, subject to confirmation by the council, provided that no more than four members shall reside within any one municipal jurisdiction. All regular members shall have a demonstrated interest and competence in historic preservation.

2. The county executive may solicit nominations for persons to serve as regular members of the commission from the Association of King County Historical Organizations, the American Institute of Architects (Seattle Chapter), the Seattle King County Bar Association, the Seattle Master Builders, the chambers of commerce, and other professional and civic organizations familiar with historic preservation.

3. One special member shall be appointed from each municipality within King County which has entered into an interlocal agreement with King County providing for the designation by the commission of

landmarks within such municipality in accordance with the terms of such interlocal agreement and this chapter. Each such appointment shall be in accordance with the enabling ordinance adopted by such municipality.

B. Appointments of regular members, except as provided in subsection C of this section, shall be made for a three-year term. Each regular member shall serve until his or her successor is duly appointed and confirmed. Appointments shall be effective on June 1st of each year. In the event of a vacancy, an appointment shall be made to fill the vacancy in the same manner and with the same qualifications as if at the beginning of the term, and the person appointed to fill the vacancy shall hold the position for the remainder of the unexpired term. Any member may be reappointed, but may not serve more than two consecutive three-year terms. A member shall be deemed to have served one full term if such member resigns at any time after appointment or if such member serves more than two years of an unexpired term. The members of the commission shall serve without compensation except for out-of-pocket expenses incurred in connection with commission meetings or programs.

C. After May 4, 1992, the term of office of members becomes effective on the date the council confirms the appointment of commission members and the county executive shall appoint or reappoint three members for a three-year term, three members for a two-year term, and three members for a one-year term. For purposes of the limitation on consecutive terms in subsection B of this section an appointment for a one- or a two-year term shall be deemed an appointment for an unexpired term.

D. The chair shall be a member of the commission and shall be elected annually by the regular commission members. The commission shall adopt, in accordance with K.C.C. chapter 2.98, rules and regulations, including procedures, consistent with this chapter. The members of the commission shall be governed by the King County code of ethics, K.C.C. chapter 3.04. The commission shall not conduct any public hearing required under this chapter until rules and regulations have been filed as required by K.C.C. chapter 2.98.

E. A special member of the commission shall be a voting member solely on matters before the commission involving the designation of landmarks within the municipality from which such special member was appointed.

F. A majority of the current appointed and confirmed members of the commission shall constitute a quorum for the transaction of business. A special member shall count as part of a quorum for the vote on any matter involving the designation or control of landmarks within the municipality from which such special member was appointed. All official actions of the commission shall require a majority vote of the members present and eligible to vote on the action voted upon. No member shall be eligible to vote upon any matter required by this chapter to be determined after a hearing unless that member has attended the hearing or familiarized him or herself with the record.

G. The commission may from time to time establish one or more committees to further the policies of the commission, each with such powers as may be lawfully delegated to it by the commission.

H. The county executive shall provide staff support to the commission and shall assign a professionally qualified county employee to serve as a full-time historic preservation officer. Under the direction of the commission, the historic preservation officer shall be the custodian of the commission's records. The historic preservation officer or his or her designee shall conduct official correspondence, assist in organizing the commission and organize and supervise the commission staff and the clerical and technical work of the commission to the extent required to administer this chapter.

I. The commission shall meet at least once each month for the purpose of considering and holding public hearings on nominations for designation and applications for certificates of appropriateness. Where no business is scheduled to come before the commission seven days before the scheduled monthly meeting, the chair of the commission may cancel the meeting. All meetings of the commission shall be open to the public. The commission shall keep minutes of its proceedings, showing the action of the commission upon each question, and shall keep records of all official actions taken by it, all of which shall be filed in the office of the historic preservation officer and shall be public records.

J. At all hearings before and meetings of the commission, all oral proceedings shall be electronically recorded. The proceedings may also be recorded by a court reporter if any interested person at his or her expense shall provide a court reporter for that purpose. A tape recorded copy of the electronic record of any hearing or part of a hearing shall be furnished to any person upon request and payment of the reasonable expense of the copy.

K. The commission is authorized, subject to the availability of funds for that purpose, to expend moneys to compensate experts, in whole or in part, to provide technical assistance to property owners in connection with requests for certificates of appropriateness upon a showing by the property owner that the need for the technical assistance imposes an unreasonable financial hardship on the property owner.

L. Commission records, maps or other information identifying the location of archaeological sites and potential sites shall be exempt from public disclosure as specified in RCW 42.17.310 in order to avoid

looting and depredation of the sites. (Ord. 14482 § 70, 2002: Ord. 10474 § 3, 1992: Ord. 10371 § 1, 1992: Ord. 4828 § 3, 1980).

20.62.040 Designation criteria.

A. An historic resource may be designated as a King County landmark if it is more than forty years old or, in the case of a landmark district, contains resources that are more than forty years old, and possesses integrity of location, design, setting, materials, workmanship, feeling and association, and:

1. Is associated with events that have made a significant contribution to the broad patterns of national, state or local history; or
2. Is associated with the lives of persons significant in national, state or local history; or
3. Embodies the distinctive characteristics of a type, period, style or method of design or construction, or that represents a significant and distinguishable entity whose components may lack individual distinction; or
4. Has yielded or may be likely to yield, information important in prehistory or history; or
5. Is an outstanding work of a designer or builder who has made a substantial contribution to the art.

B. An historic resource may be designated a community landmark because it is an easily identifiable visual feature of a neighborhood or the county and contributes to the distinctive quality or identity of such neighborhood or county or because of its association with significant historical events or historic themes, association with important or prominent persons in the community or county, or recognition by local citizens for substantial contribution to the neighborhood or community. An improvement or site qualifying for designation solely by virtue of satisfying criteria set out in this section shall be designated a community landmark and shall not be subject to the provisions of 20.62.080.

C. Cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past forty years shall not be considered eligible for designation. However, such a property shall be eligible for designation if they are:

1. An integral part of districts that meet the criteria set out in 20.62.040A or if it is:
2. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
3. A building or structure removed from its original location but which is significant primarily for its architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
4. A birthplace, grave or residence of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his or her productive life; or
5. A cemetery that derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
6. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner or as part of a restoration master plan, and when no other building or structure with the same association has survived; or
7. A property commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
8. A property achieving significance within the past forty years if it is of exceptional importance. (Ord. 10474 § 4, 1992: Ord. 4828 § 4, 1980).

20.62.050 Nomination procedure.

A. Any person, including the historic preservation officer and any member of the commission, may nominate an historic resource for designation as a landmark or community landmark. The procedures set forth in Sections 20.62.050 and 20.62.080 may be used to amend existing designations or to terminate an existing designation based on changes which affect the applicability of the criteria for designation set forth in Section 20.62.040. The nomination or designation of an historic resource as a landmark shall constitute nomination or designation of the land which is occupied by the historic resource unless the nomination provides otherwise. Nominations shall be made on official nomination forms provided by the historic preservation officer, shall be filed with the historic preservation officer, and shall include all data required by the commission.

B. Upon receipt by the historic preservation officer of any nomination for designation, the officer shall review the nomination, consult with the person or persons submitting the nomination, and the owner, and prepare any amendments to or additional information on the nomination deemed necessary by the officer. The historic preservation officer may refuse to accept any nomination for which inadequate information is

provided by the person or persons submitting the nomination. It is the responsibility of the person or persons submitting the nomination to perform such research as is necessary for consideration by the commission. The historic preservation officer may assume responsibility for gathering the required information or appoint an expert or experts to carry out this research in the interest of expediting the consideration.

C. When the historic preservation officer is satisfied that the nomination contains sufficient information and complies with the commission's regulations for nomination, the officer shall give notice in writing, certified mail/return receipt requested, to the owner of the property or object, to the person submitting the nomination and interested persons of record that a preliminary or a designation determination on the nomination will be made by the commission. The notice shall include:

1. The date, time, and place of hearing;
2. The address and description of the historic resource and the boundaries of the nominated resource;
3. A statement that, upon a designation or upon a preliminary determination of significance, the certificate of appropriateness procedure set out in Section 20.62.080 will apply;
4. A statement that, upon a designation or a preliminary determination of significance, no significant feature may be changed without first obtaining a certificate of appropriateness from the commission, whether or not a building or other permit is required. A copy of the provisions of Section 20.62.080 shall be included with the notice;
5. A statement that all proceedings to review the action of the commission at the hearing on a preliminary determination or a designation will be based on the record made at such hearing and that no further right to present evidence on the issue of preliminary determination or designation is afforded pursuant to this chapter.

D. The historic preservation officer shall, after mailing the notice required herein, refer the nomination and all supporting information to the commission for consideration on the date specified in the notice. No nomination shall be considered by the commission less than thirty nor more than forty five calendar days after notice setting the hearing date has been mailed except where the historic preservation officer or members of the commission have reason to believe that immediate action is necessary to prevent destruction, demolition or defacing of an historic resource, in which case the notice setting the hearing shall so state. (Ord. 10474 § 5, 1992; Ord. 4828 § 5, 1980).

20.62.070 Designation procedure.

A. The commission may approve, deny, amend or terminate the designation of a historic resource as a landmark or community landmark only after a public hearing. At the designation hearing the commission shall receive evidence and hear argument only on the issues of whether the historic resource meets the criteria for designation of landmarks or community landmarks as specified in K.C.C. 20.62.040 and merits designation as a landmark or community landmark; and the significant features of the landmark. The hearing may be continued from time to time at the discretion of the commission. If the hearing is continued, the commission may make a preliminary determination of significance if the commission determines, based on the record before it that the historic resource is of significant value and likely to satisfy the criteria for designation in K.C.C. 20.62.040. The preliminary determination shall be effective as of the date of the public hearing at which it is made. Where the commission makes a preliminary determination it shall specify the boundaries of the nominated resource, the significant features thereof and such other description of the historic resource as it deems appropriate. Within five working days after the commission has made a preliminary determination, the historic preservation officer shall file a written notice of the action with the director and mail copies of the notice, certified mail, return receipt requested, to the owner, the person submitting the nomination and interested persons of record. The notice shall include:

1. A copy of the commission's preliminary determination; and
2. A statement that while proceedings pursuant to this chapter are pending, or six months from the date of the notice, whichever is shorter, and thereafter if the designation is approved by the commission, the certificate of appropriateness procedures in K.C.C. 20.62.080, a copy of which shall be enclosed, shall apply to the described historic resource whether or not a building or other permit is required. The decision of the commission shall be made after the close of the public hearing or at the next regularly scheduled public meeting of the commission thereafter.

B. Whenever the commission approves the designation of a historic resource under consideration for designation as a landmark, it shall, within fourteen calendar days of the public meeting at which the decision is made, issue a written designation report, which shall include:

1. The boundaries of the nominated resource and such other description of the resource sufficient to identify its ownership and location;

2. The significant features and such other information concerning the historic resource as the commission deems appropriate;

3. Findings of fact and reasons supporting the designation with specific reference to the criteria for designation in K.C.C. 20.62.040; and

4. A statement that no significant feature may be changed, whether or not a building or other permit is required, without first obtaining a certificate of appropriateness from the commission in accordance with K.C.C. 20.62.080, a copy of which shall be included in the designation report. This subsection B.4. shall not apply to historic resources designated as community landmarks.

C. Whenever the commission rejects the nomination of a historic resource under consideration for designation as a landmark, it shall, within fourteen calendar days of the public meeting at which the decision is made, issue a written decision including findings of fact and reasons supporting its determination that the criteria in K.C.C. 20.62.040 have not been met. If a historic resource has been nominated as a landmark and the commission designates the historic resource as a community landmark, the designation shall be treated as a rejection of the nomination for King County landmark status and the foregoing requirement for a written decision shall apply. Nothing contained herein shall prevent renominating any historic resource rejected under this subsection as a King County landmark at a future time.

D. A copy of the commission's designation report or decision rejecting a nomination shall be delivered or mailed to the owner, to interested persons of record and the director within five working days after it is issued. If the commission rejects the nomination and it has made a preliminary determination of significance with respect to the nomination, it shall include in the notice to the director a statement that K.C.C. 20.62.080 no longer applies to the subject historic resources.

E. If the commission approves, or amends a landmark designation, K.C.C. 20.62.080 shall apply as approved or amended. A copy of the commission's designation report or designation amendment shall be recorded with the records and licensing services division, or its successor agency, together with a legal description of the designated resource and notification that K.C.C. 20.62.080 and 20.62.130 apply. If the commission terminates the designation of a historic resource, K.C.C. 20.62.080 shall no longer apply to the historic resource. (Ord. 15971 § 92, 2007: Ord. 14482 § 71, 2002: Ord. 14176 § 4, 2001: Ord. 11620 § 14, 1994: Ord. 10474 § 6, 1992: Ord. 4828 § 7, 1980).

20.62.080 Certificate of appropriateness procedure.

A. At any time after a designation report and notice has been filed with the director and for a period of six months after notice of a preliminary determination of significance has been mailed to the owner and filed with the director, a certificate of appropriateness must be obtained from the commission before any alterations may be made to the significant features of the landmark identified in the preliminary determination report or thereafter in the designation report. The designation report shall supersede the preliminary determination report. This requirement shall apply whether or not the proposed alteration also requires a building or other permit. The requirements of this section shall not apply to any historic resource located within incorporated cities or towns in King County, except as provided by applicable interlocal agreement.

B. Ordinary repairs and maintenance which do not alter the appearance of a significant feature and do not utilize substitute materials do not require a certificate of appropriateness. Repairs to or replacement of utility systems do not require a certificate of appropriateness provided that such work does not alter an exterior significant feature.

C. There shall be three types of certificates of appropriateness, as follows:

1. Type I, for restorations and major repairs which utilize in-kind materials.
2. Type II, for alterations in appearance, replacement of historic materials and new construction.
3. Type III, for demolition, moving and excavation of archaeological sites.

In addition, the commission shall establish and adopt an appeals process concerning Type I decisions made by the historic preservation officer with respect to the applications for certificates of appropriateness.

The historic preservation officer may approve Type I certificates of appropriateness administratively without public hearing, subject to procedures adopted by the commission. Alternatively the historic preservation officer may refer applications for Type I certificates of appropriateness to the commission for decision. The commission shall adopt an appeals procedure concerning Type I decisions made by the historic preservation officer.

Type II and III certificates of appropriateness shall be decided by the commission and the following general procedures shall apply to such commission actions:

1. Application for a certificate of appropriateness shall be made by filing an application for such certificate with the historic preservation officer on forms provided by the commission.

2. If an application is made to the director for a permit for any action which affects a landmark, the director shall promptly refer such application to the historic preservation officer, and such application shall be deemed an application for a certificate of appropriateness if accompanied by the additional information required to apply for such certificate. The director may continue to process such permit application, but shall not issue any such permit until the time has expired for filing with the director the notice of denial of a certificate of appropriateness or a certificate of appropriateness has been issued pursuant to this chapter.

3. After the commission has commenced proceedings for the consideration of any application for a certificate of appropriateness by giving notice of a hearing pursuant to subsection 3 of this section, no other application for the same or a similar alteration may be made until such proceedings and all administrative appeals therefrom pursuant to this chapter have been concluded.

4. Within forty five calendar days after the filing of an application for a certificate of appropriateness with the commission or the referral of an application to the commission by the director except those decided administratively by the historic preservation officer pursuant to subsection 2 of this section, the commission shall hold a public hearing thereon. The historic preservation officer shall mail notice of the hearing to the owner, the applicant, if the applicant is not the owner, and parties of record at the designation proceedings, not less than ten calendar days before the date of the hearing. No hearing shall be required if the commission, the owner and the applicant, if the applicant is not the owner, agree in writing to a stipulated certificate approving the requested alterations thereof. This agreement shall be ratified by the commission in a public meeting and reflected in the commission meeting minutes. If the commission grants a certificate of appropriateness, such certificate shall be issued forthwith and the historic preservation officer shall promptly file a copy of such certificate with the director.

5. If the commission denies the application for a certificate of appropriateness, in whole or in part, it shall so notify the owner, the person submitting the application and interested persons of record setting forth the reasons why approval of the application is not warranted.

D. The commission shall adopt such other supplementary procedures consistent with K.C.C. 2.98 as it determines are required to carry out the intent of this section. (Ord. 11620 § 15, 1994: Ord. 10474 § 7, 1992: Ord. 4828 § 8, 1980).

20.62.100 Evaluation of economic impact.

A. At the public hearing on any application for a Type II or Type III certificate of appropriateness, or Type I if referred to the commission by the historic preservation officer, the commission shall, when requested by the property owner, consider evidence of the economic impact on the owner of the denial or partial denial of a certificate. In no case may a certificate be denied, in whole or in part, when it is established that the denial or partial denial will, when available incentives are utilized, deprive the owner of a reasonable economic use of the landmark and there is no viable and reasonable alternative which would have less impact on the features of significance specified in the preliminary determination report or the designation report.

B. To prove the existence of a condition of unreasonable economic return, the applicant must establish and the commission must find, both of the following:

1. The landmark is incapable of earning a reasonable economic return without making the alterations proposed. This finding shall be made by considering and the applicant shall submit to the commission evidence establishing each of the following factors:

a. The current level of economic return on the landmark as considered in relation to the following:

(1) The amount paid for the landmark, the date of purchase, and party from whom purchased, including a description of the relationship, if any, between the owner and the person from whom the landmark was purchased;

(2) The annual gross and net income, if any, from the landmark for the previous five (5) years; itemized operating and maintenance expenses for the previous five (5) years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;

(3) The remaining balance on any mortgage or other financing secured by the landmark and annual debt service, if any, during the prior five (5) years;

(4) Real estate taxes for the previous four (4) years and assessed value of the landmark according to the two (2) most recent assessed valuations;

(5) All appraisals obtained within the previous three (3) years by the owner in connection with the purchase, financing or ownership of the landmark;

(6) The fair market value of the landmark immediately prior to its designation and the fair market value of the landmark (in its protected status as a designated landmark) at the time the application is filed;

(7) Form of ownership or operation of the landmark, whether sole proprietorship, for profit or not-for-profit corporation, limited partnership, joint venture, or both;

(8) Any state or federal income tax returns on or relating to the landmark for the past two (2) years.

b. The landmark is not marketable or able to be sold when listed for sale or lease. The sale price asked, and offers received, if any, within the previous two (2) years, including testimony and relevant documents shall be submitted by the property owner. The following also shall be considered:

- (1) Any real estate broker or firm engaged to sell or lease the landmark;
- (2) Reasonableness of the price or lease sought by the owner;
- (3) Any advertisements placed for the sale or lease of the landmark.

c. The unfeasibility of alternative uses that can earn a reasonable economic return for the landmark as considered in relation to the following:

(1) A report from a licensed engineer or architect with experience in historic restoration or rehabilitation as to the structural soundness of the landmark and its suitability for restoration or rehabilitation;

(2) Estimates of the proposed cost of the proposed alteration and an estimate of any additional cost that would be incurred to comply with the recommendation and decision of the commission concerning the appropriateness of the proposed alteration;

(3) Estimated market value of the landmark in the current condition after completion of the proposed alteration; and, in the case of proposed demolition, after renovation of the landmark for continued use;

(4) In the case of proposed demolition, the testimony of an architect, developer, real estate consultant, appraiser or other real estate professional experienced in historic restoration or rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing landmark;

(5) The unfeasibility of new construction around, above, or below the historic resource.

d. Potential economic incentives and/or funding available to the owner through federal, state, county, city or private programs.

2. The owner has the present intent and the secured financial ability, demonstrated by appropriate documentary evidence to complete the alteration.

C. Notwithstanding the foregoing enumerated factors, the property owner may demonstrate other appropriate factors applicable to economic return.

D. Upon reasonable notice to the owner, the commission may appoint an expert or experts to provide advice and/or testimony concerning the value of the landmark, the availability of incentives and the economic impacts of approval, denial or partial denial of a certificate of appropriateness.

E. Any adverse economic impact caused intentionally or by willful neglect shall not constitute a basis for granting a certificate of appropriateness. (Ord. 10474 § 8, 1992: Ord. 4828 § 10, 1980).

20.62.110 Appeal procedure.

A. Any person aggrieved by a decision of the commission designating or rejecting a nomination for designation of a landmark or issuing or denying a certificate of appropriateness may, within thirty-five calendar days of mailing of notice of such designation or rejection of nomination, or of such issuance or denial or approval of a certificate of appropriateness appeal such decision in writing to the council. The written notice of appeal shall be filed with the historic preservation officer and the clerk of the council and shall be accompanied by a statement setting forth the grounds for the appeal, supporting documents, and argument.

B. If, after examination of the written appeal and the record, the council determines, that: 1. An error in fact may exist in the record, it shall remand the proceeding to the commission for reconsideration or, if the council determines that: 2. the decision of the commission is based on an error in judgment or conclusion, it may modify or reverse the decision of the commission.

C. The council's decision shall be based solely upon the record, provided that, the council may at its discretion publicly request additional information of the appellant, the commission or the historic preservation officer.

D. The council shall take final action on any appeal from a decision of the commission by adoption of an Ordinance, and when so doing, it shall make and enter findings of fact from the record and reasons therefrom which support its action. The council may adopt all or portions of the commission's findings and conclusions.

E. The action of the council sustaining, reversing, modifying or remanding a decision of the commission shall be final unless within twenty calendar days from the date of the action an aggrieved person obtains a writ of certiorari from the superior court of King County, state of Washington, for the purpose of review of the action taken. (Ord. 10474 § 9, 1992: Ord. 4828 § 11, 1980).

20.62.120 Funding.

A. The commission shall have the power to make and administer grants of funds received by it from private sources and from local, state and federal programs for purposes of:

1. Maintaining, purchasing or restoring historic resources located within King County which it deems significant pursuant to the goals, objectives and criteria set forth in this chapter if such historic resources have been nominated or designated as landmarks pursuant to this chapter or have been designated as landmarks by municipalities within King County or by the State of Washington, or are listed on the National Historic Landmarks Register, the National Register of Historic Places; and

2. Developing and conducting programs relating to historic preservation and archaeological resource management. The commission shall establish rules and regulations consistent with K.C.C. chapter 2.98 governing procedures for applying for and awarding of grant moneys pursuant to this section.

B. The commission may, at the request of the historic preservation officer, review proposals submitted by county agencies to fund historic preservation and archaeological projects through the Housing and Community Development Act of 1974 (42 U.S.C. Secs. 5301 et seq.), the State and Local Fiscal Assistance Act of 1972 (31 U.S.C. Secs. 1221 et seq.) and other applicable local, state and federal funding programs. Upon review of such grant proposals, the commission may make recommendations to the county executive and county council concerning which proposals should be funded, the amount of the grants that should be awarded, the conditions that should be placed on the grant, and such other matters as the commission deems appropriate. The historic preservation officer shall keep the commission apprised of the status of grant proposals, deadlines for submission of proposals and the recipients of grant funds. (Ord. 14482 § 72, 2002: Ord. 10474 § 10, 1992: Ord. 4828 § 12, 1980).

20.62.130 Penalty for violation of Section 20.62.080. Any person violating or failing to comply with the provisions of Section 20.62.080 of this chapter shall incur a civil penalty of up to five hundred dollars per day and each day's violation or failure to comply shall constitute a separate offense; provided, however, that no penalty shall be imposed for any violation or failure to comply which occurs during the pendency of legal proceedings filed in any court challenging the validity of the provision or provisions of this chapter, as to which such violations or failure to comply is charged. (Ord. 4828 § 13, 1980).

20.62.140 Special valuation for historic properties.

A. There is hereby established and implemented a special valuation for historic properties as provided in chapter 84.26 RCW.

B. The King County landmarks commission is hereby designated as the local review board for the purposes related to chapter 84.26 RCW, and is authorized to perform all functions required by chapter 84.16 RCW and chapter 254-20 WAC.

C. All King County landmarks designated and protected under this chapter shall be eligible for special valuation in accordance with chapter 84.26 RCW. (Ord. 14482 § 73, 2002: Ord. 10474 § 12, 1992: Ord. 9237 §§ 1-3, 1989).

20.62.150 Historic Resources - review process.

A. King County shall not approve any development proposal or otherwise issue any authorization to alter, demolish, or relocate any historic resource identified in the King County Historic Resource Inventory, pursuant to the requirements of this chapter. The standards contained in K.C.C. 21A.12, Development Standards - Density and Dimensions and K.C.C. 21A.16, Development Standards - Landscaping and Water Use shall be expanded, when necessary, to preserve the aesthetic, visual and historic integrity of the historic resource from the impacts of development on adjacent properties.

B. Upon receipt of an application for a development proposal located on or adjacent to a historic resource listed in the King County Historic Resource Inventory, the director shall follow the following procedure:

1. The development proposal application shall be circulated to the King County historic preservation officer for comment on the impact of the project on historic resources and for recommendation on mitigation. This includes all permits for alterations to historic buildings, alteration to landscape elements, new construction on the same or abutting lots, or any other action requiring a permit which might affect the historic character of the resource. Information required for a complete permit application to be circulated to the historic preservation officer shall include:

- a. a vicinity map;
- b. a site plan showing the location of all buildings, structures, and landscape features;
- c. a brief description of the proposed project together with architectural drawings showing the existing condition of all buildings, structures, landscape features and any proposed alteration to them;
- d. photographs of all buildings, structures, or landscape features on the site; and

e. an environmental checklist, except where categorically exempt under King County SEPA guidelines.

2. Upon request, the historic preservation officer shall provide information about available grant assistance and tax incentives for historic preservation. The officer may also provide the owner, developer, or other interested party with examples of comparable projects where historic resources have been restored or rehabilitated.

3. In the event of a conflict between the development proposal and preservation of an historic resource, the historic preservation officer shall:

a. suggest appropriate alternatives to the owner/developer which achieve the goals of historic preservation.

b. recommend approval, or approval with conditions to the director of the department of development and environmental services; or

c. propose that a resource be nominated for county landmark designation according to procedures established in the landmarks preservation ordinance (K.C.C. 20.62).

4. The director may continue to process the development proposal application, but shall not issue any development permits or issue a SEPA threshold determination until receiving a recommendation from the historic preservation officer. In no event shall review of the proposal by the historic preservation officer delay permit processing beyond any period required by law. Permit applications for changes to landmark properties shall not be considered complete unless accompanied by a certificate of appropriateness pursuant to K.C.C. 20.62.080.

5. On known archaeological sites, before any disturbance of the site, including, but not limited to test boring, site clearing, construction, grading or revegetation, the State Office of Archaeology and Historic Preservation (OAHP), and the King County historic preservation officer, and appropriate Native American tribal organizations must be notified and state permits obtained, if required by law. The officer may require that a professional archaeological survey be conducted to identify site boundaries, resources and mitigation alternatives prior to any site disturbance and that a technical report be provided to the officer, OAHP and appropriate tribal organizations. The officer may approve, disapprove or require permits conditions, including professional archeological surveys, to mitigate adverse impacts to known archeological sites.

C. Upon receipt of an application for a development proposal which affects a King County landmark or an historic resource that has received a preliminary determination of significance as defined by K.C.C. 20.62.020V, the application circulated to the King County historic preservation officer shall be deemed an application for a certificate of appropriateness pursuant to K.C.C. 20.62.080 if accompanied by the additional information required to apply for such certificate. (Ord. 11620 § 12, 1994).

20.62.160 Administrative rules. The director may promulgate administrative rules and regulations pursuant to K.C.C. 2.98, to implement the provisions and requirements of this chapter. (Ord. 11620 § 16, 1994).

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Discussion of Highline Forum Revised Mission		Meeting Date: October 1, 2012
Department: City Manager	Attachments: Highline Forum document	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Mike Martin		
Telephone: 206/248-5503		
Adopted Initiative: Yes No X	Initiative Description: Restructure of Highline Forum	
<p>PURPOSE/REQUIRED ACTION: This is an informational item intended to inform Council about proposed changes in the Highline Forum and to determine whether there is consensus to advance them.</p> <p>BACKGROUND (Include prior Council action & discussion): The Highline Forum is coalition of agencies including the cities of Burien, SeaTac, DesMoines and Normandy Park, the Port of Seattle and the Highline School District and its members are selected from those agencies. The Forum was convened first in 2007 and became the place where communities around the Airport could discuss and resolve issues of mutual interest and concern. As such, the forum was structured to be “airport-centric” and focused on topics relevant to operation of the airport, including noise, pollution, land-use and construction of the Third Runway.</p> <p>The issue for which the Forum was created will always be present, but to a great extent they have become less pressing. Recently, Forum members have discussed shifting focus to other issues. They include education, transportation and economic development. Forum members generally agree that a mission that focused on these issues is more relevant and would have a more constructive and tangible outcome.</p> <p>The attached document goes into greater detail of the proposed changes. Notably they include:</p> <ol style="list-style-type: none"> 1. The aforementioned change in topical focus. 2. A shift in responsibility for agenda setting and meeting logistics. 3. A reduction in meetings from six to four annually <p>OPTIONS (Including fiscal impacts):</p> <ol style="list-style-type: none"> 1. If council generally concurs with these changes, it would be appropriate to instruct your current representative, Deputy Mayor Clark, to convey that message to the Forum and formalize them in its bylaws. 2. If the council does not concur with these changes, it should direct Deputy Mayor Clark to carry your perspective back to the forum and advocate for modifications that are consistent with your wishes. 		
Administrative Recommendation: Concur with the changes (#1); This would shift the Forum’s focus to issues that are immediately relevant.		
Advisory Board Recommendation: N/A		
Suggested Motion: None required		
Submitted by: Administration _____ City Manager _____		
Today’s Date: September 25, 2012	File Code: R:/CC/Agenda Bill 2012/100112cm-2 disc Highline Forum rev mission	

Highline Forum Restructuring Proposal Preparation for September 26, 2012 Meeting

At the March 28th Highline Forum, members formally launched the process to determine the effectiveness of the Forum as currently constituted and a possible new path forward. The conversation continued at the next two Forums (May 23 and July 25), resulting in members identifying the following general themes for the future focus:

1. Broaden the Forum's scope and collaborative efforts with other organizations to include issues and dialogue that reflect the interests of Southwest King County;
2. Forum members assume greater responsibility for agenda setting and handling meeting logistics, with lead responsibility assigned to the "host jurisdiction;"
3. Reduce the frequency of Forum meetings.

These general themes provided the basis for further discussion about the future of the Highline Forum meeting structure, purpose and priorities. The following proposal is offered for consideration during the September 26 meeting:

- On a rotating basis, each of the six participating cities will have the opportunity to host a Forum meeting. Agenda time will be reserved for the hosting jurisdiction to update the Forum on city-specific current events and pressing issues.
- Reduce meeting frequency from **six** to **four** per year. Proposed meeting schedule in 2013: January 23rd, March 27th, September 25th and November 20th. Meetings would continue to occur on Wednesdays and the length of meetings would vary between 90 minutes and two hours.
- The four meetings could be organized under the following themes, identified by the membership at the July 25th Forum meeting:
 - **Education** – Featuring Highline Public Schools and Highline Community College, on the state of education in Southwest King County
 - **Transportation** – Featuring representatives from the South County Area Transportation Board (SCATBd), on local transportation priorities
 - **Economic Development** – Featuring local state legislators, in conjunction with the Southwest King County Economic Development Initiative (SKCEDI) Executive Committee
 - **Port of Seattle** – An annual update from the Port of Seattle on issues of relevance to Southwest King County
- **Highline Community College** will formally be invited to join the Highline Forum.
- Forum continue to be led by **two Co-Chairs**, one elected official from among the cities and one Port Commissioner

Proposed Timeline for Approving the Forum Structural Changes:

- *To Date* – City managers and Port staff discuss possible changes
- *September 26th Highline Forum* – Members will discuss proposed changes
- *November 28th Highline Forum* – Members ratify the proposed changes
- *January 23rd Highline Forum* – Forum embarks the new year with a new direction

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Discussion on 2013-14 Preliminary Budget including Capital Improvement Program, Human Services Funding and Arts & Culture Funding.		Meeting Date: October 1, 2012
Department: Finance Department	Attachments: 1. Human Services Recommendation Chart 2. Arts & Culture Recommendation Chart	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		
<p>PURPOSE/REQUIRED ACTION:</p> <p>The purpose of this agenda item is to discuss the 2013-2014 Preliminary Budget with a focus on the Capital Improvement Program and funding recommendations for Human Services and Arts & Culture.</p> <p>BACKGROUND (Include prior Council action & discussion):</p> <p>The City's 2013-2014 Preliminary Operating Budget was presented to the City Council on September 24, 2012. Tonight's meeting is a discussion on the Capital Improvement Program and funding recommendations for Human Services and Arts & Culture.</p> <p>Upcoming budget meetings are as follows:</p> <p>Monday, October 15, 2012 – Regular Council Meeting – Follow-up Discussion on the Preliminary Operating Budget, the Capital Improvement Program, and funding recommendations for Human Services and Arts & Culture, if needed.</p> <p>Monday, October 22, 2012 – Regular Council Meeting – Second Public Hearing on Revenue Sources and Discussion on the proposed Budget Ordinance, Property Tax Levy, Financial Policies, Proposed Electric Utility Tax (PSE) increase, Proposed Surface Water Management Rate increase and Proposed Parking Tax increase.</p> <p>Monday, November 5, 2012 – Regular Council Meeting – Adopt the 2013-2014 Biennial Budget, Property Tax Levy, Financial Policies, Electric Utility Tax (PSE) increase, Surface Water Management Fee increase and Parking Tax increase.</p> <p>OPTIONS (Including fiscal impacts): N/A</p>		
Administrative Recommendation: Hold discussion and provide direction to staff.		
Suggested Motion: None Required.		
Submitted by: Kim Krause		
Administration _____	City Manager _____	
Today's Date: September 26, 2012	File Code: R:\CC\Agenda Bill 2012\100112ad-1 Prelim Budget Disc-CIP Human Serv.docx	

City of Burien, Washington
2013-2014 Human Services Funding Preliminary Recommendations

	Agency Name	Program Description	2013-14 Funding Request	Recommendation for 2013-14	Amount Funded in 2011-12	Category
1	ABSOLUTE Ministries	Disciple & Men's Housing	2,500		\$ -	Housing & Homelessness
2	BAS Foundation	Food Crisis Line	2,000			Self Sufficiency
3	Bridge Disability Ministries	Mobility Equipment	3,000			Self Sufficiency
4	Catholic Community Services	Emergency Assistance	10,500	10,500	\$ 10,500	Self Sufficiency
5	Child Care Resources	Child Care Information & Referral	5,312	5,000	5,000	Early Intervention
	Consejo Counseling & Referral Services	So. King Cty Latina DV Advocacy Program	Did not apply	-	9,500	Domestic Violence
6	Crisis Clinic	24-Hour Crisis Line	3,000			Self Sufficiency
7	Crisis Clinic	2-1-1 Community Information	8,500	8,500	8,000	Self Sufficiency
8	Crisis Clinic	Teen Link	2,500	1,000	1,000	Youth
9	Domestic Abuse Women's Network (DAWN)	Community Advocacy Program	2,200	2,000	2,000	Domestic Violence
10	Domestic Abuse Women's Network (DAWN)	Housing	8,800	8,000	8,000	Domestic Violence
11	Dynamic Partners	Children with Special Needs	15,000	5,000		Early Intervention
12	Emergency Feeding Program	Emergency Food Packs	5,000			Self Sufficiency
13	Friends of Youth	Homeless Youth Services	4,206			Housing & Homelessness
14	HealthPoint	Healthcare for the Homeless	5,000			Self Sufficiency
15	HealthPoint	Primary Dental Care	5,000			Self Sufficiency
16	HealthPoint	Medical Program	15,000	10,000	8,000	Self Sufficiency
17	Highline Area Food Bank	Food Bank	12,000	10,000	10,000	Self Sufficiency
18	Highline Community College	StartZone Program - Volunteer Income Tax Assistance Program	3,000			Self Sufficiency
	Highline Medical Group	Youth Health Center	Program closed	-	10,000	Youth
19	Hospitality House	Women's Homeless Shelter	13,000	10,000	7,500	Housing & Homelessness
20	Institute for Family Development	PACT (Parents and Children Together) in-home counseling program	10,000			Youth
21	King County Bar Foundation	Pro Bono Services	5,000			Self Sufficiency
22	King Cty Sexual Assault Resource Ctr (KSARC)	Comprehensive Sexual Assault Services	7,725	7,500	7,500	Sexual Assault
23	Lutheran Community Services Northwest	Community Connection Program	5,000			Self Sufficiency
24	Matt Griffin YMCA	School Age Childcare at Seahurst Elementary	15,000	12,000	12,000	Youth
25	Multi-Service Center	Emergency & Transitional Housing	4,000	4,000	3,000	Housing & Homelessness
26	Navos	Early Childhood Mental Health Program	10,000	-	-	Early Intervention
27	Navos	Employment Services	25,000	6,000	6,000	Self Sufficiency
28	New Connections of South King County	Steps Up-Poverty Reduction Program	393			Self Sufficiency
29	New Futures	Afterschool Children & Family Programs	32,000	32,000	32,000	Youth
30	Open Doors for Multicultural Families	Multicultural Family Empowerment Program	7,000			School Readiness
31	Para Los Ninos	Aprendamos Juntos (Let's Learn Together)	25,000	15,000	Did not apply	School Readiness
32	Pediatric Interim Care Center	Interim Care of Drug Exposed Infants	2,500			Early Intervention

City of Burien, Washington
2013-2014 Human Services Funding Preliminary Recommendations

	Agency Name	Program Description	2013-14 Funding Request	Recommendation for 2013-14	Amount Funded in 2011-12	Category
33	Pregnancy Aid of SKC	Pregnancy Aid	1,500	1,500	2,000	Early Intervention
34	Refugee Support Service Coalition	Immigrant Youth Success Project	20,000	-	4,000	School Readiness
35	Refugee Women's Alliance (ReWA)	Case Management and Emergency Assistance	6,000			Self Sufficiency
36	SafeFutures Youth Center	Comprehensive Case Management of At-Risk Youth	72,580			Youth
37	Saint Matthew/San Mateo Episcopal Church Jubilee Center	Immigrant Family Services	2,000			Self Sufficiency
38	Sea Mar Community Health Center	Burien Medical-Immunizations	10,000			Self Sufficiency
39	Seattle-King County Dept. of Public Health	South King County Mobile Dental Program	15,250			Self Sufficiency
40	Senior Services	Meals on Wheels	5,150	5,000	5,000	Self Sufficiency
41	Senior Services	Burien Senior (Hyde) Shuttle	2,000	2,000	2,000	Self Sufficiency
42	Sound Mental Health	Safe & Sound Visitation	8,000			Domestic Violence
43	South King Council of Human Services	Capacity Building	5,000	2,000		Community Engagement
44	St. Vincent de Paul	St. Bernadette Conference - Eviction Prevention Program	15,000	12,000	10,000	Housing & Homelessness
45	The Sophia Way	Eastside Winter Shelter	1,500			Housing & Homelessness
46	Tukwila Pantry	Food Bank	10,000	5,000	5,000	Self Sufficiency
47	Washington Poison Center	Emergency Services	2,916			Self Sufficiency
48	White Center Food Bank	White Center Food Bank	16,000	10,000	10,000	Self Sufficiency
49	YWCA	Children's Domestic Violence Services	8,000	8,000	8,000	Domestic Violence
		Total	\$ 467,532	\$ 192,000	\$ 186,000	
	Emergency Vouchers/Gift Cards			1,000	1,000	
	Go Grants On-line Participation			3,000	3,000	
	Contingency			10,000	10,000	
		TOTAL		206,000	200,000	
		Human Services Goals:				
	Goal 1	Self Sufficiency	67,000			93,000
	Goal 2	Housing & Homelessness	26,000			71,500
	Goal 3	Community Engagement	2,000			25,500
	Goal 4	Early Intervention	11,500			16,000
	Goal 5	Youth	45,000			
	Goal 6	Domestic Violence (DV)	18,000			
	Goal 7	Sexual Assault & Violence	7,500			
	Goal 8	School Readiness	15,000			
		Contingency/Other	14,000			
		TOTAL	206,000			
	<i>A shaded number above means a change in funding from last cycle</i>					

City of Burien, Washington
2013 Arts & Culture Funding
Arts Commission Subcommittee Recommendation

	Name of Agency	Program Description	Amount Requested	Amount Recommended	Past Burien Allocations
1	Balagan Theatre	The Myth Project 2013	\$1,200	\$0 Use site specific budget	
2	Burien Arts Association	Student Art Workshops	\$2,000	\$1,000	2012-\$1,000, 2011-\$1,500, 2010-\$2,000, 2009- \$4,000, 2008 - \$10,000 operations; 2007-\$750
3	Burien Little Theatre	Playwrights Festival	\$4,000	\$2,000	2012-\$2,500, 2011- \$2,500, 2010-\$2,000, 2009-\$3,000, 2007,2005 - \$1,500 2004, 2003 - \$1,000 2002 - \$1,000; 1999 - \$2,000 1998 - \$12,000 CPI commitment for new facility
4	Peter Bjordahl	12 Month Installation	\$1,500	\$0 apply to Public Art Committee	
5	Highline Community Symphonic Band	2013 Community Concerts	\$2,500	\$2,000	2012-1,000, 2011- \$1,500, 2010, \$1,000, 2009-\$1,500, 2008- \$1,000; 2007-\$1,250; 2006 - \$1,500 2005-2003 - \$2,000 2001 - \$2,100
6	Highline Historical Society	Sustained Support for General Operations	\$3,500	\$3,000	2012-\$3,000, 2011, 2010-\$3,000, 2009-\$10,000, 2008- \$10,000 for operations
7	The Hi-Liners Inc.	Mainstage 2013 Production	\$5,000	\$2,500	2012-\$3,000, 2011-\$3,000, 2010-\$2,500, 2009-2008-\$3,000, 2007-2004-\$2,500; 2003 - \$3,000; 2002 - \$3,250, 2001 - \$3,200; 2000 - \$2,000, 1999 - \$1,500 , 1998-1997 - \$750, 1996 - \$1,500; 1995 - \$4,000
8	Latinos for Community Transformation	Mexican Folk Dance Group	\$4,000	\$0 work with 4 Culture	2012-\$2,000
9	Northwest Associated Arts (NWAA)	2013 Choral Sounds Northwest and Youth Choruses Concerts	\$7,500	\$4,750	2012-\$5,000, 2011-\$5,000, 2010-\$4,000 2009-\$5,000, 2008-2003- \$3,000 2002 - \$3,850 2001-2000 - \$3,000 1999 - \$2,000; 1998 - \$1,000 1997 - \$3,000; 1996 - \$1,000
10	Northwest Symphony Orchestra	Year 2013 Concerts	\$8,000	\$4,750	2012-\$5,000, 2011-\$5,000, 2010-\$4,000, 2009-\$5,000, 2008-2007- \$3,000 2006- 2004 - \$3,500 2003 - \$3,000 2002 - \$3,950; 2001 - \$3,800 2000-1997 - \$4,000
		TOTAL	\$39,200	\$20,000	



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MEMORANDUM

TO: Honorable Mayor and Members of the City Council
FROM: Mike Martin, City Manager
DATE: October 1, 2012
SUBJECT: City Manager's Report

I. INTERNAL CITY INFORMATION

A. Arts-a-Glow Lights Up Burien

Approximately 1500 participants attended this year's event on Saturday evening, September 8, in Dottie Harper Park. Beautiful weather was a bonus to the festive setting, which transformed the forested park into an illuminated festival. The culminating activity was the Lantern Procession where event participants walked throughout the adjacent neighborhood with their lanterns. This year a number of neighbors decorated their yards with lanterns in anticipation of the procession. The event also included five artist installations, music, children's activities, and food trucks.

B. North Burien Kids Enjoy Summer Recreation

The Parks, Recreation & Cultural Services (PaRCS) department provided its second year of customized recreation programming for low-income and English as a Second Language (ESL) children living in North Burien. There were 110 children registered, and 97% were low-income. Held at Hilltop School, this two-day-a-week program provided visual and performing arts, soccer, swimming, and lunch. The program also provided a much-needed recreational option for families who cannot afford regular recreation registration fees and who have difficulty transporting their children to an out-of-neighborhood location. Of the 62 children who were ESL, 43 were Spanish-speaking. PaRCS contracts with 'Latinos for Community Transformation' for program provision.

C. Recycling Collection Event

On Saturday, September 15, the joint Normandy Park and Burien Fall Recycling Collection Event was held at the Criminal Justice Training Center. A total of 52,623 pounds (over 26 tons of material) was collected from 432 vehicles; averaging 122 pounds of material per vehicle. The event also included a compost bin sale for Normandy Park and Burien residents; all of the compost bins were sold.

Some of the items collected were: 28,340 pounds of scrap metal, appliances, and electronic equipment; 7 used refrigerators and freezers; 10 mattresses and futons that will be recycled through the Washington State Department of Corrections; 20 propane tanks; 6,240 pounds of reusable household goods which will be distributed by Seattle Goodwill for resale; 175 gallons of used motor oil and petroleum based products that will be re-refined into new motor oil or reused as bunker fuel; 30 gallons of used antifreeze; 5 used oil filters; 217 used tires; 20 lead acid batteries; 3,440 alkaline batteries; 17 toilets and sinks; and 4,980 pounds of cardboard.

D. Annexation Information Session Held at Beverly Park Elementary School, Next Session at Cascade Middle School

On September 13, the City conducted an annexation informational session at Beverly Park Elementary School. About 17 new faces among 25 people were in attendance. The City Manager answered a host of questions from residents ranging from Public Works-related issues such as sidewalks and drainage ditches to Public Safety issues such as police presence. The last forum will be held on October 18, 6 pm, at Cascade Middle School, 11212 10th Ave SW. For questions, please contact Nhan Nguyen, Management Analyst, at 206-439-3165.

E. Good 2 Great (G2G) Training Continues

A total of 55 employees have participated in a 1.5 hour training entitled "Making Work Work for You." The training, led by Dr. Patt Schwab, PhD, CSP, was aimed at equipping employees with three indispensable skills needed to be effective at work and in life: exercises to limber up mentally, tools to anticipate a changing future, and techniques to relieve stress in challenging times.

F. Request for Proposal (RFP) for Long-Term Disability (LTD), Life and Accidental Death & Dismemberment (AD&D) Coverage

In a continuing effort to work toward sustainable benefits, the City is in the process of reviewing bids for our LTD, Life, and AD & D coverage. While the City has been happy with its current vendor, it is prudent to periodically review the benefits, the providers, and their associated costs to ensure the best value for the City.

G. Annual Hearing Test Administered

In keeping with the City's hearing protection program, the public works maintenance employees recently completed their annual hearing tests and training. Personal results have been distributed to each employee. The program is designed to protect employees from the effects of exposure to excessive noise at work and to comply with the Washington Industrial Safety and Health Act (WISHA) Hearing Loss Prevention Rule (Noise) WAC 296-817.

COUNCIL UPDATES/REPORTS

A. Letter from Seattle City Councilmember Mike O'Brien (Page 119)

Attached is a letter dated September 19 to Mayor Bennett from Mike O'Brien, Seattle City Councilmember and Chair of the Energy & Environment Committee. The letter is in response to Mayor Bennett's letter (attached) to Sally Clark, Seattle City Council president, dated September 7, requesting that the Seattle City Council consider a request by Burien to acquire use or ownership of property currently owned by Seattle City light (SCL) to build a sports facility. Ongoing talks between SCL and Burien came to a close when a Proposed Highline Substation Layout (attached) was presented to staff with acknowledgment that their best efforts would likely not meet Burien's planning requirements.

B. Letter from King County Regarding Police Partnership Program (Page 127)

Attached is a letter from Executive Dow Constantine and Sheriff Steven Strachan to City Manager Mike Martin regarding the City of North Bend's intent to terminate their partnership with the King County Sheriff's Office. While the exact impact is not known at this time, they are working to minimize the financial effect on partner cities, and are confident that it will not adversely affect services to Burien Police.

C. Letter from King County Board of Health (Page 131)

Attached is a letter from Joe McDermott, Chair of the King County Board of Health, regarding a public hearing on secure medicine return at its meeting on October 26 at 1:30 pm.

D. Follow up to Complaints Regarding Illegal Activity in Apartment Buildings

Public comment was made at the September 17 Council meeting by citizens concerned about illegal activity in three apartment complexes. They are picking up hazardous litter daily and have witnessed drug dealing, prostitution, and gang activity. The following preliminary steps have been taken to address citizen concerns:

- Sgt. McLauchlan met with complainants' Rogers and Ewaliko and identified the root cause of the issues is the Woodcrest Apartments.
- Patrol officers and Street Crimes detectives have been contacted to determine levels of activity in the area, and are looking at several apartment complexes.
- Patrol lead officers have been established to increase presence in the area. Sgt. McLauchlan has included traffic radar on a couple of different occasions.
- Officers met with Woodcrest Apartment Manager Michelle Kristen and explained the City's expectations and willingness to assist in property improvements.
- Two apartments/tenants actively involved in drug sales were identified (one of which was evicted September 22). Information for activity in the other apartment was passed on to Street Crimes.
- A message was left with the Section 8 office, awaiting a return call.

Further updates will be provided by Staff as action is taken.

E. Accounts Payable Vouchers

The following provides details about the September 17 Accounts Payable Vouchers as requested by Councilmember Edgar via email:

Check Number	Vendor	Amount	Question	Response
32485/32603	CARES	\$10,000 each	Why are there two checks for November?	Payments are for August and September services.
32501	DPK	\$262,010	What transportation project does this support?	1 st Avenue South Phase II.
32542	OTAK	\$12,912	Which project is the pre-design/engineering supporting?	Part of this payment was for the Drainage Master Plan. The other part is for 152 nd Street/8 th Avenue SW as part of the Residential Drainage Improvement Program (RDIP) capital project.
32583	FAO, USAED	\$400,000	What is this supporting?	This is a payment to the Army Corps of Engineers for the Seahurst Park North Shoreline capital project.

F. Boundary Review Board Processing Tukwila Annexation (Page 133)

The Boundary Review Board has received an annexation request from the City of Tukwila for North Highline "Area Q." This is the mostly industrial area in the northeast corner of the North Highline unincorporated area, adjacent to our proposed annexation area. Area Q was once in Burien's Potential Annexation Area, but it was removed in 2007; therefore, Burien does not have any legal interest in the area. Concerned parties may submit position statements by October 3, in advance of the Board's October 22 hearing. Unless otherwise directed by Council, Burien will not submit a position statement nor speak at the hearing. A copy of the letter from the Board is attached.

G. Shoreline Master Program (SMP) Update (Page 137)

On September 20, an e-mail (attached) was received from the Department of Ecology. They are "supportive" of the draft language presented to the City Council on September 17 by the Burien Shoreline Working Group. The process for completing work on the SMP is as follows:

1. Council direction on whether additional public review and comment on the final document is needed. If so, what level of involvement is desired (such as a public meeting or formal public hearing). Much of the Working Group proposal is

within the range of alternatives that were considered by the Planning Commission and City Council. However, portions (such as the new "no net loss" worksheet) are new concepts. Therefore, staff recommends holding a public hearing limited to the Working Group's proposal. Staff needs direction on this item. (October 1, 2012)

2. Prepare a Public Comment DRAFT for review by City Council. This will involve coordination with the SMP Working Group, Department of Ecology and Staff. (October)
3. Conduct a public meeting to receive comment on the Public Comment DRAFT. The format of the comment meeting will be as directed in step 1. (November)
4. Prepare a revised Shoreline Master Program document for City Council review based on Council direction following public input. (November)
5. Council review of a final Shoreline Master Program document with a motion to authorize the Mayor to send a letter submitting alternative language to the Department of Ecology for review and approval. The effective date of the Department of Ecology's approval is 14 days from written notice of final action. (December)
6. City Council approval of the revised Shoreline Master Program by Ordinance, prior to the effective date. (January)

H. Update on A-Frame Sign Regulations

As requested by Council, the following is the recommended process for updating Burien's A-Frame Sign regulations: A focus group will be formed this fall to provide feedback on impediments to development which will also focus on specifics such as A-Frame sign issues and needs. Because any changes will be amendments to the Zoning Code, Staff will use the already-established process for Zoning Code amendments. In 2013, alternatives will be developed and brought to the Planning Commission for review, a public hearing will be held and recommendation made to the Council, who will take final action.

I. New Business/Construction

All inspections have been completed and occupancy was approved on September 19 for Navos Mental Health Clinic at 1210 SW 136th St and Navos Activity Building at 1220 SW 136th St.

J. Construction Permit Updates

Building and mechanical permits for the expansion of El Dorado West Retirement Home located at 1010 SW 134th ST were issued on September 13. The project is valued at \$7.5 million and will be done in two phases in an effort to accommodate some of the residents while construction occurs. When completed, the facility will provide 102 assisted care apartment units.



Seattle City Council

Office of Mike O'Brien

Chair of the Energy & Environment Committee

September 19, 2012

Mayor Brian Bennett
City of Burien
400 SW 152nd Street, Suite 300
Burien, Washington 98166

Dear Mayor Bennett,

Thank you for your letter dated September 7, 2012 addressed to Council President Sally Clark requesting the City Council's assistance in granting the City of Burien use or ownership of property currently owned by Seattle City Light (SCL) in Burien. As Chair of the Energy & Environment Committee that provides guidance and oversight to Seattle City Light, Council President Clark asked me to respond to your letter.

After conversations with both Seattle City Light Superintendent Jorge Carrasco and Seattle City Councilmember Richard Conlin, who has previous involvement with the issue, I understand City Light has been working with the City of Burien over the past 6 months to identify a proposal for the City of Burien to develop a soccer field and supporting facilities while still allowing for the substation required by City Light in the future. Only just recently, City Light received notice that Burien staff had "recommended to the City Manager that the City drop its interest in the site at this time, and he has agreed. Further efforts to secure the property are now on hiatus." In fact, the letter thanks City Light for its "best efforts to accommodate this proposal."

My understanding is that in February 2012, at the request of Council member Richard Conlin, City Light and Burien began to meet again to discuss how to develop a joint use option or review alternative sites that met City Light's requirements for a substation. City Light and Burien staff worked diligently to develop a joint use proposal that would meet Burien's request for a soccer field, spectator stands, restrooms and parking for 60 vehicles on the 4.6 acre parcel. At the same time, City Light committed to Burien staff that City Light would review the suitability of any nearby property that the City of Burien identified as an alternative for the substation.

Over the course of several weeks, City Light worked with the Burien Planning Office to determine setback and other requirements for a substation on the site and City Light engineering staff reviewed layout and space requirements to reduce the substation design to the smallest size

possible. This effort led to the development of a proposal that City Light felt accommodated both the substation and the soccer complex. Over the course of the six months and after ongoing negotiation with Burien staff, City Light produced six different versions of possible joint-use maps and invested over 120 hours of staff time, including a GIS mapping specialist, a high level manager, a permit specialist, and engineering design.

City Light maintains this is the ideal site for a future substation to help meet City Light's growing service territory in South King County. As you know, adequate infrastructure is critical to ensuring safe and reliable electric service to City Light's customers, and our current engineering estimates are that a new substation in South King County is likely needed in the next 6-10 years.

Given that the City of Burien was unable to identify any alternative sites for City Light to review, our position is that the City of Seattle cannot afford to relinquish this parcel to the City of Burien. I feel there is still an outstanding opportunity for a win-win for the City of Burien and City Light. However, it cannot come at the expense of City Light relinquishing this parcel that is critical to meet our future reliability obligations to our customers, including 6030 residential and business customers in Burien.

Please let me know if you have any questions or need any additional information from Seattle City Council. You can reach me in my office at 206-684-8800 or by email at mike.obrien@seattle.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike O'Brien", with a long horizontal flourish extending to the right.

Mike O'Brien
Seattle City Councilmember
Chair of the Energy & Environment Committee



Burien

Washington, USA

City of Burien

400 SW 152nd St., Suite 300, Burien, WA 98166-1911

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

www.burienwa.gov

September 7, 2012

Sally Clark
Council President
Seattle City Council
PO Box 34025
Seattle, WA 98124-4025

Dear Ms. Clark,

On behalf of the Burien City Council, I am writing to ask that the Seattle City Council consider our request to acquire use or ownership of property currently owned by Seattle City Light (SCL) in Burien. The property could provide a highly underserved part of our community, home to many of our immigrant families, with a modest sports facility where youth could play soccer.

The 4.6-acre undeveloped property is located on SW 136th Street on the west side of SR-509 (Parcel #172304-9264; see attached). It was acquired from the State of Washington more than 30 years ago for the purposes of an SCL substation. In 1980, an SCL report stated that the substation would be built in 1986. More than 30 years after its acquisition, the property remains undeveloped and it is our understanding that there is still no approved timetable for funding construction of a substation at this location.

Since 1999 the City of Burien has made several attempts to negotiate a shared use or acquisition agreement with SCL to utilize this undeveloped property for recreational use, particularly for a sports field to meet the public's need for athletic fields in this area of our community. These discussions and investigations explored joint use options and included City efforts to identify alternative substation locations. Each time these discussions have proven unproductive as SCL has insisted the site is still needed for a substation.

Over the past six months, our City Manager and City staff has again spent considerable time attempting to find a design solution that would accommodate a shared use, but to no avail. Though SCL's staff have been cooperative and helpful, its insistence on use of this site at some point in the distant future has once again proved to be a stumbling block. The site's size,

Sally Clark
Council President
Seattle City Council
September 7, 2012
Page 2 of 2

topography and other conditions impacting layout options create a situation where both uses as a 1.5-acre substation and a sports field complex have proven to be incompatible. We are not convinced that SCL has explored all its options, and meanwhile the public use potential of this property remains unrealized. Without a resolution here, it is our concern that the site will lie fallow and unused for another 30 years.

Under the terms of the 1999 Franchise Agreement between the City of Seattle and the City of Burien for use of right-of-way, *"SCL shall give every favorable consideration to a request by the City for use of SCL property, including requests by the City to use SCL property for such public uses as public parks, public open space, public trails for non-motorized transportation, surface water management, or other specifically identified public uses"* (Section 12.1).

Per the Agreement, the City of Burien City Council would like to request that the City of Seattle Council favorably consider Burien's request to use this property for a public park or, if necessary, to acquire it through a dedicated recreation easement, lease or fee simple estate.

Sincerely,



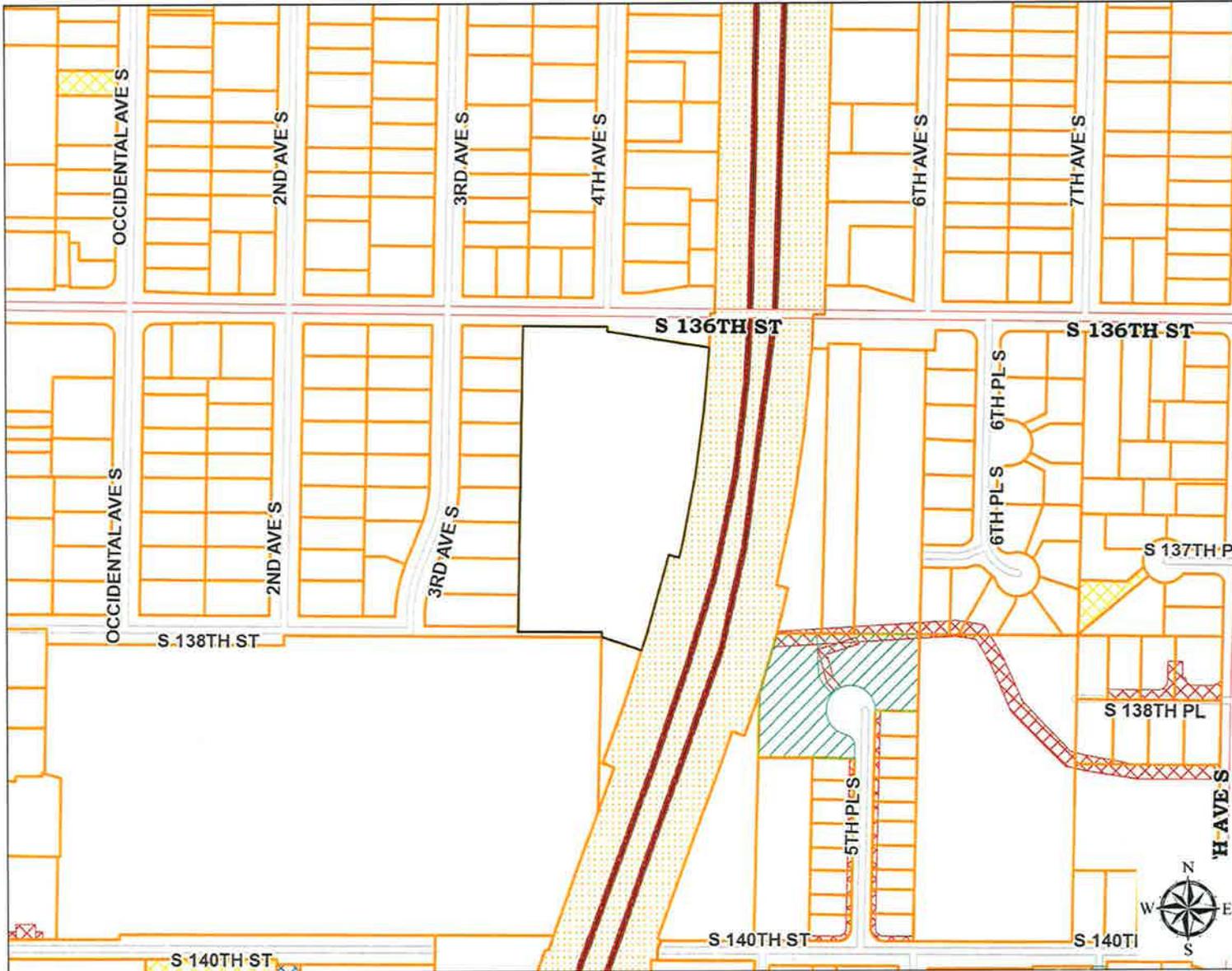
Brian Bennett
Mayor, City of Burien

cc: Seattle City Council Members
Burien City Council Members
Jorge Carrasco, SCL Superintendent
Mike Martin, Burien City Manager

Attachment
ML:ca



Seattle City Light Parcel #172304-9264



Legend

- Parcels**
 - Tax Parcel
 - Tract
 - Condo/Townhome
- Special RoWs**
- Encumbrances**
 - Easement
 - Agreement
 - Critical Area
 - Drainage Covenant
 - Other
 - Relinquished Encumbrances
- Park Trails**
 - Park Easements
 - Park Sites

Created On: 08/28/2012 16:31:55

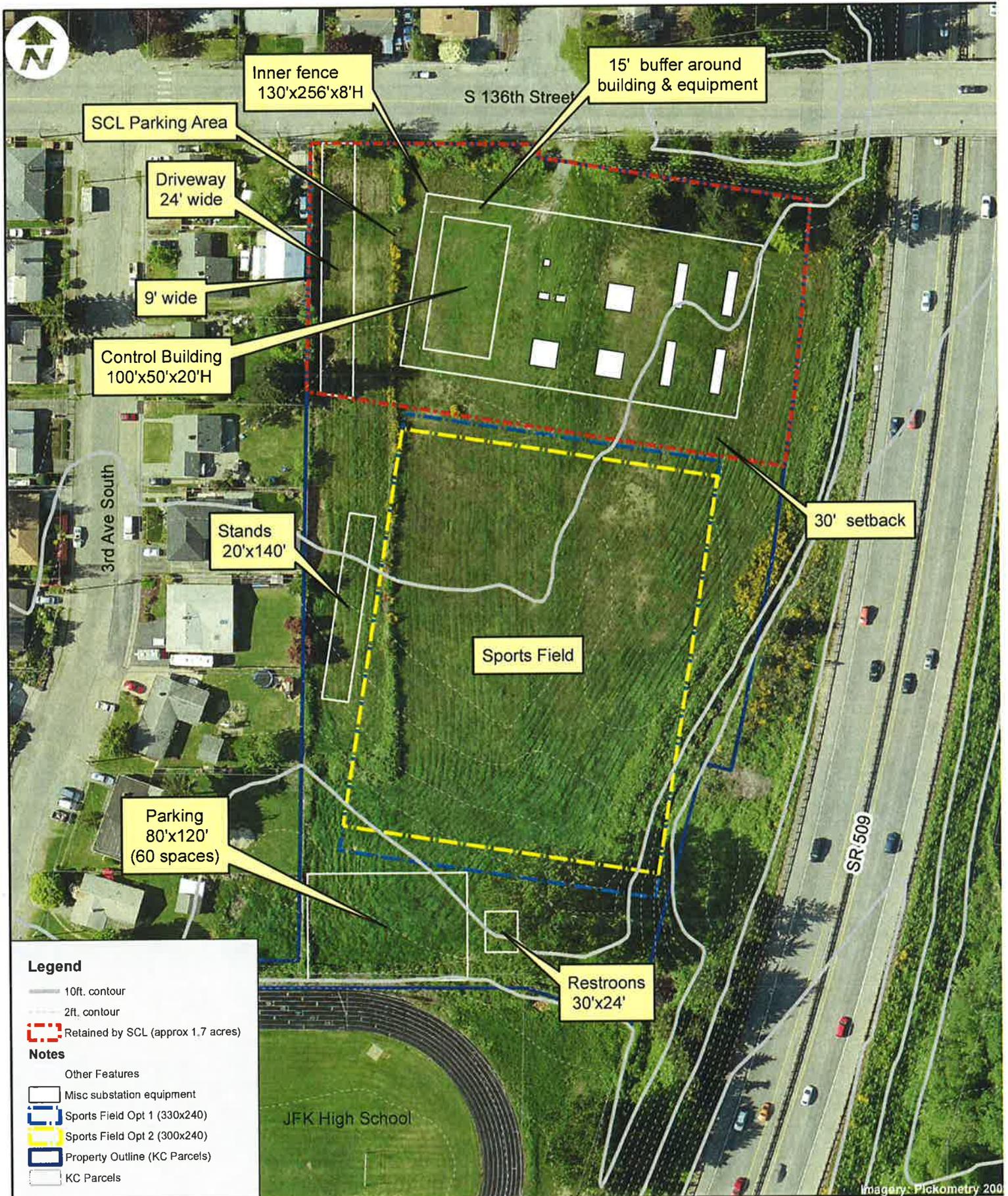
Notes

600.0 0 300.00 600.0 Feet

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

Proposed Highline Substation

Alternative facility configuration, with SCL retaining 1.7 acres. (Updated May 25, 2012)



Path: O:\POOL\PRIVATE\LEAD\GIS\Projects_GIS\LB2012_Feb28_HighlineSub_Proposed\arcgis92012_May23_ProposedHighlineSubstation.mxd

Imagery: Pickometry 200





King County

Dow Constantine

King County Executive Office

401 Fifth Avenue, Room 800

Seattle, WA 98104

206-263-9600 Fax 206-296-0194

www.kingcounty.gov

RECEIVED

SEP 21 2012

City of Burien



KING COUNTY SHERIFF'S OFFICE

516 Third Avenue, W-116

Seattle, WA 98104-2312

Tel: 206-296-4155 • Fax: 206-296-0168

Steven D. Strachan

Sheriff

September 19, 2012

Michael Martin, City Manager

City of Burien

400 SW 152nd St., Suite 300

Burien, WA 98166

Dear Mr. Martin,

As you are aware, the City of North Bend has submitted its 18-month notice of intent to terminate our longstanding police partnership. North Bend's decision to terminate its relationship with the King County Sheriff's Office after 38 years is unfortunate, but it does not detract from our commitment to our police partnership program, and to our relationship with Burien. We respect the decision of the elected leaders in North Bend to make the best decision for their residents.

As we are sure you are wondering about any potential impact to Burien and other partner cities, we want to reassure you with the following:

- In terms of magnitude, the City of North Bend represented 1.7% of KCSO's total dispatched calls for service workload.
- In terms of cost, the loss of North Bend will create a much smaller financial impact for partner cities than for the county. Although we cannot guarantee zero financial effect on partner cities, we are committed to minimizing it. While we will not know the exact impact for some time, we do know that when the 2011 Police Service Review Team modeled the estimated cost impact of a much larger city (Maple Valley) terminating, the results ranged from a 0.6% to a 1.1% increase across our various partner cities, with an average increase of 0.7%. Having less FTEs and workload, the cost impact of North Bend is anticipated to be less than that.
- In terms of service, the loss of the North Bend partnership will in no way negatively disrupt or affect any Burien Police dedicated or shared service.

September 19, 2012

Page 2

Our relationship with Burien is of paramount importance to us. The Sheriff's Office and King County will remain a steadfast partner. We will continue to provide you with quality police services. And, we will continue with our commitment to ensure that the costs of these services remain as stable and predictable for Burien as possible. King County will also continue to look for new and innovative partnering opportunities that will provide high quality, consistent services to the public.

We thank you for your partnership and for trusting us to be your police service provider. Please do not hesitate to call us with any questions or concerns on this issue.

Sincerely,



Dow Constantine
King County Executive



Steven D. Strachan
Sheriff



King County Board of Health

Joe McDermott
Board of Health Chair

401 Fifth Avenue
Suite 1300
Seattle, Washington
98104

Members:

David Baker
Sally Clark
Richard Conlin
Suzette Cooke
Benjamin Danielson, MD
Reagan Dunn
Ava Frisinger
Bruce Harrell
Kathy Lambert
Nick Licata
Frankie Manning, RN
Bud Nicola, MD
Julia Patterson

Public Health Director:

David Fleming, MD

Administrator:

Maria Wood

August 29, 2012

RE: Secure Medicine Return in King County

Dear Stakeholder,

On May 17, 2012 the Board of Health heard a briefing about safe disposal of unused and expired medicines as part of its ongoing interest in protecting the health and safety of King County. The briefing was at the request of a board member and provided the latest information about the limited number of medicine take-back programs in the County, as well as the perspectives of several community members and stakeholders. As a follow up, I convened a subcommittee to further study this issue. Subcommittee members include myself, Board Member Conlin, Board Member Baker, Board Member Nicola and Director and Health Officer of Public Health David Fleming.

Misuse and preventable poisonings from household medicines are the fastest growing cause of addiction and overdose deaths in our communities:

- More people die from prescription medicines than from all illegal drugs combined;
- Most abusers of prescription drugs get the pills from a friend or relative's medicine cabinet;
- Prescription medicines are the drug of choice among 12 and 13-year olds;
- Preventable poisonings from medicines have also been rising rapidly, especially among kids and seniors; and
- 32% of child poisoning deaths in Washington were caused by someone else's prescription medication and 26% were caused by over-the-counter medications.

This is why the Board of Health is exploring ways to protect public health by reducing the amount of unused medicines in people's homes and ensuring convenient and safe options for disposal of unused medicines. Convenient, secure medicine take-back programs allow residents to safely remove leftover and expired medicines from their medicine cabinets, reducing risks in the home and reducing the supply of dangerous drugs in the community. Proper disposal of waste medicines also prevents those drugs from contributing to pharmaceutical pollution in our waterways, and to trace amounts of these chemicals that are detected in some drinking water supplies.

The Board of Health expects to have a public hearing on secure medicine return at its meeting on October 26 at 1:30 pm. For details on the public hearing and other updates on this work, please visit our webpage at:

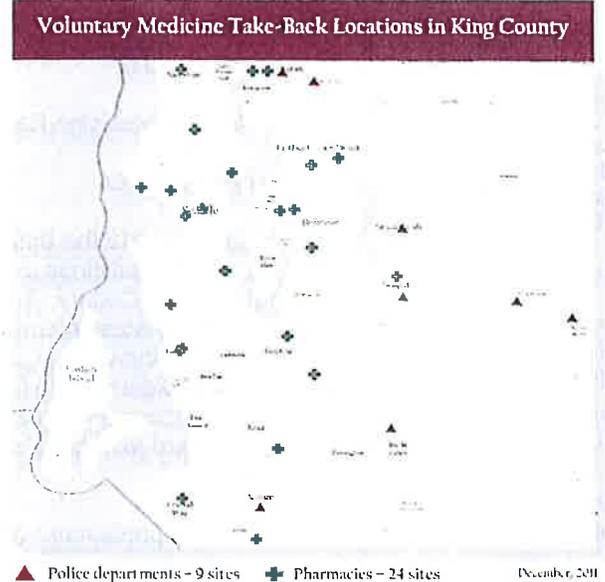
<http://www.kingcounty.gov/healthservices/health/BOH/MedicineTakeback.aspx>

Sincerely,

Joe McDermott
Chair, King County Board of Health
King County Councilmember

Voluntary Medicine Take-Back Programs in King County

Group Health offers medicine take-back at 12 clinical pharmacies (25 locations statewide) and Bartell Drugs is able to offer medicine take-back at 12 of its 43 retail pharmacies. Currently, 9 city police stations maintain ongoing medication collection sites, and 25 law enforcement agencies, including the King County Sheriff and Port of Seattle Police, have participated in semi-annual Drug Enforcement Administration (DEA)-coordinated take-back events since 2010. In King County, the Household Hazardous Waste Phone Line has experienced a 300% increase in resident inquiries since 2009 about where to take-back left-over or expired medicines.



Barriers to Additional Medicine Take-Back Programs & a Comprehensive Take-Back System in King County

- 1. Convenience and Access.** The voluntary medicine take-back sites are too limited in number and geographic distribution to meet the needs of the county's residents. There are no ongoing collection sites for narcotics and other controlled substances in the county's largest cities. Access to the existing voluntary take-back sites is particularly limited for county residents with limited mobility or access to transportation, such as seniors or disabled residents.
- 2. Financing.** A dedicated and adequate source of funding is a key barrier to providing a comprehensive take-back system. Over-stretched local law enforcement and local government budgets cannot absorb the costs of providing a take-back system, leaving most of our communities without secure and environmentally sound options for disposal of leftover medicines. Existing voluntary programs lack funds for adequate education and promotion to increase effectiveness.
- 3. Challenges in Collection of Controlled Substances.** About 11% of prescription drugs dispensed are legally prescribed controlled substances, such as OxyContin, Vicodin, and Ritalin. The U.S. DEA regulations that currently prevent collection of controlled substances by anyone other than law enforcement are being changed to authorize collection of controlled drugs by medicine take-back programs. The draft regulations are anticipated in late 2012. While working on rule-making since fall 2010, the DEA has coordinated semi-annual National Prescription Drug Take-Back Days, which rely on local law enforcement participation and resources. The DEA plans to stop coordinating these take-back days once the new regulations for collection of controlled drugs are finalized.
- 4. Lack of an Efficient System.** Without a countywide system, each law enforcement unit, municipality, or pharmacy has developed and implemented their medicine take-back program independently. LHWMP has provided technical assistance and some limited resources, but take-back sites lack coordination and any efficiency of scale for transportation, disposal or program promotion. Anecdotally, community partners and take-back locations report that residents are frustrated when they look for, or hear about, medicine take-back programs, then discover there is no convenient collection site in their neighborhood.



Washington State Boundary Review Board For King County

Yesler Building, Room 240, 400 Yesler Way, Seattle, WA 98104

Phone: (206) 296-6800 • Fax: (206) 296-6803 • <http://www.kingcounty.gov/annexations>

September 14, 2012

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

IN RE: Notice of Hearing
File No. 2343 – City of Tukwila – North Highline Area “Q” Annexation

Dear Council:

This letter is to notify you that the Washington State Boundary Review Board for King County has received and verified a request for a Public Hearing on the above-referenced proposal.

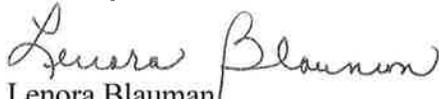
A Public Hearing has been scheduled before the Boundary Review Board as prescribed by RCW36.93.160 and as required in the Rules of Practice and Procedure of the Boundary Review Board. We have enclosed a Notice of Hearing.

Under the Boundary Review Board Rules of Practice and Procedures, the Board may request that concerned parties provide a position statement relative to the Notice of Intention. For this proposal, the Board is inviting a position statement from the initiator of the action, from the initiator of the request for public hearing and from other affected governmental units.

Written position statements should be provided no later than **October 3, 2012** in order to ensure that the Boundary Review Board will have an adequate opportunity to review and consider the Position Statement prior to the Public Hearing.

If you wish additional information relative to this proposal, please contact me at 206-296-6800.

Sincerely,


Lenora Blauman
Executive Secretary

Enclosure: Notice of Hearing

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

**NOTICE OF
PUBLIC HEARING
CITY OF TUKWILA
NORTH HIGHLINE ANNEXATION "AREA Q"
FILE NO. 2343**

NOTICE IS HEREBY GIVEN that the WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY will hold a Public Hearing at the hour of 7:00PM on Monday, October 22, 2012 at the Beverly Park Elementary School at Glendale, 1201 South 104th Street, Seattle, WA 98168. If required at the hour of 7:00PM, Tuesday, October 23, 2012 has also been set aside. The purpose of the hearing is to consider the proposed annexation to the City of Tukwila of an area known as "North Highline – Area "Q" all in King County, Washington and more generally described as:

"To Reclassify certain Real Property near the City of Seattle City Limits described as all or portions of the SE Section 32 and the SW of Section 33, Township 24 North Range 4 East and the NW of Section 4 and NE of Section 5 Township 23 North Range 4 East, Willamette Meridian in King County, Washington being located south of McNatts 1st addition and South of S. Director St., East of 12th Avenue South, East of Excelsior Acre Tracts No. 2, North of S. 96th Street, East of State Route 99, North of tracts 55 of Moores Five acre tracts and West of Duwamish Waterway.

A COMPLETE LEGAL DESCRIPTION IS ON FILE AND AVAILABLE AT THE OFFICE OF THE BOUNDARY REVIEW BOARD.

The Boundary Review Board conducts all meetings and hearings in locations that are wheelchair accessible. Any person requiring other disability accommodations or special assistance should contact the Boundary Review Board staff at least two business days prior to the meeting.

The Boundary Review Board telephone is 206-296-6800. For TTY telephone services, please call 711.

Each request for accommodations or assistance will be considered individually according to the type of request, the availability of resources and the financial ability of the Board to provide the requested services or equipment.

DATED at Seattle, Washington, on the September 14, 2012

WASHINGTON STATE BOUNDARY
REVIEW BOARD FOR KING COUNTY

Lenora Blauman
Executive Secretary

Carol Allread

From: David Johanson
Sent: Wednesday, September 26, 2012 10:56 AM
To: Carol Allread
Subject: FW: SMP

From: Fritzen, Bob (ECY) [<mailto:BFRI461@ECY.WA.GOV>]
Sent: Thursday, September 20, 2012 2:36 PM
To: Mike Martin; Scott Greenberg
Cc: Tallent, Geoff (ECY); David Johanson
Subject: SMP

The Department of Ecology has reviewed the draft language by the *Burien Shoreline Working Group*. I am happy to say that Ecology is extremely pleased with the shoreline master program language and supporting documents. It can be safely said that Ecology is supportive of the work presented to us. We see little needing change, with the understanding that the documents are not in final form and that the citizens of Burien and others will have the opportunity to comment before the city of Burien makes its final decision. In that regard, Ecology stands ready to work with the city in that process.

The *Group* has done an exemplary job and deserves the thanks of both Ecology and the city of Burien. They stepped in at a critical time and took the initiative when most needed. Thank you.

Bob Fritzen
Department of Ecology
Bellingham Field Office
1440 10th Street, Suite 102
Bellingham, WA 98225
(360) 715-5207

