CITY COUNCIL MEETING AGENDA

January 7, 2013

6:00 p.m. – Special Meeting: For the purpose of holding an 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. ELECTION OF DEPUTY MAYOR	a. Election of Deputy Mayor.	3.
5. AGENDA CONFIRMATION		
6. PUBLIC COMMENT	Individuals will please limit their comments to three minutes, and groups to five minutes.	
7. CORRESPONDENCE FOR THE RECORD	a. Letter Dated December 3, 2012, from Quinton J. Thompson.	5.
	b. Email Dated December 3, 2012, from Kathy Nygard, King County Parks and Recreation Division.	7.
	c. Email Dated December 7, 2012, from John Poitras.	9.
	d. Letter Dated December 12, 2012, from Robert Howell et al.	11.
	e. Letter Dated December 12, 2012, from Mary Van Ness et al.	29.
	f. Email Dated January 2, 2013, from C. Edgar.	31.
8. CONSENT AGENDA	a. Approval of Vouchers: Numbers 33348 - 33607 in the Amounts of $2,645,031.67.	35.
	b. Approval of Minutes: Council Regular Meeting, December 3, 2012.	71.
9. BUSINESS AGENDA	a. Discussion on and Possible Motion to Adopt the Amended By-Laws of the Advisory Boards.	73.
	b. Discussion on Solid Waste Interlocal Agreement.	83.
	c. Discussion Regarding North Burien Zoning Map Amendments, 2012 Comprehensive Plan Text and Map Amendments.	141.
	d. Discussion on Interlocal Agreement with King County Flood Control District.	153.
	e. Review of Revisions to the City Council Policies and Procedures.	173.
	f. City Business.	317.
10. COUNCIL REPORTS		
11. ADJOURNMENT		

COUNCILMEMBERS

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

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

CITY OF BURIEN
AGENDA BILL

Agenda Subject: Election of the Deputy Mayor		**Meeting Date:** January 7, 2013
Department: City Manager	**Attachments:**	**Fund Source:** N/A **Activity Cost:** N/A **Amount Budgeted:** N/A **Unencumbered Budget Authority:** N/A
Contact: Monica Lusk, City Clerk		
Telephone: (206) 248-5517		
Adopted Work Plan Priority: Yes No X	**Work Plan Item Description:**	

PURPOSE/REQUIRED ACTION:

The purpose of this agenda item is to conduct the election of the Deputy Mayor.

BACKGROUND (***Include prior Council action & discussion***)**:**

The Mayor will ask for nominations for Deputy Mayor from the Councilmembers of the seated Council.

Nominations do not require a second.

The City Clerk will conduct a roll call vote on the nominations. Each Councilmember will cast their vote for one of the nominations. The Councilmember with the majority of votes will be elected Deputy Mayor.

The Deputy Mayor's term is from January 2013 through December 2013 (one year, according to City Council Policies and Procedures 20.3).

OPTIONS ***(Including fiscal impacts)*****:**

N/A

Administrative Recommendation: Conduct the election of the Deputy Mayor.

Advisory Board Recommendation: N/A

Suggested Motion: None required.

Submitted by: Monica Lusk
Administration _____ **City Manager** _____

Today's Date: December 28, 2012	**File Code:** R:/CC/Agenda Bill 2013/010713cm-3 Election-Deputy Mayor

RECEIVED
DEC 03 2012
CITY OF BURIEN

December 3, 2012

Dear Councilmembers:

It's not appropriate for Jack Block Jr to make allegations against the City of Burien Council, the City Manager Mike Martin, or the citizens of the City of Burien in the council during city business.

If he makes any changes, he needs to add it to the agenda like everything else, and it needs to be voted on through the Burien City Council members as well as the citizens in the community of the City of Burien. I firmly believe, as a citizen in the community, Jack Block Jr is only out for himself. He does not seem to think of the councilmembers feelings, or he does not take into consideration how the citizens of Burien feel. The citizens should have a chance to vote on a new mayor for the Burien City Council when it comes up for reelection. I firmly believe, and I could be wrong, that he is asking for people to back him up so he can be elected as an elected mayor. This is not going to work because I, Quinton J. Thompson, will not vote for him as an elected mayor because if I do, or if anyone else votes for him in the city of Burien, we would lose thousands of dollars that the City of Burien does not have. Councilmember Block does not have the right to make such an important decision when two of the councilmembers are not there. All councilmembers should be present for an important decision such as this.

As far as I am also concerned, Councilmember Block was for the children in the schools, however, if you take a look at this letter, you will know that this is a bluff because he wants to cut the resource officer from Highline High School and then the students and the staff will not have anyone to go to if there is a problem in the campus. They will only have their parents to go to because there will not be anyone else.

What happened to the nice person Councilmember Block was? You cannot have a conversation with him and two other councilmembers as they are so negative towards the council, and the citizens, and the city manager, who has done an outstanding job for the City of Burien. If you really look at how things are run, Mike Martin has budgeted the city's money well, and the programs run smoothly. If we did not have Mr. Martin to run the programs, we would have a city like Normandy Park, and would not have the services that we need. We would end up going back to unincorporated King County because we would not have any money

CFTR: 1/7/12

in the budget. Councilmember Block wants to cut the school resource officer and yet hire two new officers for which the City of Burien does not have funds.

For the annexation of North Highline to Burien, Councilmember Block tried to take the initiative off the ballot so the citizens of North Highline could not vote on the plan. Councilmembers need to let everyone vote on it before any decisions are made and give everyone a fair chance to vote when it comes up for re-election.

Thank you for allowing me to express my perspective. If you have further questions or concerns, please feel free to contact me by email at qjtkycw@hotmail.com.

Sincerely,

Quinton J. Thompson

Quinton J. Thompson

Carol Allread

From: Public Council Inbox
Sent: Tuesday, December 04, 2012 2:00 PM
To: 'Nygard, Kathy'; Mike Martin
Subject: RE: Stop lights in Burien

Dear Ms. Nygard,

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 Office
City of Burien
(206) 248-5508 Office
(206) 248-5539 Fax
carola@burienwa.gov

From: Nygard, Kathy [mailto:Kathy.Nygard@kingcounty.gov]
Sent: Monday, December 03, 2012 11:12 AM
To: Public Council Inbox; Mike Martin
Subject: Stop lights in Burien
Importance: High

Hello,

I have been a resident of Burien for 32 years and never have I been more disgusted with Burien's policy makers! At almost every intersection – there is now a stop light. Why on earth does the City of Burien need 6, yes 6 stop lights from 152nd Street to the entrance of 148th and SR509? A new light was recently installed on 1st Ave and 150th! For what? It dead ends on the east side of 1st Ave for goodness sake! Not only have you installed a ridiculous number of lights, but they aren't even synced to trip when there is little or no traffic. It takes me almost 15 minutes to drive from SW 152nd and SW 21st Ave to the entrance of SR 509 at 6am in the morning. There is something wrong about that – 15 minutes at 6am – come on folks – wake up!

You spend hundreds of thousands of tax dollars to put in cameras and finally figured out that they weren't cost effective, so now you are trying to act like Seattle and install a stop light on every street corner. Even Seattle doesn't have that many stop lights. There must be a balance between safety (which I'm sure is the reason you are going to tell me these lights were installed), and the ability to get in around Burien. It really has gotten ridiculous. I implore you; I beg you, if you must have so many damn lights, at least have the curtsey to sync them when there is no traffic.

Kathy Nygard
Parks and Recreation Division
p: 206-296-8687| e: kathy.nygard@kingcounty.gov
www.kingcounty.gov/parks | Facebook | Blog
200 parks, 175 miles of trails, 26,000 acres of open space

CFTR: 1/7/13
cc: Maiya Andrews, Public Works Director

Carol Allread

From: Public Council Inbox
Sent: Friday, December 07, 2012 3:03 PM
To: 'John Poitras'
Subject: RE: Inappropriate and biased dysfunctional behavior

Dear Mr. Poitras,

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 Office City of Burien
(206) 248-5508 Office
(206) 248-5539 Fax
carola@burienwa.gov

-----Original Message-----
From: John Poitras [mailto:poitrasjohn@comcast.net]
Sent: Friday, December 07, 2012 7:20 AM
To: Public Council Inbox
Cc: winona Deyman; Johnpoitras Poitras
Subject: Inappropriate and biased dysfunctional behavior

Council Members.

I take umbrage with the reading of a selected residents letters from the podium and not reading the others in the packet which apparently the council prefers not to respond to or reiterate in public. I had two letters in the 12/3 packet neither of which were read out loud by council neither of which contained inflammatory comments but the other letter which did was read.

I find it inappropriate for our mayor to read a letter from a resident which was full of personal attacks against another council member.
This is an example of poor judgement and at least in appearance the council is beginning to mirror our congress in its dysfunctionality.

My understanding from Joan McGilton when she was mayor it was made quite clear, that the council does not tolerate personal attacks during public comment. Not only have both Mr Robison at the 11/26 meeting and Mr Bennett at the 12/3 meeting read and in appearance anyway endorsed these biased attacks on Jack Block by a misinformed resident, they read them from the council platform rather than from the podium. This is neither appropriate or conducive to civil discourse.

If the council is going to read a letter from the packet they should read ALL the letters in the packet rather than showing favoritism towards one resident or another. The fact that this particular resident is disabled is not a cogent reason to violate normal council protocol or business procedure and in this case it looked to me like the fact that he is disabled was being used as an excuse to express vindictiveness on the part of some to publicly vilify Mr Block.

CFTR: 1/7/13

Very Sincerely,

John Poitras
Burien 98166

December 12, 2012

RECEIVED

DEC 14 2012

City of Burien

To: Amy Hoffman
Development Manager
Harbor Urban, LLC
1411 Fourth Avenue, Suite 500
Seattle, WA 98101

Re: Burien Town Square, Phase II Conceptual Design Package

Currently the Burien Comprehensive Plan calls for the phase II Town Square development to be mixed use units with permanence that provide a public benefit, become a focal point for Town Square and help focus on the arts, entertainment and regional attractions in the area. (reference pages 2-48 to 2-52 and Section 19.15.025 of the City Zoning Code). We are not sure how your projected phase II apartment plan for this area has been allowed to advance to this level without an amendment to change the existing Comprehensive Plan. We (as citizens) have not seen this amendment brought forward by you or the city staff. The clear intent of the Comprehensive Plan was never to put in mediocre to low value apartment buildings into this area.

Mike Martin/Burien City Manager and Dan Trimble/ Burien Economic Development Director have told the citizens that these will be "high end" apartments in both construction and the amenities that are contained within them. However your plan dated September 14, 2012 (prepared by O'Connor Consulting Group, LLC and Compass Construction) does not fit this definition. Both this plan and the construction specs provided describe apartments that are not "high end" quality. The construction is mediocre at best and will decline rapidly with transient lodgers. The amenities do not exist within the structures. These apartments highly rely on the amenities that the citizens of Burien have built into the City proper such as the small park that immediately adjoins the City Hall and the library. Both areas are not adequate recreation space or facilities for hundreds of apartment dwellers. Additionally the businesses and recreation facilities that were to be on the bottom floor of the apartment complex do not exist. They have been eliminated from the design.

No one is going to rent in a supposed high end apartment building that does not have a high quality grocery store combined with it or immediately adjacent to it. There are absolutely no quality recreation facilities associated with the proposed apartments. This explains in part why the Town Square condos have not sold as expected. Within your proposed project there is no swimming pool, spa, extensive workout facilities, conference room, dance/exercise area, indoor recreation area and only a very questionable (per description) outdoor recreation area. Quality shopping and personal services areas are not contained in the complex or immediately adjacent to it. Currently the amenities that are being offered off site are a discount grocery store, Dollar Store, a pharmacy and a Staples. There are no "high end" restaurants in the vicinity and there is no entertainment/recreation in the complex or adjacent to it. In essence, these supposed high end renters you are going to bring in can go to the Dollar Store, be harassed at the transit center or watch TV at home. They will not rent in this area and

CFTR: 1/7/12
CC: Dan Trimble, Economic Development manager

there is no point in pretending this will happen. These proposed apartments will attract "low end" renters looking for cheap rent in Burien in a newer building. When the building ages there will be "low end" run down apartments in the middle of Town Square.

In examining your report, most of the document was developed for other areas in Puget Sound rather than Burien. However, in the few pages that actually refer to Burien, it remains questionable what the market in Burien will actually bear because new "high end" apartment units have not been built in the city. However, the apartment market in Burien does not appear to be robust. The higher end apartments that are mentioned in this plan on page 75 are not comparable to what is described in this plan for Burien. We have gone over to The Reserve and The Sanctuary at the Landing in Renton and they are not comparable to what is being described in this plan for Burien. The amenities both on grounds and off grounds far exceed what is being projected for the Burien Town Square Apartments. The quality of the interiors of the apartments exceeds what is being discussed for Burien. "High end" renters demand services that are contained in their living units and "high end" merchants immediately near by to serve them.

Since the proposed design does not meet these basic needs, we and many other Burien citizens are opposed to your project. Our first choice would be that you wait for the market to improve and then build additional condos to enhance the ones that have not sold. The second phase of condos should have the features and amenities that attract home owners and currently missing in the phase I condos. Both phase I and phase II condo owners should be able to share facilities with each other. The first floor business use should be developed based on what attracts "high end" renters or condominium owners to permanent neighborhoods. Recreation and entertainment must be key elements as well as "high end" food and service providers. We are not totally opposed to some "high end" apartments for Town Square but what you have proposed does not fit that definition. We believe that you know these are not "high end" apartments as you make your living doing developments.

We are forwarding this communication to the Burien City Staff as well as the City Council. We believe that this proposed phase II project for Town Square is not in keeping with the Comp Plan or the vision for the area. If undue pressure from the Burien government has forced you to adopt this plan, we think that it needs to be seriously rethought by both the City Council and the Burien City Manager. Informal media polls and citizen comments show the citizens are opposed to this kind of apartment development for Town Square.

We are certainly open to discussing our concerns with you. Please feel free to call our point of contact Robert Howell (206-948-1311) to arrange a meeting.

Robert Howell
Michael O'Neill

Robbie Howell
John Poitras
Debi Wagner

Chestine Edger
Linda Poitras

Enclosures:

(1) Pages 2-46 through 2-52 of the Burien Comprehensive Plan, 12/12/2011

(2) Pages 15-25 through 15-30a of the Burien Use Zone Chart.

CC: Burien City Council, (via email)

Burien City Manager/ Mike Martin, (via email)

Compass Construction/ Dan Selin,
1367 31st Ave. South
Seattle, WA 98144

O'Connor Consulting Group, LLC/ Brian O'Connor, MAI
500 Union Street, Suite 650
Seattle, WA 98101

that any future projects with direct or indirect adverse impacts on neighborhoods can be prohibited or appropriately mitigated.

Residential Commercial Areas

Goal RC.1

Support and enhance existing nodes of small-scale commercial uses within neighborhoods that provide access to convenience goods and services that serve the everyday needs of the surrounding neighborhood, while protecting neighborhood character.

Pol. RC 1.1 Neighborhood commercial developments shall reflect the scale of surrounding residential structures, employ appropriate design elements to blend in with the character of the residential neighborhood, and encourage non-motorized access.

Pol. RC 1.2 Neighborhood commercial developments shall incorporate small-scale pedestrian amenities, such as benches and canopies, in order to convey the impression of a residential center and neighborhood focal point.

Discussion: There are a number of existing nodes of commercial development within the City's residential neighborhoods that serve as a neighborhood focal point and help provide a unique identity to the area. (The land use element designates these areas as "Neighborhood Centers.") While these pockets of commercial development are usually considered convenient for the neighborhoods, they can also detract from the desired neighborhood character if not appropriately designed, or if auto traffic or pedestrian safety becomes an issue.

Downtown Burien

Goal DB.1

Enhance the distinctive character and viability of downtown Burien, and reinforce it as the focal point of the community by encouraging the implementation of the Conceptual Framework for the Town Square, the Downtown Master Plan, and the following downtown policies.

The following describes the vision of Downtown Burien the in 2020. It attempts to describe what a visitor or resident would see, feel and do in Burien's downtown in 2020.

Downtown Burien has seen much change over the last 20 years. Initially the change occurred almost imperceptibly, the pace increasing as the years progressed. Strong partnerships between the citizens, the government and private

investors resulted in early pioneering efforts. As development succeeded, investments occurred more readily.

With its easy access to Seattle and the airport, and commanding views of Puget Sound, the downtown has become the town center for southwest King County, providing distinctive shopping, art and entertainment areas, offices, residences, parks and open spaces, and government services.

PEOPLE in 2020

Downtown Burien's citizens are diverse and respectful of the vitality and vibrancy that their diversity has brought to the downtown. While retaining the personality of a small town, the downtown has all the positive assets of an urban area. Those who work and those who live in the downtown are personable, positive and optimistic about the future of their community. More than anything they are committed to seeing the community continue to succeed. Strong leadership has emerged in the downtown from both the businesses and residents to assure that the can-do attitude continues.

DESIGN in 2020

Strong design guidelines adopted 20 years ago have assured that as development occurs it is in keeping with the overall vision for the downtown. All of the streets are fully landscaped, lighted and pedestrian-friendly. Landscaping is evident throughout the area, from boulevard medians and street trees to rooftop gardens and balconies. Pedestrian and bike corridors link all areas of the downtown and the downtown to the rest of the community.

Throughout is a sense of permanence, attention to detail, quality and investment by the developers of each project. Heights vary from the three- to four-story structures along Southwest 152nd and 153rd streets to the six-story and higher structures further north along Southwest 150th and 148th streets. Early investment by the city in boulevards along Southwest 152nd and 148th streets set an overall tone of quality and commitment. No utility lines are evident. Signage reflects the commitment to quality and appropriate scale. Each individual development and improvement while unique and innovative seem to fit with everything else as if designed to complement each other.

Besides the Town Square with its water feature, plentiful open spaces have been developed either by the city or private developments. Public art is seen throughout; every turn along a sidewalk can bring a new and delightful surprise. Clear and consistent design standards for public improvements ensure that even the newest resident knows that he or she is in a distinctive and appreciated neighborhood. Public transit is accessible throughout the downtown and assures that downtown Burien is closely connected to the neighborhoods and to the entire region through the transit hub and the new light rail connection.

A frequent discussion at the City Council is the recurring proposal to further enhance the distinctiveness of the downtown by renaming the streets to reflect the heritage of the city. One of the elements clearly leading to the acceptance and success of the downtown has been the land use policies that have been in place and adhered to for 20 years, allowing the community and investors to plan with assurance for the future. Among the most important policies is the clear definition of the downtown and the commitment to maintain those boundaries.

LAND USE in 2020

The downtown has become a clear destination for those seeking a quality shopping experience. Local and national retailers are evident and successful. While the downtown has retained and enhanced its position as the daily shopping and service area for residents in the surrounding neighborhoods and cities; comparison-shopping, hotels, art galleries, museums, educational services and entertainment have become regional attractions. With the monthly art walk among the galleries, live theater at the performing arts center, movie theaters and nationally renowned museums, downtown Burien has become much more than a neighborhood shopping area.

Offices also have increased in prominence. Newer offices in the northern portion provide professional services to the free trade area of the airport. International trade and commerce, technology, and education have become a major source of tenants throughout the downtown.

While 20 years ago there were few residences in the downtown, they now are a significant component in the mix of downtown uses. Among the options available are the upper levels of the three-story buildings along Southwest 152nd Street, immersed in the daily hum of activity, or the higher structures to the north, taking advantage of the spectacular views. Restaurants flourish in the downtown, many with regional reputations.

EVENTS in 2020

A full schedule of public events centers on the downtown, particularly the Town Square, bringing positive regional and national notoriety to Burien. Whether it is the weekly farmers' market, the annual Burien Bite and Sip food festival and wine tasting, the yearly Burien Concours d'Elegance and Custom Car Show, or frequent events centering around the bandstand, the Town Square is the hub of activity in the downtown.

The diversity of Burien is frequently honored with events celebrating one or more of the cultures making up the community. The National Hydroplane Museum and the Burien Historical Museum draw visitors from around the region and the

nation. Local residents also enjoy the fun and camaraderie both before and after buses leave from the transit hub or other downtown locations for sports and cultural events throughout the region. Whether it is for travel to a Husky or Hawk game or the symphony, the downtown serves as a major point for residents to gather and celebrate.

Pol. DB 1.1 Downtown should continue to be recognized as the business, governmental and cultural focal point of the community.

Pol. DB 1.2 The City should encourage and support locating distinctive, quality developments within the downtown area that are consistent with the character established by this comprehensive plan.

Pol. DB 1.3 The City should encourage the provision of "gateways" and landscaping at points around the community which distinctively identify the entrances to downtown.

Pol. DB 1.4 A town square should be developed as the central public focal point for the downtown core.

Pol. DB 1.5 The City should encourage the development of a local, quality view restaurant in a moderate or high rise downtown building.

Pol. DB 1.6 The City should offer development incentives for developers to design and construct public amenities into their projects. These incentives should include public benefits relating to elements such as pedestrian streetscapes, landscaping, public art and open space, preferred land uses, design elements, and purchase of development rights from properties that contain critical areas. In exchange for providing such public benefits, the developer should be allowed to increase building height and/or bulk, consistent with these policies. The magnitude of the development incentive should be based on the magnitude of the public benefit.

Pol. DB 1.7 The City should encourage downtown developments to take advantage of the scenic views of Mount Rainier, Puget Sound, Cascade Mountains and Olympic Mountains that are available from portions of the downtown area.

Pol. DB 1.8 The City should reinforce and enhance Burien's unique character and sense of place by creating an attractive, distinctive and well-defined downtown that supports and encourages walking and use of transit, as well as travel by the automobile. To help achieve this objective, the City should implement the Downtown Master Plan and Conceptual Framework for the Town Square to address issues such as (but not limited to) street and right-of-way standards, design guidelines, infrastructure needs, and

public facilities needs and locations *(these documents are on file with the City and are incorporated herein by reference).*

Discussion: In 1998, the City of Burien began a major planning effort to redevelop Downtown Burien into a more attractive, pedestrian and business friendly environment that would provide public gathering spaces, mixed use development, and special public facilities. Several strategic economic and planning endeavors (1998 HyettPalma Report, 1999 Makers Streetscape Design Plan, 2000 Town Square Study, 2002 Downtown Master Plan) culminated into the Conceptual Framework for the Town Square. This planning effort envisions a "multi-use and multi-faceted downtown that appeals to a broad spectrum of users as a place to work, shop, be entertained, and live—a downtown of businesses that are fun, funky, and functional, offering both the essentials and the enjoyments of life." The City of Burien realizes the market for retail, office and residential growth in downtown and opportunities for views of Puget Sound, Mt. Rainier and the Olympic and Cascade mountain ranges. Views are one of downtown's strongest assets, distinguishing downtown Burien from other economic centers in the area. Rather than protecting views from existing or future buildings, policies herein are intended to encourage developers to design projects to take advantage of this valuable asset, and to encourage those marketing downtown Burien to use this asset to attract new businesses. Burien's proximity to SeaTac International Airport and downtown Seattle will prove to be a catalyst for retail, office, and residential development.

The policies in this plan support redevelopment of downtown Burien to evolve over time from a sprawling, inefficient, auto-oriented, moderate-quality suburban shopping area to a dense, distinctive, pedestrian-friendly, transit supportive, high-quality multiple-use urban center.

Public Art

Pol. DB 1.9 The City should support the growth of arts and cultural activities which are a vital part of the Burien Vision and community life in the downtown area.

Pol. DB 1.10 The City should enhance the appearance and enjoyment of downtown by seeking opportunities to integrate public art into public and private improvements and developments.

Open Space and Landscaping

Pol. DB 1.11 Downtown developments should seek to reduce the impact of the built environment by providing public open space as part of the development.

Such open space may include gardens, water features, street furniture, public art, pocket parks, or pathways that connect other open spaces.

Pol. DB 1.12 Public open space plazas or parks should be designed to be accessible from adjacent sidewalks or pedestrian linkages, and located in sunny areas with plenty of seating on benches, ledges or steps in order to serve both building tenants and the larger community.

Building Bulk and Scale

Pol. DB 1.13 Building height limits in downtown should not exceed those identified in Figure 2-DB1.13.

Discussion: The tallest buildings should be located north of SW 152nd Street in the central portion of downtown. This area has the largest parcels and ownerships in downtown, where adequate on-site area would be available for parking and amenities, and where the greatest opportunity for higher density redevelopment exists. Building height should step down from these larger parcels to the edges of downtown, especially on the northwest and south in proximity to residential areas. Lower buildings along SW 152nd Street would allow for adequate light to reach the most important pedestrian-oriented street in downtown, without new buildings creating a canyon effect. Three to five story buildings along SW 152nd Street will maintain the current pedestrian scale of the corridor. Lower buildings (3-4 stories) along the SW 153rd Street corridor provide a visual transition between the higher SW 152nd Street corridor and the lower multi-family area south of downtown. In the northwest corner of downtown, 3-6 stories are appropriate as a transition between the taller buildings to the east and south, and the community commercial and residential neighborhoods to the north and west.

Streetscapes

Pol. DB 1.14 Streets within downtown should be designed to allow both pedestrian and vehicular use. However, vehicular traffic speeds should be controlled to facilitate pedestrian safety and movement, and to be consistent with a pedestrian oriented environment.

Pol. DB 1.15 The City should prepare a downtown street plan that provides for adequate right-of-way width to accommodate existing and future vehicular and non-motorized transportation needs. In exchange for allowing building height and bulk to exceed the base amount referenced in Policy DB 1.13, right-of-way width complying with the street plan should be dedicated to the City. Figure DB1.15 provides a general illustration of streetscape aesthetic components the City encourages Downtown. Until this plan is adopted (scheduled for 2000), the 1999 Makers Streetscape Design Plan should be

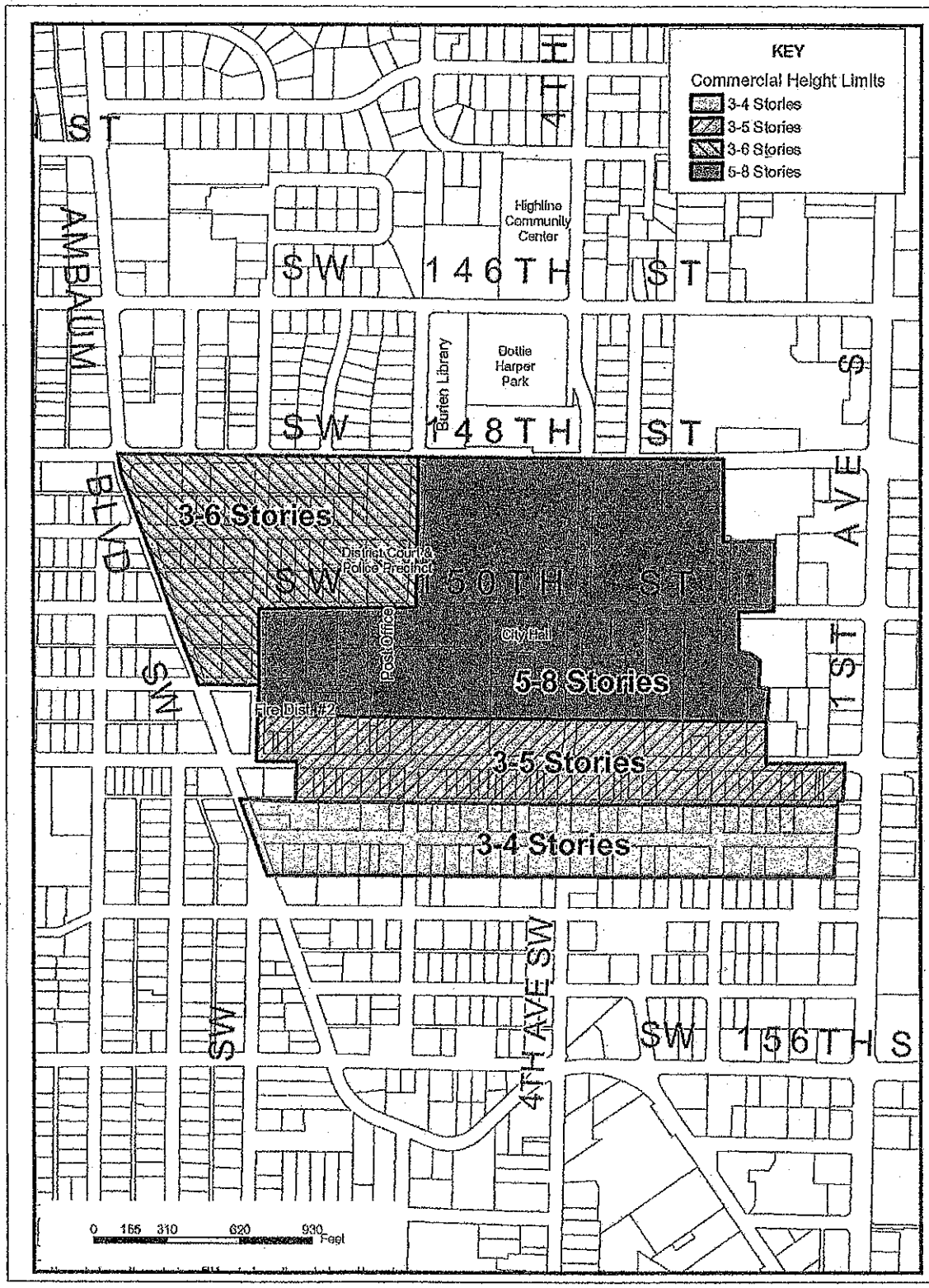

Figure 2-DB1.13 - DT Commercial Height Limits

November 2003

Source: King County GIS
p/1e066.01 Burien Crit_Comp/Graphics/Figures/FinalPDFs/Figure2DB113.pdf

DC Zone

Section 19.15.025—DOWNTOWN COMMERCIAL ZONE

PURPOSE AND INTENT: The Downtown Commercial (DC) zone implements the Downtown Commercial Comprehensive Plan designation. The purpose of the DC zone is to foster a vibrant, compact, pedestrian oriented area by allowing high density residential development in combination with office, retail and commercial uses, government activities, and restaurants, entertainment and cultural uses. Mixed use developments are encouraged, including well-designed townhouses and condominiums, providing a convenient living environment and making downtown a community focal point and center, as well as a lively place in the evening and on the weekends. Residential densities re limited only by physical constraints such as height, bulk, parking and infrastructure capacities. Moderate to high rise buildings, pedestrian amenities and facilities that help define downtown Burien's distinctive qualities are encouraged.

The community's vision for downtown is an attractive, clean, safe and vibrant place that is welcoming to people of all ages. A friendly place where you can walk between the good mix of shops. Downtown will have a special look, created by a cohesive physical theme and design guidelines that emphasize quality, permanence, individuality and uniqueness within the overall urban fabric. Overall, downtown Burien will be a destination—the comfortable and welcoming, fun and lively heart of a great small town.

To help achieve these goals, desired uses and public amenities are achieved through a public benefit incentive program. This program allows increased building height and bulk in exchange for the provision of streetscape improvements, design elements, civic contributions and provision of land uses that are highly desired by the community.

ONLY THOSE USES LISTED ON THE FOLLOWING USE ZONE CHARTS MAY BE ALLOWED IN THE DC ZONE, SUBJECT TO MEETING ALL APPLICABLE REQUIREMENTS OF THE ZONING CODE. THE FOLLOWING SPECIAL REGULATIONS APPLY TO ALL USES IN THE DOWNTOWN COMMERCIAL ZONE. BE SURE TO CHECK THE APPLICABLE USE ZONE CHART FOR ADDITIONAL REQUIREMENTS THAT PERTAIN TO SPECIFIC USES. WHERE A SPECIAL REGULATION BELOW CONFLICTS WITH A SPECIAL REGULATION IN A USE ZONE CHART FOR A SPECIFIC USE, THE USE ZONE CHART SHALL APPLY.

19.15.025.1: SPECIAL REGULATIONS:

A. Outdoor use and storage is limited to *accessory* storage of goods sold at *retail* on the premises. All outdoor storage must be located to the side or the rear of buildings, and may not exceed 200 square feet in size.

B. Distribution, wholesaling, or manufacturing that support the primary use are allowed as an accessory use. [Ord. 484 § 1, 2008]

C. Drive-through facilities are prohibited adjacent to *Class A Pedestrian-Oriented Streets*. This prohibition does not apply to drive-through banks.

D. Temporary seasonal uses (such as Christmas tree lots or farmers markets) and community festivals may be approved by the City Manager or his/her designee.

E. All utilities on-*site* shall be located underground. Undergrounding of utilities in public *rights-of-way* or *alleys* is encouraged through the Public Benefit Incentive System (BMC 19.15.025.1.J).

F. MAXIMUM BUILDING HEIGHT: Maximum *building heights* in the DC zone shown on Figure 19.15.025-1. The first number listed is the base *building height*. The second number listed is the maximum allowable *building height* that can only be achieved by using the Public Benefit Incentive System in Section 19.15.025.1.J below. In the 5-8 story height area, the City Council may increase the height limit on a case-by-case basis to 12 stories through a Type 3 review. The maximum allowable *building height* may be increased by no more than 10 percent or 15 feet, whichever is greater, if the applicant demonstrates that the increase in necessary for reasonable development of the *building* and will be used to provide interesting roof forms such as pitched or sloped elements, pyramidal, spire or dome shapes, cupolas, or other such decorative architectural features.

G. MAXIMUM GROSS FLOOR AREA: The maximum *gross floor area* allowed on a *site* is determined by multiplying the *lot area* of the *site* (prior to any required *right-of-way* dedication) by the first number in the floor area ratio (FAR). The base FAR is 3.5:1. Using the Public Benefit Incentive System in Section 19.15.025.1.J below, the maximum *gross floor area* allowed on a *site* can be increased up to an FAR of 7:1. For the purposes of this section, *gross floor area* does not include any area designed and used for parking.

H. DESIGN GUIDELINES: See BMC 19.47 for downtown design standards and BMC 19.65.105 for information on the Administrative Design Review process.

I. On-site pedestrian pathways and amenities and *pedestrian-oriented space* do not count toward the maximum allowable *impervious surface coverage*.

J. PUBLIC BENEFIT INCENTIVE SYSTEM: A *building* may exceed the *gross floor area* and/or *building height* limits as allowed in Sections 19.15.025.1.F and G above, only if the requirements of this section are met.

i. After a project uses the maximum area of public benefit feature eligible for bonus, additional bonus floor area for that public benefit will not be awarded.

ii. The applicant shall dedicate *right-of-way* to the City (if additional *right-of-way* is needed, based on an adopted City street or *right-of-way* plan) in order to participate in the Public Benefit Incentive System. Dedication of *right-of-way* is eligible for bonus floor area as described in Table 19.15.025.1.

The *Director* may approve any public benefit feature not listed in Table 19.15.025.1 if a public benefit will be derived from development of the proposed public benefit feature in the proposed location.

Table 19.15.025.1

PUBLIC BENEFIT FEATURE	BONUS GROSS FLOOR AREA PER UNIT OF PUBLIC BENEFIT FEATURE	MAXIMUM BONUS GROSS FLOOR AREA ALLOWED PER PUBLIC BENEFIT FEATURE
1. Streetscape		
1 sq.ft. of right-of-way dedication	5 square feet	No limit
1 linear foot to underground utilities within *public right-of-way* or alley	5 square feet	No limit
2. Design Elements		
1 sq.ft. of underground parking	5 square feet	No limit
1 sq. ft. of well-designed above-ground parking structure[1]	2.5 square foot	No limit
1 sq.ft. of shared parking (for other *sites*)	0.5 square feet	No limit
Unique Architectural Design[1]	10% of site area	10% of site area
1 sq.ft. of Rooftop Garden	2 square feet	No limit
1 sq. ft. of rooftop beautification	2 square feet	No limit
3. Civic Contributions		
1 sq.ft. of public parking area	0.5 square feet	15,000 square feet
1 sq. ft. of public meeting/conference facilities	1 square foot	No limit
Each $1,000 spent on public art	100 square feet	No limit
4. Uses		
1 sq.ft. restaurant (not fast-food or take-out)	1 square foot	No limit
1 sq.ft. rooftop or top floor restaurant (not fast-food or take-out)	4 square feet	No limit
1 sq.ft. market rate or higher dwelling unit[2]	2 square feet	No limit
1 sq.ft. condominium dwelling unit[2]	2 square feet	No limit
1 sq.ft. of day-care facilities	6 square feet	2,000 square feet
1 sq.ft. of public restroom	4 square feet	1,000 square feet
1 sq.ft. of public open space	4 square feet	No limit
1 sq. ft. of retail use on ground floor	2 square feet	No limit
1 sq.ft. of theater or performing arts venue	5 square feet	No limit
Transfer of development rights	To be determined	To be determined

[1] Director determination.
[2] Areas devoted to service cores and community facilities may be used to obtain bonus floor area. No area devoted to parking or circulation may be used for this purpose.

DC Zone USE ⇩ ⇨ REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS Lot Area	MINIMUMS SETBACKS Front Setback	MINIMUMS SETBACKS Interior Setback	MAXIMUMS Lot Coverage Building Coverage	MAXIMUMS Lot Coverage Impervious Surface Coverage	MAXIMUMS Building Height	Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.030.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)
	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS									
19.15.025.2 *Mixed Use*	None	None	0'	0'	85%	95%	See Sec. 19.15.025 .1.F	E	See Sec. 19.20.040. 3.B [Ord. 531 § 1, 2010]	1. Must have at least two *uses* listed in Sec. 19.15.025. 2. At least 75% of the *gross floor area* located at *street* level must be devoted to non-residential *uses*. 3. The following are not permitted: motor vehicle sales and rental; boat sales and rental; *recycling center*; pawn shops and *self-service storage facility*.
19.15.025.3 *Retail*	None	None	0'	0'	85%	95%	See Sec. 19.15.025 .1.F	E	See Sec. 19.20.040. 3.B [Ord. 531 § 1, 2010]	1. The following are not permitted: motor vehicle sales and rental; boat sales and rental; *recycling center*; pawn shops and *self-service storage facility*. 2. Repair uses are permitted subject to the following conditions: a) All activities shall be conducted indoors; and b) Patrons wishing services must be able to carry item(s) in by hand (examples include watch, shoe, jewelry and small hand tool repair); and c) The Director has the final determination on what constitutes small-scale repair uses consistent with the purpose and intent of the zone and all applicable comprehensive plan policies. [Ord. 484 § 1, 2008]

DC Zone USE ⇩ ⇨ REGULATIONS	Special Review Process (See.Ch. 19.65)	MINIMUMS Lot Area	MINIMUMS SETBACKS Front Setback	MINIMUMS SETBACKS Interior Setback	MAXIMUMS Lot Coverage Building Coverage	MAXIMUMS Lot Coverage Impervious Surface Coverage	MAXIMUMS Building Height	Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.030.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)
DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS										
19.15.025.4 *Dwelling Units*	None	None	0′	0′	85%	95%	See Sec. 19.15.025 .1.F	E	See Sec. 19.20.030. 2 [Ord. 292 § 6, 2000]	1. Not permitted at *street* level abutting a *Class A Pedestrian-Oriented Street*. 2. All resident parking must be in structured parking (such as garages or under-*building* or underground parking). Carports are not considered structured parking. 3. Exterior hallways and corridors are not allowed.
19.15.025.5 *Community Facility* *Cultural Facility* *Eating and Drinking Establishment* *Government Facility* *Lodging Facility* *Office* *Private Club* *Public Park and Recreation Facilities* *Recreational Facility* *School* *Theater*	None	None	0′	0′	85%	95%	See Sec. 19.15.025 .1.F	E	See Sec. 19.20.040. 3.B [Ord. 531 § 1, 2010]	1. Auto rental is permitted as an *accessory use* to a *lodging facility*. The maximum number of cars allowed is the lesser of 30 cars or 5% of the total number of parking spaces on the *site*. The rental desk must be inside the *lodging facility building*. 2. Repair uses are permitted subject to the following conditions: a) All activities shall be conducted indoors; and b) Patrons wishing services must be able to carry item(s) in by hand (examples include watch, shoe, jewelry and small hand tool repair); and c) The Director has the final determination on what constitutes small-scale repair uses consistent with the purpose and intent of the zone and all applicable comprehensive plan policies. [Ord. 484 § 1, 2008]

DC Zone USE ⇩ ⇨ REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS Lot Area	MINIMUMS SETBACKS Front Setback	MINIMUMS SETBACKS Interior Setback	MAXIMUMS Lot Coverage Building Coverage	MAXIMUMS Lot Coverage Impervious Surface Coverage	MAXIMUMS Building Height	Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.030.1 and Miscellaneous Use, Development and Performance Standards Ch. 19.17)
	DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS									
19.15.025.6 *Family Day Care Home I and II*	None	See Special Regulation 1								1. Must comply with requirements of the *primary use*. 2. *Family Day Care Home II*: Must provide State certification of safe passenger loading area. 3. Use of the *Fee-In-Lieu* of Parking Program in BMC 19.20.040.3.B is an option for this use.
19.15.025.7 *Day Care Center*	None	None	0′	0′	85%	95%	See Sec. 19.15.025 .1.F	E	See Sec. 19.20.040. 3.B [Ord. 531 § 1, 2010]	1. Must provide State certification of safe passenger loading area.
19.15.025.8 *Religious Facility* [Ord. 479 § 1, 2007]	None	None.	0′	0′	85%	95%	See Sec. 19.15.025 .1.F	E	See Sec. 19.20.040. 3.B [Ord. 531 § 1, 2010]	
19.15.025.9 *Public Utility*	Type 1	None	0′	0′	85%	95%	35 feet	E	See Sec. 19.20.040. 3.B [Ord. 531 § 1, 2010]	1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts.
19.15.025.10 *Essential Public Facility*	Type 3									1. Shall be designed, located, constructed and buffered to blend in with their surroundings and minimize adverse impacts on adjacent properties. Special attention shall be given to minimizing noise, light and glare impacts. 2. Shall comply with criteria for siting found in the Burien Comprehensive Plan.
19.15.025.11 *Personal Wireless Service Facility*	See Chapter 19.50									

Note: All landscape categories added by Ord. 293, 2000

Delivered-To: robbieh@windermere.com
X-Spam-Threshold: 95
X-Spam-Score: 0
X-Spam-Flag: NO
X-Virus-Scanned: OK
X-MessageSniffer-Scan-Result: 0
X-MessageSniffer-Rules: 0-0-0-32767-c
X-CMAE-Scan-Result: 0
X-CNFS-Analysis: v=1.0 c=1 a=FKkrIqjQGGEA:10 a=30fE1MQsvBUA:10 a=rl5eUP2J6s4A:10 a=C_IRinGWAAAA:8 a=GvFH6A08AAAA:8 a=C_R1pn2LAW6OblPJ6KEA:9 a=QEXdDO2ut3YA:10 a=si9q_4b84H0A:10 a=zj9c15kHNmQA:10 a=ZnErhDdhoe6SBVoDMrkA:9 a=_W_S_7VecoQA:10 a=r9lhUkACUGalXfs3:21 a=Bo6sxSylfYJyqMPNxpMA:9 a=n3BslyFRqc0A:10 a=bhkaYMs-ANYA:10
X-Orig-To: robbieh@windermere.com
X-Originating-Ip: [76.96.27.212]
X-Connected-To: mx2
Date: Fri, 14 Dec 2012 23:44:05 +0000 (UTC)
From: roberth2@comcast.net
To: robbie howell <robbieh@windermere.com>
Subject: Fwd: Harbor Urban plan for Town Square
X-Mailer: Zimbra 6.0.13_GA_2944 (ZimbraWebClient - SAF3 (Win)/6.0.13_GA_2944)
DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=comcast.net;
s=q20121106; t=1355528646;
bh=dIIuT59d7bbF6GJ/54JbYwVotFp2boKSxUmwZDc74jM=;
h=Received:Received:Date:From:To:Message-ID:Subject:MIME-Version:
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49CoOpCVm+XxA==

From: roberth2@comcast.net
To: Council@burienwa.com, mikem@burienwa.com
Sent: Friday, December 14, 2012 12:47:26 PM
Subject: Harbor Urban plan for Town Square

The attached file is a copy of a letter sent to Harbor Urban and consultants concerning the apartments planned for Town Square.

Letter to Harbor Urban.pdf

RECEIVED
DEC 14 2012
CITY OF BURIEN

12-12-12

To: Kristy Dunn And City Council
From: Whist Card Group And Pinochle Group

The Purpose Of This Letter Is To State That The Undersigned Do Not Agree With The Fee Raise For Drop-In Programs. The Fee Is Too Much, Basically A 100% Rate. We Have Seniors On Fixed Incomes Whist Players Who Also Play Pinochle. $1 To $2, A 100% Rate, Adds Up. We All Enjoy Playing Whist, And Appreciate The Opportunity. However, Is There A Way That We Could Compromise On The Fee? If Not, For Some, It Will Alter Their Decision To Continue Playing Whist, And Pinochle.

Thank You For Your Attention To This Letter.

Sincerely,

Mary Van Ness

Donna M. Rosvear

David Wright

Dean Montgomery

Frank Gress

Elsie Geiger

Betty Long

Willie Bilanzakenor

Dave Cumber

Jean Combs

Hadn Toydenh

Betty Jane Frich

Myrtle Werle

Margaret Bros

Pearl Lavarhek

Bernie Houle

Dan Jackson

Michael Fallon

CFTR: 1/7/13
CC: Michael Lafreniere
Parks Department Director

Carol Allread

From: Public Council Inbox
Sent: Thursday, January 03, 2013 9:35 AM
To: 'c_edgar2@yahoo.com'
Subject: RE: Comments from the last meeting

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 Office
City of Burien
(206) 248-5508 Office
(206) 248-5539 Fax
carola@burienwa.gov

From: Carol Allread
Sent: Thursday, January 03, 2013 9:30 AM
To: Public Council Inbox
Subject: FW: Comments from the last meeting

From: Chestine Edgar [mailto:c_edgar2@yahoo.com]
Sent: Wednesday, January 02, 2013 11:09 AM
To: Monica Lusk
Subject: Comments from the last meeting

To Monica,

Please include this in the next Council packet and please send it to the Council members.

Thanks,
C.Edgar

January 1, 2012

To The Burien City Council

Re: Comments from the last City Council Meeting

CFTR: 1/7/13

To the Council Members;

This letter is in regard to comments made by Council members at the last City Council meeting.

1. It is the job responsibility of the City Manager and the staff members under his supervision to support and do research for the Council. The Council members are part time in their work and they should expect that the city staff to support them in doing research on RCWs, WACs, GMA cases, legal issues and precedents and what other cities and towns are doing in the state and nation to facilitate effective city management. It is done in other cities by staff for the Council. It is not the responsibility of Council members-some who also have full time jobs-to do all of their own research because one council member feels that city staff should not be overworked. Burien staff is in no way overworked as is evidenced by the number of meeting cancellations staff made in Nov. and Dec. meetings for its Advisory Boards due to lack of work for their agendas. This has been a pattern at other times of the year in Burien.

2. The Council has been employing a non rule for gate keeping on what items can by put on the agenda that is really not a rule. This non-rule has been employed inconsistently and unfairly to keep citizen requested items off of the agenda while other items that have been pushed onto the agenda without even a vote being taken.

This non rule came into so called existence because years ago there was one Council member who kept giving the staff an inordinate amount of assignments and work. That person has been missing from the council for years now. However, whenever there is a topic that some members want to block from the agenda because it is too uncomfortable to discuss, they then call for a vote using the non rule to keep it off of the agenda. The non rule about how many council members have to vote to get an item on the agenda is an unfair gate keeping mechanism, erratically applied to citizen or business concern issues from making it to the agenda. Many times items that have not been voted on seem to make it on the agenda because just one council member thinks they are urgent-no vote being taken. This erratic process has not served the city or its citizens well. It is not a rule, was never a rule and should not be made one. It blocks important discussion and consideration of items from the agenda and hinders the progress of the city and its citizens.

3. Working sessions were established by the Council for a more informal meeting process and to allow interaction with the citizens that does not exist at the regular meetings. I suggest that Council members go back and review the previous Council meeting tapes where they discuss why they are going to have working sessions and what will be allowed.

4. When citizens speak before the Council, they should not be attacked, bullied, accused of lies, accused of hating the city or of being small mined, if a Council member does not like what the citizen(s) has to say about the process or operation of the city or council. This is a form of intimidation/harassment and violates the First Amendment.

Sincerely,
C. Edgar

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 7th day of January 2013** the FOLLOWING:

CHECK NOs. **33348– 33607**

IN THE AMOUNTS OF **$2,645,031.67**

WITH VOIDED CHECK NOS. **0**

Accounts Payable
Checks for Approval

Burien
Washington, USA

User: cathyr
Printed: 01/03/2013 - 9:23 AM

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
33348	12/17/2012	General Fund	Subscriptions/publications	ABC LEGAL		64.00
					Check Total:	64.00
33349	12/17/2012	Street Fund	Office And Operating Supplies	ACE Hardware		23.48
33349	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	ACE Hardware		13.97
33349	12/17/2012	Street Fund	Office And Operating Supplies	ACE Hardware		13.97
33349	12/17/2012	Street Fund	Office And Operating Supplies	ACE Hardware		14.39
33349	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	ACE Hardware		14.39
33349	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	ACE Hardware		31.73
					Check Total:	111.93
33350	12/17/2012	General Fund	Drug seizure proceeds KCSO	Advanced Traffic Products		2,847.00
					Check Total:	2,847.00
33351	12/17/2012	Equipment Reserve Fund	Machinery And Equipment	AG Enterprise Supply Inc		9,862.68
					Check Total:	9,862.68
33352	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	Airgas USA LLC		50.47
33352	12/17/2012	Street Fund	Office And Operating Supplies	Airgas USA LLC		50.48
					Check Total:	100.95
33353	12/17/2012	General Fund	Nuisance Abatement Costs	David Karch		85.00
33353	12/17/2012	General Fund	Nuisance Abatement Costs	David Karch		42.50
33353	12/17/2012	General Fund	Nuisance Abatement Costs	David Karch		63.75
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33354	12/17/2012	Street Fund	Office And Operating Supplies	Alpine Products Inc		320.29
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33355	12/17/2012	Parks & Gen Gov't CIP	Project Development	Anchor QEA, L.L.C.		213.00
					Check Total:	213.00
33356	12/17/2012	General Fund	Professional Services	Admin Office of the Courts		6.00
					Check Total:	6.00
33357	12/17/2012	Street Fund	Registration - Trainng/workshp	Argus Pacific Inc.		270.00
33357	12/17/2012	Surface Water Management Fund	Registration - Trainng/workshp	Argus Pacific Inc.		90.00
					Check Total:	360.00
33358	12/17/2012	General Fund	Office and Operating Supplies	Aquatic Specialty Services Inc		203.84
					Check Total:	203.84
33359	12/17/2012	General Fund	Telephone	A T & T		55.87
					Check Total:	55.87
33360	12/17/2012	Equipment Reserve Fund	Machinery And Equipment	Auto Additions		756.29
					Check Total:	756.29
33361	12/17/2012	General Fund	Instructors Prof Svcs	Lucas Bonnema		417.05
					Check Total:	417.05
33362	12/17/2012	General Fund	Quarterly Newsletter	Brim Press, LLC		5,391.17
33362	12/17/2012	General Fund	Printing/binding/copying	Brim Press, LLC		32.85
					Check Total:	5,424.02
33363	12/17/2012	General Fund	Prof. Svcs-instructors	Eileen Broomell		739.08
					Check Total:	739.08

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
33364	12/17/2012	General Fund	Prof. Svcs-instructors	Viola Brumbaugh		1,045.62
					Check Total:	1,045.62
33365	12/17/2012	Street Fund	Office And Operating Supplies	Burien Bark LLC		40.72
33365	12/17/2012	Street Fund	Office And Operating Supplies	Burien Bark LLC		27.59
33365	12/17/2012	Street Fund	Office And Operating Supplies	Burien Bark LLC		27.59
					Check Total:	95.90
33366	12/17/2012	General Fund	Animal Control Services	CARES		10,000.00
					Check Total:	10,000.00
33367	12/17/2012	General Fund	Registration - Trainng/workshp	Current Electric Training		60.00
					Check Total:	60.00
33368	12/17/2012	General Fund	Telephone	CenturyLink		60.82
33368	12/17/2012	Street Fund	Telephone	CenturyLink		49.67
33368	12/17/2012	Surface Water Management Fund	Telephone	CenturyLink		49.67
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33369	12/17/2012	Transportation CIP	Construction	Columbia Bank		11,061.16
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33370	12/17/2012	General Fund	Office/Operating Supplies	Complete Office		46.57
33370	12/17/2012	General Fund	Office And Operating Supplies	Complete Office		46.57
33370	12/17/2012	General Fund	Office/operating Supplies	Complete Office		373.41
33370	12/17/2012	General Fund	Office/operating Supplies	Complete Office		420.36
33370	12/17/2012	General Fund	Office And Operating Supplies	Complete Office		326.81
33370	12/17/2012	General Fund	Office And Operating Supplies	Complete Office		326.81
33370	12/17/2012	General Fund	Office And Operating Supplies	Complete Office		420.36
33370	12/17/2012	General Fund	Office And Operating Supplies	Complete Office		46.57
33370	12/17/2012	General Fund	Office And Operating Supplies	Complete Office		1,136.98
					Check Total:	3,144.44
33371	12/17/2012	General Fund	Instructors Prof Svcs	Janet S. Crawley		198.00

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33372	12/17/2012	General Fund	Professional Services	CTS Language Link		4.51
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33373	12/17/2012	Street Fund	Utilities - Traffic Signals	City of Seattle		54.95
33373	12/17/2012	Street Fund	Utilities - Traffic Signals	City of Seattle		113.55
33373	12/17/2012	Street Fund	Utilities - Traffic Signals	City of Seattle		172.45
33373	12/17/2012	Street Fund	Utilities - Traffic Signals	City of Seattle		52.07
33373	12/17/2012	Street Fund	Utilities - Traffic Signals	City of Seattle		17.64
33373	12/17/2012	Street Fund	Utilities - Traffic Signals	City of Seattle		18.13
33373	12/17/2012	Street Fund	Utilities - Traffic Signals	City of Seattle		321.08
33373	12/17/2012	General Fund	Utilities	City of Seattle		11.53
33373	12/17/2012	Street Fund	Utilities - Traffic Signals	City of Seattle		135.11
33373	12/17/2012	Street Fund	Utilities - Traffic Signals	City of Seattle		95.33
33373	12/17/2012	Street Fund	Utilities - Traffic Signals	City of Seattle		17.64
33373	12/17/2012	Street Fund	Utilities - Traffic Signals	City of Seattle		95.11
33373	12/17/2012	Street Fund	Utilities - Traffic Signals	City of Seattle		148.01
33373	12/17/2012	Street Fund	Utilities - Traffic Signals	City of Seattle		18.63
33373	12/17/2012	General Fund	Utilities	City of Seattle		31.45
33373	12/17/2012	General Fund	Utilities	City of Seattle		537.38
33373	12/17/2012	General Fund	Utilities	City of Seattle		961.64
33373	12/17/2012	General Fund	Utilities	City of Seattle		1,522.43
33373	12/17/2012	Street Fund	Utilities - Traffic Signals	City of Seattle		69.82
33373	12/17/2012	General Fund	Utilities	City of Seattle		637.56
33373	12/17/2012	General Fund	Utilities	City of Seattle		8.42
33373	12/17/2012	General Fund	Utilities	City of Seattle		57.84
33373	12/17/2012	Street Fund	Utilities - Traffic Signals	City of Seattle		8.68
33373	12/17/2012	Street Fund	Utilities - Traffic Signals	City of Seattle		74.76
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33374	12/17/2012	General Fund	Utilities	City Of Seattle		34.67
33374	12/17/2012	General Fund	Utilities	City Of Seattle		46.40
33374	12/17/2012	General Fund	Utilities	City Of Seattle		56.04
33374	12/17/2012	General Fund	Utilities	City Of Seattle		51.43
33374	12/17/2012	General Fund	Utilities	City Of Seattle		129.80
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33375	12/17/2012	Street Fund	Office And Operating Supplies	Culligan Seattle		16.43
33375	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	Culligan Seattle		16.42

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
					Check Total:	32.85
33376	12/17/2012	General Fund	State Lobbying Services	Michael D. Doubleday		2,907.00
33376	12/17/2012	General Fund	Federal Lobbying Services	Michael D. Doubleday		2,000.00
					Check Total:	4,907.00
33377	12/17/2012	Street Fund	Discover Burien	Discover Burien		4,850.00
33377	12/17/2012	Street Fund	Street Maintenance-non-county	Discover Burien		3,331.00
33377	12/17/2012	Street Fund	Discover Burien	Discover Burien		4,850.00
33377	12/17/2012	Street Fund	Street Maintenance-non-county	Discover Burien		3,332.00
					Check Total:	16,363.00
33378	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Dunn Lumber Co.		1.63
33378	12/17/2012	Street Fund	Repairs & Maint. - Fleet	Dunn Lumber Co.		1.64
33378	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Dunn Lumber Co.		76.10
33378	12/17/2012	Street Fund	Repairs & Maint. - Fleet	Dunn Lumber Co.		76.11
33378	12/17/2012	Street Fund	Office And Operating Supplies	Dunn Lumber Co.		23.25
33378	12/17/2012	Street Fund	Office And Operating Supplies	Dunn Lumber Co.		33.45
33378	12/17/2012	General Fund	Nuisance Abatement Costs	Dunn Lumber Co.		228.13
33378	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	Dunn Lumber Co.		10.67
33378	12/17/2012	Street Fund	Office And Operating Supplies	Dunn Lumber Co.		10.67
33378	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	Dunn Lumber Co.		46.47
33378	12/17/2012	Street Fund	Office And Operating Supplies	Dunn Lumber Co.		46.46
					Check Total:	554.58
33379	12/17/2012	General Fund	Professional Services	Davis Wright Tremaine		2,622.60
					Check Total:	2,622.60
33380	12/17/2012	General Fund	Repairs & Maint. - Fleet	Elidrew, LLC		11.83
33380	12/17/2012	General Fund	Repairs & Maint. - Fleet	Elidrew, LLC		11.83
					Check Total:	23.66
33381	12/17/2012	General Fund	Quarterly Newsletter	FedEx		5.55
					Check Total:	5.55
33382	12/17/2012	Street Fund	Repairs & Maint. - Fleet	Firestone Complete Auto Care		74.98

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
33382	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Firestone Complete Auto Care		74.99
33382	12/17/2012	Street Fund	Repairs & Maint. - Fleet	Firestone Complete Auto Care		74.98
33382	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Firestone Complete Auto Care		74.99
					Check Total:	299.94
33383	12/17/2012	General Fund	Fuel/gas consumption	Wex Bank		114.73
33383	12/17/2012	General Fund	Citizens Patrol/ Crime Prevent	Wex Bank		15.66
33383	12/17/2012	General Fund	Fuel/gas/gasoline Consumption	Wex Bank		171.98
33383	12/17/2012	General Fund	Fuel/gas/gasoline Consumption	Wex Bank		288.56
33383	12/17/2012	General Fund	Fuel/Gas Consumption	Wex Bank		58.23
33383	12/17/2012	General Fund	Fuel/gas/gasoline Consumption	Wex Bank		277.27
33383	12/17/2012	Street Fund	Fuel/gas/gasoline consumption	Wex Bank		2,191.94
33383	12/17/2012	Surface Water Management Fund	Fuel/gas/gasoline consumption	Wex Bank		2,546.77
					Check Total:	5,665.14
33384	12/17/2012	Street Fund	Repairs & Maint. - Fleet	Heather Flyer Electric		48.50
33384	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Heather Flyer Electric		48.51
33384	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Heather Flyer Electric		40.17
33384	12/17/2012	Street Fund	Repairs & Maint. - Fleet	Heather Flyer Electric		40.18
					Check Total:	177.36
33385	12/17/2012	General Fund	Instructors Prof Svcs	Pam Fredback		52.50
					Check Total:	52.50
33386	12/17/2012	General Fund	Utilities	Glendale Heating		1,143.45
					Check Total:	1,143.45
33387	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	Grainger		256.37
33387	12/17/2012	Street Fund	Office And Operating Supplies	Grainger		256.37
					Check Total:	512.74
33388	12/17/2012	General Fund	Parks Building Security	Guardian Security		65.00
					Check Total:	65.00
33389	12/17/2012	General Fund	Instructors Prof Svcs	Victoria E. Hamilton		330.00
33389	12/17/2012	General Fund	Instructors Prof Svcs	Victoria E. Hamilton		297.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
					Check Total:	627.00
33390	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	HOME DEPOT		264.19
33390	12/17/2012	Street Fund	Office And Operating Supplies	HOME DEPOT		264.19
					Check Total:	528.38
33391	12/17/2012	General Fund	Professional Services	Heartland LLC		9,459.84
					Check Total:	9,459.84
33392	12/17/2012	Street Fund	Office And Operating Supplies	ICON Materials		7.56
33392	12/17/2012	Surface Water Mgmt CIP	Construction	ICON Materials		97.56
33392	12/17/2012	Surface Water Mgmt CIP	Construction	ICON Materials		135.35
33392	12/17/2012	Street Fund	Office And Operating Supplies	ICON Materials		300.85
33392	12/17/2012	Street Fund	Office And Operating Supplies	ICON Materials		558.72
33392	12/17/2012	Street Fund	Office And Operating Supplies	ICON Materials		429.79
33392	12/17/2012	Surface Water Mgmt CIP	Construction	ICON Materials		238.65
33392	12/17/2012	Street Fund	Office And Operating Supplies	ICON Materials		312.63
					Check Total:	2,081.11
33393	12/17/2012	General Fund	Operating Rents & Leases	RICOH USA Inc		455.54
33393	12/17/2012	General Fund	Operating Rents & Leases	RICOH USA Inc		1,108.95
					Check Total:	1,564.49
33394	12/17/2012	General Fund	Operating Rents & Leases	RICOH USA Inc		675.42
					Check Total:	675.42
33395	12/17/2012	Street Fund	Dues/memberships	International Municipal Signal		70.00
33395	12/17/2012	Street Fund	Dues/memberships	International Municipal Signal		70.00
33395	12/17/2012	Street Fund	Dues/memberships	International Municipal Signal		70.00
33395	12/17/2012	Street Fund	Dues/memberships	International Municipal Signal		70.00
					Check Total:	280.00
33396	12/17/2012	General Fund	Office and Operating Supplies	Integrity Furniture		2,724.00
					Check Total:	2,724.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
33397	12/17/2012	General Fund	Telephone	Integra Telecom		111.78
33397	12/17/2012	General Fund	Telephone	Integra Telecom		167.66
33397	12/17/2012	General Fund	Telephone	Integra Telecom		139.72
33397	12/17/2012	General Fund	Telephone	Integra Telecom		55.89
33397	12/17/2012	General Fund	Telephone	Integra Telecom		279.44
33397	12/17/2012	General Fund	Telephone	Integra Telecom		139.72
33397	12/17/2012	General Fund	Telephone	Integra Telecom		167.66
33397	12/17/2012	General Fund	Telephone	Integra Telecom		335.33
33397	12/17/2012	General Fund	Telephone	Integra Telecom		1,329.20
					Check Total:	2,726.40
33398	12/17/2012	Street Fund	Repairs & Maint. - Fleet	Interstate Tire & Automotive		21.88
33398	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Interstate Tire & Automotive		21.88
					Check Total:	43.76
33399	12/17/2012	General Fund	Instructors Prof Srvs	Marv Johnson		798.00
					Check Total:	798.00
33400	12/17/2012	Street Fund	Office And Operating Supplies	King County Fleet Adm.		854.88
33400	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	King County Fleet Adm.		355.70
					Check Total:	1,210.58
33401	12/17/2012	General Fund	Miscellaneous	King County Recorder		73.00
					Check Total:	73.00
33402	12/17/2012	General Fund	Police Contract - King Co	King County Sheriff's Office		822,439.92
33402	12/17/2012	General Fund	Police Contract - King Co	King County Sheriff's Office		822,439.90
					Check Total:	1,644,879.82
33403	12/17/2012	General Fund	Jail contracts	KING COUNTY FINANCE		401.47
33403	12/17/2012	General Fund	Jail contracts	KING COUNTY FINANCE		541.48
					Check Total:	942.95
33404	12/17/2012	General Fund	Plan Review Fee Fire Dist 2	King County Fire District #2		273.21

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
					Check Total:	273.21
33405	12/17/2012	General Fund	Drug seizure proceeds KCSO	K.C.Sheriff-Sgt.R. Crenshaw		1,577.00
					Check Total:	1,577.00
33406	12/17/2012	Surface Water Management Fund	Permits & Monitoring	King County Office of Finance		11,702.00
					Check Total:	11,702.00
33407	12/17/2012	General Fund	Instructors Prof Svcs	Keli Sim-DiRitis		240.00
					Check Total:	240.00
33408	12/17/2012	Transportation CIP	Construction-inspection	KPG, Inc.		26,605.38
33408	12/17/2012	Transportation CIP	Construction Inspection	KPG, Inc.		6,140.42
					Check Total:	32,745.80
33409	12/17/2012	General Fund	Office And Operating Supplies	MICHAEL LAFRENIERE		43.24
33409	12/17/2012	General Fund	Office And Operating Supplies	MICHAEL LAFRENIERE		19.04
					Check Total:	62.28
33410	12/17/2012	General Fund	Instructors Prof Svcs	Lauren Laughlin		264.00
					Check Total:	264.00
33411	12/17/2012	General Fund	Recreation Guide	Larry Cederblom		2,040.40
					Check Total:	2,040.40
33412	12/17/2012	General Fund	Prof. Svcs-instructors	Lori Leberer		120.00
					Check Total:	120.00
33413	12/17/2012	General Fund	Prof. Svcs-instructors	Alexander Lewis		1,320.00
					Check Total:	1,320.00
33414	12/17/2012	Surface Water Mgmt CIP	Construction	Lloyd Enterprises Inc		144.10

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	144.10
33415	12/17/2012	Street Fund	Repairs & Maint. - Fleet	MAACO Collision Repair & Auto	1,026.88
33415	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	MAACO Collision Repair & Auto	1,026.88
				Check Total:	2,053.76
33416	12/17/2012	General Fund	Prof. Svcs-instructors	Shannon McConnell	240.00
				Check Total:	240.00
33417	12/17/2012	General Fund	Instructors Prof Svcs	Hunter McGee	210.00
				Check Total:	210.00
33418	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	McLendon Hardware Inc	37.13
33418	12/17/2012	Street Fund	Repairs & Maint. - Fleet	McLendon Hardware Inc	37.14
33418	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	38.44
33418	12/17/2012	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	38.45
33418	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	86.76
33418	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	191.39
33418	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	16.26
33418	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	McLendon Hardware Inc	20.59
33418	12/17/2012	Street Fund	Repairs & Maint. - Fleet	McLendon Hardware Inc	20.59
33418	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	253.63
33418	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	29.83
33418	12/17/2012	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	29.83
33418	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	8.67
33418	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	8.67
33418	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	McLendon Hardware Inc	4.28
33418	12/17/2012	Street Fund	Repairs & Maint. - Fleet	McLendon Hardware Inc	4.29
33418	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	McLendon Hardware Inc	80.24
33418	12/17/2012	Street Fund	Repairs & Maint. - Fleet	McLendon Hardware Inc	80.25
				Check Total:	986.44
33419	12/17/2012	General Fund	Instructors Prof Srvs	Momentum Dance Academy	776.10
				Check Total:	776.10
33420	12/17/2012	Street Fund	Office And Operating Supplies	LUIS MEJIA	160.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
					Check Total:	160.00
33421	12/17/2012	Street Fund	Dt Business License Svcs	Microflex Inc		25.07
33421	12/17/2012	General Fund	B&O Tax collect & audit	Microflex Inc		25.08
33421	12/17/2012	Street Fund	Dt Business License Svcs	Microflex Inc		3,627.84
33421	12/17/2012	General Fund	B&O Tax collect & audit	Microflex Inc		1,927.74
33421	12/17/2012	General Fund	Sales Tax Auditing Costs	Microflex Inc		50.79
					Check Total:	5,656.52
33422	12/17/2012	General Fund	Instructors Prof Srvs	Paul Miller		950.00
					Check Total:	950.00
33423	12/17/2012	Street Fund	Office And Operating Supplies	Miller Paint Co		16.60
33423	12/17/2012	Street Fund	Office And Operating Supplies	Miller Paint Co		68.19
33423	12/17/2012	General Fund	Nuisance Abatement Costs	Miller Paint Co		36.24
					Check Total:	121.03
33424	12/17/2012	General Fund	Instructors Prof Svcs	Shariana Mundi		1,188.00
					Check Total:	1,188.00
33425	12/17/2012	General Fund	Instructors Prof Svcs	Aaron Murray		40.00
					Check Total:	40.00
33426	12/17/2012	General Fund	Instructors Prof Srvs	New City Dance Company		1,362.40
					Check Total:	1,362.40
33427	12/17/2012	General Fund	Instructors Prof Svcs	Drew Nicklas		240.00
					Check Total:	240.00
33428	12/17/2012	General Fund	Office And Operating Supplies	National Maintenance Cont.		591.69
33428	12/17/2012	General Fund	City Hall Custodial	National Maintenance Cont.		1,032.29
					Check Total:	1,623.98
33429	12/17/2012	Street Fund	Repairs & Maint. - Fleet	Norstar Industries, Inc.		970.96

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
					Check Total:	970.96
33430	12/17/2012	General Fund	Prof. Svcs-instructors	Pamela Odegard		150.00
					Check Total:	150.00
33431	12/17/2012	General Fund	Building Maintenance	OpenWorks-Billing Agent		400.00
33431	12/17/2012	General Fund	Building Maintenance	OpenWorks-Billing Agent		1,260.00
					Check Total:	1,660.00
33432	12/17/2012	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		8.91
33432	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		8.92
33432	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		8.75
33432	12/17/2012	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		8.76
33432	12/17/2012	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		69.23
33432	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		69.24
33432	12/17/2012	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		99.62
33432	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		99.63
33432	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		5.19
33432	12/17/2012	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		5.19
33432	12/17/2012	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		61.20
33432	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		61.20
33432	12/17/2012	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		14.23
33432	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		14.22
33432	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		41.04
33432	12/17/2012	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		41.04
33432	12/17/2012	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		9.84
33432	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		9.85
33432	12/17/2012	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		14.77
33432	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		14.77
					Check Total:	665.60
33433	12/17/2012	General Fund	Prof. Svcs-instructors	Fritzi Oxley		96.00
					Check Total:	96.00
33434	12/17/2012	Street Fund	Repairs & Maint. - Fleet	Pacific Torque LLC		305.21
33434	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Pacific Torque LLC		305.22

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
					Check Total:	610.43
33435	12/17/2012	General Fund	Instructors Prof Svcs	Johawna Olena Perry		184.00
					Check Total:	184.00
33436	12/17/2012	General Fund	Mileage	Petty Cash Custodian		16.98
33436	12/17/2012	General Fund	Miscellaneous	Petty Cash Custodian		12.37
33436	12/17/2012	General Fund	City Hall Bldg Maintenance	Petty Cash Custodian		8.20
33436	12/17/2012	General Fund	Mileage	Petty Cash Custodian		25.75
33436	12/17/2012	General Fund	Mileage	Petty Cash Custodian		9.99
33436	12/17/2012	General Fund	Mileage	Petty Cash Custodian		11.10
33436	12/17/2012	Street Fund	Other Travel	Petty Cash Custodian		7.35
33436	12/17/2012	Street Fund	Mileage	Petty Cash Custodian		15.92
33436	12/17/2012	General Fund	Office And Operating Supplies	Petty Cash Custodian		23.95
33436	12/17/2012	General Fund	Office/operating Supplies	Petty Cash Custodian		33.58
33436	12/17/2012	General Fund	Office And Operating Supplies	Petty Cash Custodian		11.95
33436	12/17/2012	General Fund	Mileage	Petty Cash Custodian		5.55
33436	12/17/2012	General Fund	Office/operating Supplies	Petty Cash Custodian		6.96
33436	12/17/2012	Surface Water Management Fund	Mileage	Petty Cash Custodian		11.60
33436	12/17/2012	Street Fund	Mileage	Petty Cash Custodian		11.60
33436	12/17/2012	General Fund	IT Office/operating Supplies	Petty Cash Custodian		34.77
33436	12/17/2012	Equipment Reserve Fund	Machinery And Equipment	Petty Cash Custodian		47.75
33436	12/17/2012	General Fund	Office/operating Supplies	Petty Cash Custodian		22.96
					Check Total:	318.33
33437	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	Pacific Industrial Supply		25.13
33437	12/17/2012	Street Fund	Office And Operating Supplies	Pacific Industrial Supply		25.13
33437	12/17/2012	Street Fund	Repairs & Maint. - Fleet	Pacific Industrial Supply		68.76
33437	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Pacific Industrial Supply		68.77
33437	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Pacific Industrial Supply		36.04
33437	12/17/2012	Street Fund	Office And Operating Supplies	Pacific Industrial Supply		32.30
33437	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	Pacific Industrial Supply		32.31
33437	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	Pacific Industrial Supply		182.99
33437	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Pacific Industrial Supply		11.33
33437	12/17/2012	Street Fund	Repairs & Maint. - Fleet	Pacific Industrial Supply		11.34
33437	12/17/2012	Street Fund	Repairs & Maint. - Fleet	Pacific Industrial Supply		47.28
33437	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Pacific Industrial Supply		47.27
33437	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	Pacific Industrial Supply		17.46
33437	12/17/2012	Street Fund	Office And Operating Supplies	Pacific Industrial Supply		17.47
33437	12/17/2012	Street Fund	Office And Operating Supplies	Pacific Industrial Supply		69.64
33437	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	Pacific Industrial Supply		69.64

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
33437	12/17/2012	Surface Water Management Fund	Repairs & Maint. - Fleet	Pacific Industrial Supply		40.27
33437	12/17/2012	Street Fund	Repairs & Maint. - Fleet	Pacific Industrial Supply		40.28
33437	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	Pacific Industrial Supply		5.22
33437	12/17/2012	Street Fund	Office And Operating Supplies	Pacific Industrial Supply		5.23
					Check Total:	853.86
33438	12/17/2012	General Fund	Utilities	PSE Pmt. Processing		1,446.31
33438	12/17/2012	General Fund	Utilities	PSE Pmt. Processing		56.95
33438	12/17/2012	Street Fund	Utilities-street Lighting	PSE Pmt. Processing		1,611.97
					Check Total:	3,115.23
33439	12/17/2012	Surface Water Management Fund	Surface Water Mgmt Inventory	Pipeline Video&Cleaning North		14,437.75
					Check Total:	14,437.75
33440	12/17/2012	General Fund	Refund Clearing Account -Parks	Disc Northwest		119.00
					Check Total:	119.00
33441	12/17/2012	General Fund	Refund Clearing Account -Parks	NW Gifted Child Association		75.00
					Check Total:	75.00
33442	12/17/2012	Street Fund	Business Licenses	Henriksen Services Inc		45.00
					Check Total:	45.00
33443	12/17/2012	General Fund	False Alarm Fine	Renton Collections, Inc.		78.00
					Check Total:	78.00
33444	12/17/2012	General Fund	Advertising	Robinson Newspapers		170.00
33444	12/17/2012	General Fund	Advertising	Robinson Newspapers		234.00
					Check Total:	404.00
33445	12/17/2012	General Fund	Instructors Prof Svcs	George Rodriguez		225.00
					Check Total:	225.00
33446	12/17/2012	General Fund	Office and Operating Supplies	MEGAN SCHMIEDER		87.04

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
					Check Total:	87.04
33447	12/17/2012	General Fund	Jail contracts	SCORE		175.00
					Check Total:	175.00
33448	12/17/2012	General Fund	Advertising	Seattle Times		113.73
33448	12/17/2012	General Fund	Advertising	Seattle Times		541.82
33448	12/17/2012	General Fund	Advertising/legal Publications	Seattle Times		275.00
33448	12/17/2012	General Fund	Advertising	Seattle Times		69.42
					Check Total:	999.97
33449	12/17/2012	General Fund	Office and Operating Supplies	Seatown Locksmith		431.30
					Check Total:	431.30
33450	12/17/2012	General Fund	Computer Consultant Prof Svcs	SEITEL Systems, LLC		58.12
33450	12/17/2012	Street Fund	Computer Consultant Pro Svc	SEITEL Systems, LLC		9.69
33450	12/17/2012	Surface Water Management Fund	Computer Consultant Pro Svc	SEITEL Systems, LLC		9.69
					Check Total:	77.50
33451	12/17/2012	General Fund	Instructors Prof Srvs	Kevon Shea		742.50
					Check Total:	742.50
33452	12/17/2012	Street Fund	Repairs & Maint. - Fleet	Six Robblees' Inc.		9.65
					Check Total:	9.65
33453	12/17/2012	General Fund	Telephone	SPRINT		128.49
33453	12/17/2012	General Fund	Telephone	SPRINT		30.95
33453	12/17/2012	General Fund	Telephone	SPRINT		129.41
33453	12/17/2012	General Fund	Telephone	SPRINT		175.05
33453	12/17/2012	General Fund	Drug seizure proceeds KCSO	SPRINT		274.84
33453	12/17/2012	General Fund	Telephone	SPRINT		97.37
33453	12/17/2012	Street Fund	Telephone	SPRINT		206.94
33453	12/17/2012	Surface Water Management Fund	Telephone	SPRINT		223.00
33453	12/17/2012	General Fund	Telephone	SPRINT		-0.99

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
					Check Total:	1,265.06
33454	12/17/2012	Parks & Gen Gov't CIP	Design Engineering	Seattle Public Utilities		5,707.08
33454	12/17/2012	General Fund	Utilities - Fire Hydrants	Seattle Public Utilities		13,940.42
					Check Total:	19,647.50
33455	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	Sunset Materials Inc		36.40
33455	12/17/2012	Surface Water Mgmt CIP	Construction	Sunset Materials Inc		245.60
33455	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	Sunset Materials Inc		245.60
33455	12/17/2012	Surface Water Mgmt CIP	Construction	Sunset Materials Inc		112.37
33455	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	Sunset Materials Inc		112.38
					Check Total:	752.35
33456	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	Superlon Plastics		1,203.04
33456	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	Superlon Plastics		918.46
33456	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	Superlon Plastics		1,463.75
33456	12/17/2012	Surface Water Management Fund	Office And Operating Supplies	Superlon Plastics		808.19
					Check Total:	4,393.44
33457	12/17/2012	General Fund	Registration & Training	SWKC Chamber of Commerce		20.00
					Check Total:	20.00
33458	12/17/2012	General Fund	Utilities	Southwest Suburban Sewer Dist.		55.00
					Check Total:	55.00
33459	12/17/2012	General Fund	Repairs and Maintenance	Tank Wise		125.93
					Check Total:	125.93
33460	12/17/2012	Street Fund	Office And Operating Supplies	LORELI TAYLOR		147.81
					Check Total:	147.81
33461	12/17/2012	General Fund	Quarterly Newsletter	The Daily Herald Company		250.00
					Check Total:	250.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
33462	12/17/2012	Transportation CIP	Construction	Transportation Systems Inc.		210,161.95
					Check Total:	210,161.95
33463	12/17/2012	General Fund	Repairs And Maintenance	Tri-Tec		473.04
					Check Total:	473.04
33464	12/17/2012	Street Fund	Office And Operating Supplies	Urban Forest Nursery Inc		3,603.06
					Check Total:	3,603.06
33465	12/17/2012	Surface Water Management Fund	Repair & Maint-pump Stations	Utilities Service Co, Inc.		284.96
					Check Total:	284.96
33466	12/17/2012	General Fund	Operating Rentals & Leases	Valley View Sewer District		1,030.00
					Check Total:	1,030.00
33467	12/17/2012	General Fund	Instructors Prof Svcs	Fred Vaughan		48.00
					Check Total:	48.00
33468	12/17/2012	General Fund	Telephone	Verizon Wireless		40.01
33468	12/17/2012	General Fund	Telephone	Verizon Wireless		40.01
33468	12/17/2012	Street Fund	Telephone	Verizon Wireless		100.03
33468	12/17/2012	Surface Water Management Fund	Telephone	Verizon Wireless		100.02
					Check Total:	280.07
33469	12/17/2012	General Fund	Dues/memberships	WA Assn. of Building Officials		95.00
					Check Total:	95.00
33470	12/17/2012	General Fund	Prosecution - City Atty	Walls Law Firm		12,441.20
					Check Total:	12,441.20
33471	12/17/2012	General Fund	Repairs And Maintenance	Wammer Painting		980.03

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
					Check Total:	980.03
33472	12/17/2012	General Fund	Jail contracts	WASPC-Regional Cities EHM		1,291.00
					Check Total:	1,291.00
33473	12/17/2012	General Fund	Repairs and Maintenance	White Center Glass & Upholster		693.14
					Check Total:	693.14
33474	12/17/2012	General Fund	Utilities	Water District No 20		182.40
					Check Total:	182.40
33475	12/17/2012	Street Fund	Landscape Maint - Utilities	King Co Water Dist 49		65.00
33475	12/17/2012	Street Fund	Landscape Maint - Utilities	King Co Water Dist 49		80.75
33475	12/17/2012	Street Fund	Landscape Maint - Utilities	King Co Water Dist 49		65.00
33475	12/17/2012	Street Fund	Landscape Maint - Utilities	King Co Water Dist 49		26.00
33475	12/17/2012	Street Fund	Landscape Maint - Utilities	King Co Water Dist 49		65.00
33475	12/17/2012	Street Fund	Landscape Maint - Utilities	King Co Water Dist 49		132.00
33475	12/17/2012	Street Fund	Landscape Maint - Utilities	King Co Water Dist 49		65.00
33475	12/17/2012	Street Fund	Landscape Maint - Utilities	King Co Water Dist 49		132.00
					Check Total:	630.75
33476	12/17/2012	General Fund	Probatn/public Defndr Screenng	Tammy Weigel		840.00
					Check Total:	840.00
33477	12/17/2012	General Fund	Professional Services	Washington State Patrol		290.00
					Check Total:	290.00
33478	12/27/2012	General Fund	Public Defender	Kirshenbaum & Goss, Inc., P.S		6,100.00
					Check Total:	6,100.00
33479	01/07/2013	General Fund	Office and Operating Supplies	ACE Hardware		51.87
33479	01/07/2013	General Fund	Office and Operating Supplies	ACE Hardware		11.89
33479	01/07/2013	General Fund	Office and Operating Supplies	ACE Hardware		18.60
33479	01/07/2013	General Fund	Office and Operating Supplies	ACE Hardware		36.65
33479	01/07/2013	Surface Water Management Fund	Office And Operating Supplies	ACE Hardware		27.89

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
33479	01/07/2013	Surface Water Management Fund	Repairs & Maint. - Fleet	ACE Hardware	21.53
33479	01/07/2013	Street Fund	Repairs & Maint. - Fleet	ACE Hardware	21.53
33479	01/07/2013	Street Fund	Office And Operating Supplies	ACE Hardware	4.37
33479	01/07/2013	General Fund	City Hall Bldg Maintenance	ACE Hardware	1.01
33479	01/07/2013	General Fund	Office And Operating Supplies	ACE Hardware	8.74
				Check Total:	204.08
33480	01/07/2013	General Fund	Registration - Trainng/workshp	American Council Employee Safe	90.00
33480	01/07/2013	Street Fund	Registration - Trainng/workshp	American Council Employee Safe	315.00
33480	01/07/2013	Surface Water Management Fund	Registration - Trainng/workshp	American Council Employee Safe	315.00
				Check Total:	720.00
33481	01/07/2013	General Fund	Operating Rentals And Leases	Airgas USA LLC	22.75
33481	01/07/2013	General Fund	Office and Operating Supplies	Airgas USA LLC	22.76
				Check Total:	45.51
33482	01/07/2013	General Fund	Building Maintenance	Alliance Contract Flooring Inc	2,326.88
				Check Total:	2,326.88
33483	01/07/2013	Street Fund	Office And Operating Supplies	Alpine Products Inc	104.57
				Check Total:	104.57
33484	01/07/2013	General Fund	Office and Operating Supplies	Amerigas - Kent	450.62
				Check Total:	450.62
33485	01/07/2013	General Fund	Office And Operating Supplies	Aramark Uniform Services	43.20
				Check Total:	43.20
33486	01/07/2013	General Fund	Telephone	AT&T Mobility	19.04
				Check Total:	19.04
33487	01/07/2013	Equipment Reserve Fund	Machinery And Equipment	Auto Additions	1,407.69
				Check Total:	1,407.69

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
33488	01/07/2013	General Fund	Arts & Culture Grants	Burien Arts Association		1,000.00
					Check Total:	1,000.00
33489	01/07/2013	Equipment Reserve Fund	Machinery And Equipment	Ballew's Welding & Trailer Inc		821.25
					Check Total:	821.25
33490	01/07/2013	General Fund	Telephone	JACK BLOCK, JR.		55.48
					Check Total:	55.48
33491	01/07/2013	General Fund	Office and Operating Supplies	Burien Bark LLC		34.00
33491	01/07/2013	General Fund	Office and Operating Supplies	Burien Bark LLC		34.00
33491	01/07/2013	General Fund	Office and Operating Supplies	Burien Bark LLC		68.00
					Check Total:	136.00
33492	01/07/2013	Parks & Gen Gov't CIP	Construction	Buckley Nursery Co Inc		17,910.09
					Check Total:	17,910.09
33493	01/07/2013	General Fund	Telephone	ROSE CLARK		53.62
					Check Total:	53.62
33494	01/07/2013	General Fund	Office and Operating Supplies	Clay Art Center Inc		16.46
					Check Total:	16.46
33495	01/07/2013	General Fund	Telephone	CenturyLink		45.41
33495	01/07/2013	General Fund	Telephone	CenturyLink		46.20
					Check Total:	91.61
33496	01/07/2013	General Fund	Annexation	Cardmember Service		159.65
33496	01/07/2013	General Fund	Professional Services	Cardmember Service		87.60
33496	01/07/2013	General Fund	Printing/binding/copying	Cardmember Service		130.00
33496	01/07/2013	General Fund	Drug seizure proceeds KCSO	Cardmember Service		75.00
33496	01/07/2013	General Fund	Registration - Trainng/workshp	Cardmember Service		128.00
33496	01/07/2013	General Fund	Office and Operating Supplies	Cardmember Service		314.91
33496	01/07/2013	General Fund	Office and Operating Supplies	Cardmember Service		33.85
33496	01/07/2013	General Fund	Office and Operating Supplies	Cardmember Service		130.85

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
33496	01/07/2013	General Fund	Office and Operating Supplies	Cardmember Service		138.13
33496	01/07/2013	General Fund	Admission and Entrance Fees	Cardmember Service		157.50
33496	01/07/2013	General Fund	Repairs And Maintenance	Cardmember Service		1,592.00
33496	01/07/2013	General Fund	Office And Operating Supplies	Cardmember Service		1.31
33496	01/07/2013	General Fund	Office and Operating Supplies	Cardmember Service		143.06
33496	01/07/2013	General Fund	Office And Operating Supplies	Cardmember Service		1.31
33496	01/07/2013	General Fund	Office And Operating Supplies	Cardmember Service		19.60
33496	01/07/2013	General Fund	Office and Operating Supplies	Cardmember Service		197.09
33496	01/07/2013	General Fund	Office And Operating Supplies	Cardmember Service		26.74
33496	01/07/2013	General Fund	Office And Operating Supplies	Cardmember Service		284.82
33496	01/07/2013	General Fund	Office and Operating Supplies	Cardmember Service		150.19
33496	01/07/2013	General Fund	Office and Operating Supplies	Cardmember Service		150.19
33496	01/07/2013	General Fund	Office And Operating Supplies	Cardmember Service		18.60
33496	01/07/2013	General Fund	Office And Operating Supplies	Cardmember Service		95.59
33496	01/07/2013	General Fund	Office and Operating Supplies	Cardmember Service		17.50
33496	01/07/2013	General Fund	Registration - Trainng/workshp	Cardmember Service		50.00
33496	01/07/2013	General Fund	Office And Operating Supplies	Cardmember Service		147.02
33496	01/07/2013	General Fund	Dues/memberships	Cardmember Service		450.00
33496	01/07/2013	General Fund	Dues/memberships	Cardmember Service		518.00
33496	01/07/2013	General Fund	Dues/memberships	Cardmember Service		263.00
33496	01/07/2013	General Fund	Other Travel	Cardmember Service		15.25
33496	01/07/2013	General Fund	City Hall Bldg Maintenance	Cardmember Service		75.60
33496	01/07/2013	Surface Water Management Fund	Office And Operating Supplies	Cardmember Service		133.67
33496	01/07/2013	General Fund	Office Supplies	Cardmember Service		43.51
33496	01/07/2013	General Fund	Operating Rentals And Leases	Cardmember Service		219.58
33496	01/07/2013	General Fund	Professional Services	Cardmember Service		9.99
33496	01/07/2013	General Fund	Office and Operating Supplies	Cardmember Service		207.23
33496	01/07/2013	General Fund	Software Subscription Costs	Cardmember Service		9.99
33496	01/07/2013	General Fund	Software Subscription Fees	Cardmember Service		59.95
					Check Total:	6,256.28
33497	01/07/2013	General Fund	Repairs And Maintenance	Coit Services Inc		342.00
					Check Total:	342.00
33498	01/07/2013	Transportation CIP	Construction	Columbia Bank		1,464.16
					Check Total:	1,464.16
33499	01/07/2013	General Fund	Online Video Streaming	COMCAST		45.21
33499	01/07/2013	General Fund	Utilities	COMCAST		66.95
33499	01/07/2013	General Fund	Utilities	COMCAST		71.90
33499	01/07/2013	General Fund	Utilities	COMCAST		71.90

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
33499	01/07/2013	Street Fund	Telephone	COMCAST		35.95
33499	01/07/2013	Surface Water Management Fund	Telephone	COMCAST		35.95
					Check Total:	327.86
33500	01/07/2013	General Fund	Prof. Svcs-instructors	Janet S. Crawley		774.20
					Check Total:	774.20
33501	01/07/2013	General Fund	Office And Operating Supplies	Crystal Springs		113.05
					Check Total:	113.05
33502	01/07/2013	General Fund	Professional Services	CTS Language Link		19.11
					Check Total:	19.11
33503	01/07/2013	Surface Water Management Fund	Utilities	City of Seattle		517.26
33503	01/07/2013	Surface Water Management Fund	Utilities	City of Seattle		51.91
33503	01/07/2013	Street Fund	Utilities-street Lighting	City of Seattle		18.24
33503	01/07/2013	Street Fund	Utilities - Traffic Signals	City of Seattle		132.14
33503	01/07/2013	Street Fund	Utilities - Traffic Signals	City of Seattle		81.60
33503	01/07/2013	General Fund	Utilities	City of Seattle		184.36
33503	01/07/2013	Street Fund	Utilities - Traffic Signals	City of Seattle		42.35
33503	01/07/2013	Street Fund	Utilities - Traffic Signals	City of Seattle		64.44
33503	01/07/2013	Street Fund	Utilities - Traffic Signals	City of Seattle		153.40
33503	01/07/2013	Street Fund	Utilities - Traffic Signals	City of Seattle		315.04
33503	01/07/2013	Street Fund	Utilities - Traffic Signals	City of Seattle		38.40
33503	01/07/2013	General Fund	Utilities	City of Seattle		300.18
33503	01/07/2013	General Fund	Utilities	City of Seattle		110.59
33503	01/07/2013	Street Fund	Utilities - Traffic Signals	City of Seattle		559.91
33503	01/07/2013	General Fund	Utilities	City of Seattle		452.73
33503	01/07/2013	General Fund	Utilities	City of Seattle		335.27
33503	01/07/2013	General Fund	Utilities	City of Seattle		1,597.84
33503	01/07/2013	General Fund	Utilities	City of Seattle		1,429.96
33503	01/07/2013	General Fund	Utilities	City of Seattle		34.91
33503	01/07/2013	Street Fund	Utilities - Traffic Signals	City of Seattle		154.91
33503	01/07/2013	Street Fund	Utilities-street Lighting	City of Seattle		13.20
33503	01/07/2013	Street Fund	Utilities - Traffic Signals	City of Seattle		279.32
33503	01/07/2013	Street Fund	Utilities-street Lighting	City of Seattle		15.40
33503	01/07/2013	Street Fund	Utilities-street Lighting	City of Seattle		4,000.95
33503	01/07/2013	Street Fund	Utilities - Traffic Signals	City of Seattle		140.43

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
					Check Total:	11,024.74
33504	01/07/2013	General Fund	Parks Maintenance	Darrel Emel's Tree Service		19,710.00
33504	01/07/2013	Street Fund	Professional Services	Darrel Emel's Tree Service		3,285.00
					Check Total:	22,995.00
33505	01/07/2013	General Fund	Printing/binding/copying	Discover Burien		600.00
					Check Total:	600.00
33506	01/07/2013	Transportation CIP	construction	DPK Inc.		211,965.73
33506	01/07/2013	Transportation CIP	construction	DPK Inc.		2,867.16
					Check Total:	214,832.89
33507	01/07/2013	Surface Water Management Fund	Office And Operating Supplies	Dunn Lumber Co.		46.04
33507	01/07/2013	Street Fund	Office And Operating Supplies	Dunn Lumber Co.		46.04
33507	01/07/2013	General Fund	Office and Operating Supplies	Dunn Lumber Co.		36.67
33507	01/07/2013	Street Fund	Office And Operating Supplies	Dunn Lumber Co.		23.26
					Check Total:	152.01
33508	01/07/2013	General Fund	Repairs & Maint. - Fleet	Elidrew, LLC		11.83
					Check Total:	11.83
33509	01/07/2013	General Fund	Repairs and Maintenance	Eden Advanced Pests Tech.		82.13
					Check Total:	82.13
33510	01/07/2013	General Fund	Telephone	Robert Edgar		69.95
					Check Total:	69.95
33511	01/07/2013	General Fund	Prof. Svcs-instructors	EvoFit LLP		896.40
					Check Total:	896.40
33512	01/07/2013	Street Fund	Repairs & Maint. - Fleet	Firestone Complete Auto Care		180.32
33512	01/07/2013	Surface Water Management Fund	Repairs & Maint. - Fleet	Firestone Complete Auto Care		180.32

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
					Check Total:	360.64
33513	01/07/2013	Street Fund	Office And Operating Supplies	Heather Flyer Electric		55.43
33513	01/07/2013	Surface Water Management Fund	Office And Operating Supplies	Heather Flyer Electric		55.43
					Check Total:	110.86
33514	01/07/2013	Street Fund	Repairs & Maint. - Fleet	Genuine Parts Co. Seattle-DC		12.78
33514	01/07/2013	Surface Water Management Fund	Repairs & Maint. - Fleet	Genuine Parts Co. Seattle-DC		12.78
					Check Total:	25.56
33515	01/07/2013	General Fund	Professional Services	Goodbye Graffiti		1,761.86
					Check Total:	1,761.86
33516	01/07/2013	General Fund	Utilities	Glendale Heating		2,614.55
					Check Total:	2,614.55
33517	01/07/2013	Street Fund	Office And Operating Supplies	Grainger		10.90
33517	01/07/2013	Surface Water Management Fund	Office And Operating Supplies	Grainger		10.89
33517	01/07/2013	General Fund	Office and Operating Supplies	Grainger		78.16
33517	01/07/2013	General Fund	Office Supplies	Grainger		74.27
					Check Total:	174.22
33518	01/07/2013	General Fund	Instructors Prof Srvs	Highline Athletic Club		512.40
					Check Total:	512.40
33519	01/07/2013	General Fund	Instructors Prof Svcs	Victoria E. Hamilton		153.00
33519	01/07/2013	General Fund	Instructors Prof Svcs	Victoria E. Hamilton		44.00
					Check Total:	197.00
33520	01/07/2013	General Fund	Arts & Culture Grants	Highline Community Symphonic B		1,000.00
					Check Total:	1,000.00
33521	01/07/2013	General Fund	Professional Services	Heartland LLC		4,706.94
33521	01/07/2013	General Fund	Professional Services	Heartland LLC		8,546.50

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
					Check Total:	13,253.44
33522	01/07/2013	Surface Water Management Fund	Repairs & Maint. - Fleet	Hi-Line, Inc.		142.35
33522	01/07/2013	Street Fund	Repairs & Maint. - Fleet	Hi-Line, Inc.		142.35
33522	01/07/2013	Surface Water Management Fund	Repairs & Maint. - Fleet	Hi-Line, Inc.		66.37
33522	01/07/2013	Street Fund	Repairs & Maint. - Fleet	Hi-Line, Inc.		66.38
33522	01/07/2013	Street Fund	Repairs & Maint. - Fleet	Hi-Line, Inc.		152.96
33522	01/07/2013	Surface Water Management Fund	Repairs & Maint. - Fleet	Hi-Line, Inc.		152.96
33522	01/07/2013	Street Fund	Repairs & Maint. - Fleet	Hi-Line, Inc.		112.50
33522	01/07/2013	Surface Water Management Fund	Repairs & Maint. - Fleet	Hi-Line, Inc.		112.50
33522	01/07/2013	Street Fund	Repairs & Maint. - Fleet	Hi-Line, Inc.		324.90
33522	01/07/2013	Surface Water Management Fund	Repairs & Maint. - Fleet	Hi-Line, Inc.		324.91
33522	01/07/2013	Surface Water Management Fund	Repairs & Maint. - Fleet	Hi-Line, Inc.		124.96
33522	01/07/2013	Street Fund	Repairs & Maint. - Fleet	Hi-Line, Inc.		124.97
					Check Total:	1,848.11
33523	01/07/2013	General Fund	Arts & Culture Grants	Hi-liners, Inc.		750.00
					Check Total:	750.00
33524	01/07/2013	Street Fund	Office And Operating Supplies	ICON Materials		30.87
33524	01/07/2013	Street Fund	Office And Operating Supplies	ICON Materials		135.96
					Check Total:	166.83
33525	01/07/2013	General Fund	Operating Rentals And Leases	RICOH USA Inc		637.23
					Check Total:	637.23
33526	01/07/2013	General Fund	Miscellaneous	Iron Mountain		448.12
33526	01/07/2013	General Fund	Miscellaneous	Iron Mountain		328.80
33526	01/07/2013	General Fund	Miscellaneous	Iron Mountain		344.46
					Check Total:	1,121.38
33527	01/07/2013	General Fund	Repair/maint-vehicle	Interstate Tire & Automotive		32.42
33527	01/07/2013	General Fund	Repairs & Maint. - Fleet	Interstate Tire & Automotive		43.76
33527	01/07/2013	General Fund	Repair/maint-vehicle	Interstate Tire & Automotive		43.76
					Check Total:	119.94

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
33528	01/07/2013	General Fund	Telephone	LUCY KRAKOWIAK		54.99
					Check Total:	54.99
33529	01/07/2013	General Fund	Prof. Svcs-instructors	Moodette Ka'apana		159.25
					Check Total:	159.25
33530	01/07/2013	General Fund	Other Travel	Gina Kallman		19.00
33530	01/07/2013	General Fund	Other Travel	Gina Kallman		265.96
					Check Total:	284.96
33531	01/07/2013	Surface Water Management Fund	Miller/Salmon/Seola Basin Plan	King County Office of Finance		9,890.66
33531	01/07/2013	Surface Water Management Fund	County Collection Fee	King County Office of Finance		10,117.07
					Check Total:	20,007.73
33532	01/07/2013	Street Fund	Repairs & Maint. - Fleet	Kenworth Northwest Inc.		2,642.68
33532	01/07/2013	Surface Water Management Fund	Repairs & Maint. - Fleet	Kenworth Northwest Inc.		2,642.69
					Check Total:	5,285.37
33533	01/07/2013	General Fund	Instructors Prof Srvs	Kidz Love Soccer		3,250.80
					Check Total:	3,250.80
33534	01/07/2013	General Fund	Professional Services	Maureen Hoffmann		4,000.00
					Check Total:	4,000.00
33535	01/07/2013	General Fund	Prof. Svcs-instructors	Lori Leberer		90.00
					Check Total:	90.00
33536	01/07/2013	General Fund	Prof. Svcs-instructors	Anne Marie Littleton		737.10
					Check Total:	737.10
33537	01/07/2013	General Fund	Arts & Culture Grants	Latinos for Community Transfor		2,000.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	2,000.00
33538	01/07/2013	Street Fund	Repairs & Maint. - Fleet	MAACO Collision Repair & Auto	73.75
33538	01/07/2013	Surface Water Management Fund	Repairs & Maint. - Fleet	MAACO Collision Repair & Auto	73.75
				Check Total:	147.50
33539	01/07/2013	General Fund	Prof. Svcs-instructors	Jacob Matthew	780.00
				Check Total:	780.00
33540	01/07/2013	General Fund	Federal Lobbying Services	McBee Strategic Consulting LLC	6,000.00
				Check Total:	6,000.00
33541	01/07/2013	General Fund	Prof. Svcs-instructors	Shannon McConnell	150.00
				Check Total:	150.00
33542	01/07/2013	Street Fund	Office And Operating Supplies	NICK MCKENTY	160.00
				Check Total:	160.00
33543	01/07/2013	General Fund	Repairs and Maintenance	McKinstry Co. LLC	2,317.27
				Check Total:	2,317.27
33544	01/07/2013	Surface Water Management Fund	Office And Operating Supplies	McLendon Hardware Inc	21.68
33544	01/07/2013	Street Fund	Office And Operating Supplies	McLendon Hardware Inc	81.34
				Check Total:	103.02
33545	01/07/2013	General Fund	Instructors Prof Srvs	Paul Miller	300.00
				Check Total:	300.00
33546	01/07/2013	General Fund	Nuisance Abatement Costs	Miller Paint Co	36.24
				Check Total:	36.24
33547	01/07/2013	General Fund	Instructors Prof Svcs	Shariana Mundi	660.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
					Check Total:	660.00
33548	01/07/2013	General Fund	Office And Operating Supplies	Newegg		901.67
					Check Total:	901.67
33549	01/07/2013	General Fund	Printing/binding/copying	Northwest Publishing Center		6,340.82
					Check Total:	6,340.82
33550	01/07/2013	General Fund	Repairs And Maintenance	Northwest Bus Sales, Inc.		428.09
					Check Total:	428.09
33551	01/07/2013	General Fund	Arts & Culture Grants	Northwest Symphony Orchestra		5,000.00
					Check Total:	5,000.00
33552	01/07/2013	General Fund	Prof. Svcs-instructors	Pamela Odegard		135.00
					Check Total:	135.00
33553	01/07/2013	General Fund	Building Maintenance	OpenWorks-Billing Agent		1,003.00
33553	01/07/2013	General Fund	Building Maintenance	OpenWorks-Billing Agent		605.00
					Check Total:	1,608.00
33554	01/07/2013	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		83.22
33554	01/07/2013	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		83.22
33554	01/07/2013	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		33.38
33554	01/07/2013	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		33.38
33554	01/07/2013	Surface Water Management Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		-21.89
33554	01/07/2013	Street Fund	Repairs & Maint. - Fleet	O'Reilly Auto Parts		-21.90
					Check Total:	189.41
33555	01/07/2013	Transportation CIP	construction inspection	Perteet Inc.		44,160.09
					Check Total:	44,160.09
33556	01/07/2013	General Fund	Senior Trips	Petty Cash Custodian		14.57
33556	01/07/2013	General Fund	Senior Trips	Petty Cash Custodian		20.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
33556	01/07/2013	General Fund	Senior Trips	Petty Cash Custodian	15.75
33556	01/07/2013	General Fund	Senior Trips	Petty Cash Custodian	9.45
33556	01/07/2013	General Fund	Senior Trips	Petty Cash Custodian	15.75
33556	01/07/2013	General Fund	Senior Trips	Petty Cash Custodian	27.50
33556	01/07/2013	General Fund	Senior Trips	Petty Cash Custodian	5.97
33556	01/07/2013	General Fund	Senior Trips	Petty Cash Custodian	12.48
				Check Total:	121.47
33557	01/07/2013	Surface Water Management Fund	Office And Operating Supplies	Pacific Industrial Supply	104.41
33557	01/07/2013	Street Fund	Office And Operating Supplies	Pacific Industrial Supply	104.41
33557	01/07/2013	Surface Water Management Fund	Office And Operating Supplies	Pacific Industrial Supply	20.20
33557	01/07/2013	Surface Water Management Fund	Repairs & Maint. - Fleet	Pacific Industrial Supply	34.00
33557	01/07/2013	Street Fund	Repairs & Maint. - Fleet	Pacific Industrial Supply	34.00
33557	01/07/2013	Surface Water Management Fund	Office And Operating Supplies	Pacific Industrial Supply	37.73
				Check Total:	334.75
33558	01/07/2013	General Fund	Office Supplies	Pacific Lamp & Supply Company	151.78
				Check Total:	151.78
33559	01/07/2013	General Fund	Parks Maintenance	Play-Creation, Inc.	2,752.37
				Check Total:	2,752.37
33560	01/07/2013	Surface Water Management Fund	Surface Water Mgmt Inventory	Pipeline Video&Cleaning North	3,304.25
				Check Total:	3,304.25
33561	01/07/2013	General Fund	Electrical Permit	ADT Security Services Inc	59.20
				Check Total:	59.20
33562	01/07/2013	General Fund	Engrg Review - Reimbrsbl	Group Health	1,383.00
33562	01/07/2013	General Fund	Planning & Devel Fees/charges	Group Health	1,364.91
				Check Total:	2,747.91
33563	01/07/2013	General Fund	Mechanical Permit	Washington Natural Gas Heating	60.00
				Check Total:	60.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
33564	01/07/2013	General Fund	Mechanical Permit	Greenwood Heating & A/C		87.20
					Check Total:	87.20
33565	01/07/2013	General Fund	Business & Occupation Tax	Puget Sound Energy		131.95
					Check Total:	131.95
33566	01/07/2013	General Fund	Miscellaneous	Claude McAlpin, III		26.19
					Check Total:	26.19
33567	01/07/2013	General Fund	Repairs And Maintenance	Seattle Boiler Works		10,170.36
					Check Total:	10,170.36
33568	01/07/2013	Transportation CIP	construction	SEATTLE CITY LIGHT		1,404.00
					Check Total:	1,404.00
33569	01/07/2013	Street Fund	Repairs & Maint. - Fleet	Seaport Petroleum		298.60
33569	01/07/2013	Surface Water Management Fund	Repairs & Maint. - Fleet	Seaport Petroleum		298.59
					Check Total:	597.19
33570	01/07/2013	General Fund	Office and Operating Supplies	Seatown Locksmith		27.38
33570	01/07/2013	General Fund	Office and Operating Supplies	Seatown Locksmith		8.05
					Check Total:	35.43
33571	01/07/2013	General Fund	Professional Services	Nancy Shattuck		1,775.00
					Check Total:	1,775.00
33572	01/07/2013	General Fund	Nuisance Abatement Costs	Sherwin-Williams Co.		37.92
					Check Total:	37.92
33573	01/07/2013	Surface Water Management Fund	Repairs & Maint. - Fleet	Six Robblees' Inc.		78.28
33573	01/07/2013	Street Fund	Repairs & Maint. - Fleet	Six Robblees' Inc.		78.27

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
					Check Total:	156.55
33574	01/07/2013	General Fund	Other Travel	CASEY STANLEY		64.10
					Check Total:	64.10
33575	01/07/2013	Surface Water Management Fund	Office And Operating Supplies	Superlon Plastics		1,057.04
33575	01/07/2013	Surface Water Management Fund	Office And Operating Supplies	Superlon Plastics		16.94
					Check Total:	1,073.98
33576	01/07/2013	General Fund	SW King Co. Chamber of Comm.	SWKC Chamber of Commerce		5,500.00
33576	01/07/2013	General Fund	Registration & Training	SWKC Chamber of Commerce		20.00
					Check Total:	5,520.00
33577	01/07/2013	General Fund	Repairs and Maintenance	Southwest Suburban Sewer Dist.		100.00
					Check Total:	100.00
33578	01/07/2013	General Fund	Repairs and Maintenance	Tank Wise		136.88
					Check Total:	136.88
33579	01/07/2013	General Fund	Prof. Svcs-instructors	Bonnie Taschler		384.00
					Check Total:	384.00
33580	01/07/2013	General Fund	Office And Operating Supplies	Twin Plastics, Inc.		218.67
					Check Total:	218.67
33581	01/07/2013	Transportation CIP	Construction	Transportation Systems Inc.		27,818.97
					Check Total:	27,818.97
33582	01/07/2013	General Fund	Parks Maintenance	Trugreen-landcare/NW Region		28,887.64
					Check Total:	28,887.64
33583	01/07/2013	General Fund	Professional Services	The Watershed Company		8,227.25

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
					Check Total:	8,227.25
33584	01/07/2013	General Fund	Operating Rentals and Leases	United Site Services		155.00
					Check Total:	155.00
33585	01/07/2013	Surface Water Management Fund	Repair & Maint-pump Stations	Utilities Service Co, Inc.		640.58
					Check Total:	640.58
33586	01/07/2013	General Fund	Operating Rentals & Leases	Valley View Sewer District		1,030.00
33586	01/07/2013	General Fund	Utilities	Valley View Sewer District		6.15
					Check Total:	1,036.15
33587	01/07/2013	General Fund	Prof. Svcs-instructors	Pamela Ann Videen		783.90
					Check Total:	783.90
33588	01/07/2013	Surface Water Management Fund	Repairs And Maintenance	Washington Chain & Supply, Inc		510.50
					Check Total:	510.50
33589	01/07/2013	General Fund	Professional Services	Waldron Resources		252.59
					Check Total:	252.59
33590	01/07/2013	General Fund	Prof. Svcs-instructors	Carly Waterman		180.00
					Check Total:	180.00
33591	01/07/2013	General Fund	Prof. Svcs-instructors	Laren Watson		58.50
					Check Total:	58.50
33592	01/07/2013	General Fund	Utilities	Water District No 20		39.50
33592	01/07/2013	General Fund	Utilities	Water District No 20		1,219.20
33592	01/07/2013	General Fund	Utilities	Water District No 20		806.80
					Check Total:	2,065.50

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
33593	01/07/2013	General Fund	Utilities	King Co Water Dist 49		65.00
33593	01/07/2013	General Fund	Utilities	King Co Water Dist 49		575.40
33593	01/07/2013	General Fund	Utilities	King Co Water Dist 49		63.40
33593	01/07/2013	General Fund	Utilities	King Co Water Dist 49		791.95
33593	01/07/2013	General Fund	Utilities	King Co Water Dist 49		385.25
33593	01/07/2013	General Fund	Utilities	King Co Water Dist 49		47.50
					Check Total:	1,928.50
33594	01/07/2013	General Fund	Subscriptions/publications	West Payment Center		404.95
					Check Total:	404.95
33595	01/07/2013	Surface Water Management Fund	Office And Operating Supplies	Wilbur-Ellis Company		86.61
					Check Total:	86.61
33596	01/07/2013	Surface Water Management Fund	Office And Operating Supplies	Walter E Nelson Co		294.09
33596	01/07/2013	Street Fund	Office And Operating Supplies	Walter E Nelson Co		294.08
					Check Total:	588.17
33597	01/07/2013	General Fund	Registration - Trainng/workshp	W.R.P.A.		485.00
					Check Total:	485.00
33598	01/07/2013	Transportation CIP	construction engineering	Washington State D.O.T.		319.23
					Check Total:	319.23
33599	01/07/2013	General Fund	Public Defender	W. Tracy Codd		300.00
					Check Total:	300.00
33600	01/07/2013	General Fund	Repairs And Maintenance	Scott Steepleton		1,314.00
					Check Total:	1,314.00
33601	01/07/2013	General Fund	Other Prepayments	Tyco Integrated Security LLC		88.88
					Check Total:	88.88
33602	01/07/2013	General Fund	Other Prepayments	CenturyLink		45.48

Check Number	Check Date	Fund Name	Account Name	Vendor Name		Amount
33602	01/07/2013	General Fund	Other Prepayments	CenturyLink		44.30
33602	01/07/2013	General Fund	Other Prepayments	CenturyLink		45.52
33602	01/07/2013	General Fund	Other Prepayments	CenturyLink		103.19
33602	01/07/2013	General Fund	Other Prepayments	CenturyLink		60.82
					Check Total:	299.31
33603	01/07/2013	General Fund	Other Prepayments	Greenbaum Burien-Phillips R Es		522.00
33603	01/07/2013	General Fund	Other Prepayments	Greenbaum Burien-Phillips R Es		522.00
					Check Total:	1,044.00
33604	01/07/2013	General Fund	Other Prepayments	Park Place Professional Bldg		490.00
					Check Total:	490.00
33605	01/07/2013	General Fund	Other Prepayments	PRG Investment Company, LLC		2,000.00
					Check Total:	2,000.00
33606	01/07/2013	General Fund	Other Prepayments	Protection One Alarm Monitorin		47.38
					Check Total:	47.38
33607	01/07/2013	General Fund	Other Prepayments	Wilken Properties, LLC		2,783.16
33607	01/07/2013	General Fund	Other Prepayments	Wilken Properties, LLC		2,783.17
					Check Total:	5,566.33
					Report Total:	2,645,031.67

DRAFT

CITY COUNCIL REGULAR MEETING MINUTES

December 3, 2012

7:00 p.m.

400 SW 152nd Street, 1st Floor

Burien, Washington 98166

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

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

CALL TO ORDER

Mayor Bennett called the Regular 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 and Gerald F. Robison. Councilmember Joan McGilton was excused.

AGENDA CONFIRMATION

Direction/Action

Motion was made by Deputy Mayor Clark, seconded by Councilmember Krakowiak and passed unanimously to affirm the December 3, 2012, Agenda.

PUBLIC COMMENT

Goodspaceguy, 10219 Ninth Avenue South, Seattle
Chestine Edgar, 1811 SW 152nd Street, Burien
Rance Arnold, 13611 2nd Avenue SW, Burien
Rachel Levine, 430 South 124th Street, Burien
Quinton Thompson, 179 S 182nd Street, Burien
Barbara Dobkin, North Highline Unincorporated Area Council (NHUAC) President

CORRESPONDENCE FOR THE RECORD

a. Email Dated November 21, 2012, from John Poitras.
b. Email Dated November 26, 2012, from John Poitras.
c. Letter Dated November 26, 2012 from Deputy Mayor Rose Clark.
d. Email Dated November 28, 2012, from Quinton Thompson.

CONSENT AGENDA

a. Approval of Vouchers: Numbers 33242 – 33347 in the Amounts of $1,491,350.17.
b. Approval of Minutes: Council Meeting, November 19, 2012; Council Study Session, November 26, 2012.
c. Motion to Adopt Ordinance No. 576, Relating to B &O Tax Amendments.

Direction/Action
Motion was made by Deputy Mayor Clark, seconded by Councilmember Krakowiak, and passed unanimously to approve the December 3, 2012, Consent Agenda.

BUSINESS AGENDA
Discussion on Capital Projects Cost Control.
Maiya Andrews, Public Works Director, spoke to project estimating, change orders and controlling costs by managing risks.

City Business.
Direction/Action
Councilmember Edgar stated that he would submit to staff inclusions for the Scope of Services for the Community Animal Resource Education Society (CARES) audit.
Follow-up
Staff will provide the RCW for Mayor-Council form of government; write a letter for Council's review to King County Library System (KCLS) regarding public involvement in the Boulevard Park library location and the need to move forward on the project as soon as possible; add a discussion of scoping for the Economic Development Strategic Plan to an upcoming meeting agenda; confirm the date of the Comprehensive Plan public hearing; schedule ribbon cutting for 1st Avenue South, Phase 1 part II; clarify how an interlocal agreement works in regards to annexation with the county or with the fire district in the affected area without the vote of the people; clarify the annexation sales tax credit requiring two cities to designate the area as Potential Annexation Area (PAA); create a policy that annexation of any area outside of our corporate boundary be subject to an advisory vote by the citizens; provide the number of Business and Occupational tax payers in the different tax levels and the amount of taxes that where paid; add support of 3 Councilmembers to agree for council requests for staff action to the Council policies matrix; place discussion of a Community Center, electronic devices being turned off at meetings and forming a budget committee on the Council Retreat agenda.

COUNCIL REPORTS
No reports were given on Councilmembers' attendance at other meetings or activities in which they have participated and represented the City.

ADJOURNMENT
Direction/Action
MOTION was made by Deputy Mayor Clark, seconded by Councilmember Robison and passed unanimously to adjourn the meeting at 9:07 p.m.

_____
Brian Bennett, Mayor

_____
Kathy Wetherbee, Department Assistant

CITY OF BURIEN
AGENDA BILL

Agenda Subject: Discussion on and Possible Motion to Adopt the Amended By-Laws of the Advisory Boards		**Meeting Date:** January 7, 2013
Department: City Manager **Contact:** Nhan Nguyen, Management Analyst **Telephone:** (206) 439-3165	**Attachments:** 1. Arts Commission By-Laws 2. Business Economic Development Partnership By-Laws 3. Parks and Recreation Advisory Board By-Laws	**Fund Source:** N/A **Activity Cost:** N/A **Amount Budgeted:** N/A **Unencumbered Budget Authority:** N/A
Adopted Work Plan Priority: Yes__ No X_	**Work Plan Item Description:** N/A	

PURPOSE/REQUIRED ACTION:
The purpose of this agenda item is for Council to discuss and consider adopting the amended By-Laws relating to the membership and meetings of the Arts Commission, Business & Economic Development Partnership and Parks & Recreation Advisory Board.

BACKGROUND (*Include prior Council action & discussion*):
After the adoption of Ordinance 556 on October 22, 2012, the Arts Commission, Business & Economic Development Partnership and Parks & Recreation Advisory Board revised and adopted their by-laws to be consistent with the changes in the Ordinance.

The **Arts Commission** made the following revisions to the by-laws: (1) Revised Section 4.b Attendance to read: "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) Added to Section 6.a Agendas, Staff Reports and Minutes: "Staff will prepare meeting agendas with advice from the chair" and (3) Revised Section 7 Commission/Council Relations to read: "Any Commission action that requires Council approval will be submitted as a recommendation, in writing, to the City Council."

The **Business and Economic Development Partnership** made the following revisions to the by-laws: (1) Added 5.b to Section 5 Attendance: "The BEDP shall adopt and distribute to all members an annual official regular meeting calendar prior to the start of each year" (2) Revised Section 5.c Attendance to read: "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, the Partnership shall notify the City Council and may request that the City Council appoint a replacement for that member."

The **Parks and Recreation Advisory Board** made the following revisions to the by-laws: (1) Added the word "Advisory" to the Section 1 Committee Name to read: "The official name is the City of Burien Parks and Recreation Advisory Board" (2) Added the words "terms and eligibility" to Section 2 Officers to read: "The duties, terms and eligibility of the officers of the Board are explained in Ordinance No. 566" (3) Revised Section 4.b to read: 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 (4) Added 5.c to Section 5 Conduct of Meetings: "A majority of the Board shall constitute a quorum and majority vote of those present shall be necessary to carry any motion" (5) Added to Section 6.a Agendas and Minutes to read: "Staff will prepare meeting agendas with advice from the chair" (6) Revised section 7 Board/Council Relations to read: "Any Commission action that requires Council approval will be submitted as a recommendation, in writing, to the City Council."

OPTIONS *(Including fiscal impacts)*:
1. Approve the amended by-laws
2. Modify the amended by-laws and ask advisory boards to review
3. Do not approve the amended by-laws

Administrative Recommendation: Approve the amended by-laws.

Suggested Motion: I move to approve the amended By-Laws of the Arts Commission, Business & Economic Development Partnership and Parks & Recreation Advisory Board relating to the membership and meetings.

Submitted by: Nhan Nguyen, Management Analyst
Administration _____ **City Manager** _____

Today's Date: December 21, 2012	**File Code**: R:\CC\Agenda Bill 2013\010713cm-adv bds by-laws

City of Burien

BY-LAWS OF THE ARTS COMMISSION

These bylaws are being established pursuant to City of Burien Ordinance No. ~~229~~ 556 adopted on ~~May 18, 1998~~October 22, 2012 by the Burien City Council.

ORGANIZATION AND RULES OF PROCEDURE

1. Committee Name
   a) The official name is the City of Burien Arts Commission.

2. Officers
   a) The duties of the officers of the Commission are explained in Ordinance No. ~~229~~556.

   b) Officers will be elected at the February meeting of each year.

3. Meetings
   a) The Commission meets monthly at a predetermined time and location. Additional meetings may be held upon call of the chairperson, as necessary.

   b) Proper notice must be given for the addition or cancellation of any meeting, in accordance with state open meeting law.

   c) Regular commission meetings will begin at 6:30 p.m. and will adjourn no later than 8:30 p.m. To continue past the time of adjournment, a majority of the board members present must concur, however, the meeting shall not extend more than 30 minutes after the regular adjournment time.

4. Attendance
   a) A commission member may be excused from a meeting by providing advance notice to the Commission chairperson, vice-chairperson or staff person.

   b) ~~In the event any commission member has unexcused absences from three or more meetings held during any calendar year,~~ 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. ~~the~~ The commission may request that the City Council appoint a replacement for that member.

5. Conduct of Meetings
   a) The Board shall conduct its business for regularly scheduled monthly meetings in the following order: Call to Order, Minutes Approved, Old Business, New Business, Staff Reports, Adjournment.

b) Except as provided by these rules and regulations, Roberts Rules of Order will govern the conduct of all Commission meetings.

c) Public Input – The Arts Commission will receive public input at any meeting. If the Commission requests public input on a specific issue, the sequence of presentation shall be: staff summary of pertinent information, public comment, Arts Commission comments and questions, Arts Commission deliberation and recommendation.

6. Agendas, Staff Reports and Minutes
   a) A copy of the agenda for all Arts Commission meetings must be sent to each Commission member no less than one week prior to the date of the meeting. Staff will prepare meeting agendas with advice from the chair.

   b) The recording of minutes of all Commission meetings may be delegated to a staff person by the recording secretary. All minutes will be made part of a permanent record and forwarded to the City Clerk's office.

7. Commission/Council Relations
   a) Any Commission action which requires Council approval will ~~normally~~ be submitted as a recommendation, in writing, to the ~~Parks, Arts, Culture and Human Services Committee. The Parks, Arts, Culture, and Human Services Committee of the Council will make its recommendations to the whole City Council. In cases where expedience is necessary, recommendations may go directly to the~~ City Council.

8. Conflict of Interest
   a) Any commission member having a direct or indirect interest in or who would benefit from any matter must disclose this interest and, if deemed appropriate by that commission member or required by law, refrain from participating or voting on the matter at hand.

9. Amending By-Laws
   a) These by-laws may be amended by the Arts Commission at a regularly scheduled meeting. All changes must be approved by the Burien City Council.

City of Burien

BYLAWS OF THE BURIEN BUSINESS AND ECONOMIC DEVELOPMENT PARTNERSHIP

These bylaws are established pursuant to City of Burien Ordinance No. 258 adopted on June 7, 1999 and Ordinance 566 adopted on October 22, 2012 by the Burien City Council.

ORGANIZATION AND RULES OF PROCEDURE

1. Committee Name

a) The official name of the advisory board is the City of Burien Business and Economic Development Partnership as per Ordinance No. 114 adopted in 1995.

b) The Burien Business and Economic Development Partnership will be referred to as the Partnership in this document.

2. Business Office

a) The official seat and business office of the Partnership is Burien City Hall.

3. Officers

The officers of the Partnership shall consist of a Chair and a Vice Chair.

a) The Chair shall preside over the Partnership and shall retain the right to propose and vote on motions.
b) The Vice Chair shall, in the absence of the Chair, assume all of the Chair's rights and duties.
c) If the Chair and Vice Chair are both absent from any meeting, the members present may elect a temporary Chair who shall assume all of the Chair's rights and duties.
d) Officers shall be elected annually in April, or during odd numbered years, the first meeting in or after April following the City Council's biannual confirmation of new board members.
e) The term of service for Chair or Vice Chair is one year. A member may not serve as Chair for two consecutive terms.
f) The Economic Development Manager of the City of Burien shall serve as secretary to the board.

4. Meetings

a) The Partnership shall meet at least once each month at a regularly established meeting time and location. Additional meetings may be held at the request of the Chair, a majority of the Partnership members or City Councilmembers, the City Manager or the Economic Development Manager.

b) Proper notice must be given for the addition or cancellation of any meeting. All meetings shall be conducted in accordance with the Washington State Public Meetings Act.

5. Attendance

a) A Partnership member may be excused from a meeting by providing notice to the Chair, Vice Chair or staff.

~~a)~~b) The BEDP shall adopt and distribute to all members an annual official regular meeting calendar prior to the start of each year.

~~b)~~c) ~~In the event any Partnership member has unexcused absences from three or more consecutive meetings, the Partnership shall notify the City Council and may request that the City Council appoint a replacement for that member.~~ 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, the Partnership shall notify the City Council and may request that the City Council appoint a replacement for that member.~~.~~

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6. Conduct of Business

a) Except as provided by these rules and regulations and the laws of the City of Burien, the most recent version of Robert Rules of Order, Revised, will govern the conduct of all board meetings.

b) The Partnership encourages public input.

7. Agenda and Minutes

a) A copy of the agenda and prior minutes will be sent to each member at least three working days prior to the date of a meeting, and the agenda and minutes will be included in the city council meeting packets.

b) A staff person will be responsible for the minutes of all meetings. All minutes will be forwarded to the City Clerk and be made part of the permanent record.

8. Partnership/City Council Relations

a) Any Partnership action that requires City Council approval shall be submitted in writing to the City Council for review or action. The City Council of the whole shall render decisions on Partnership recommendations and actions.

9. Conflict of Interest

a) Any Partnership member having a direct interest in, or who would personally benefit from, any activity or decision before the Partnership must disclose this interest and, if deemed appropriate by that member or required by law, refrain from voting on the matter at hand.

10. Amending Bylaws

a) The Partnership may recommend to the City Council amendments to these bylaws by the affirmative vote of the majority of the whole Partnership, if notice of the proposed amendments is contained in the notice of the meeting.

City of Burien

BY-LAWS OF THE
PARKS AND RECREATION ADVISORY BOARD

These bylaws are being established pursuant to City of Burien Ordinance ~~No. 228~~566 adopted ~~on May 18, 1998~~ on October 22, 2012 by the Burien City Council.

ORGANIZATION AND RULES OF PROCEDURE

1. Committee Name

a) The official name is the City of Burien Parks and Recreation Advisory Board.

2. Officers

a) The duties, terms and eligibility of the officers of the Board are explained in Ordinance ~~No. 228~~ No. 566.

b) Officers will be elected at the first meeting of each New Year.

3. Meetings

a) The Board will meet the second Wednesday of each month at the Burien Community Center. Additional meetings may be held upon call of the chairperson, as necessary.

b) Proper notice must be given for the addition or cancellation of any meeting, and all meetings shall be conducted in accordance with the Washington State Public Meeting Act.

c) Regular Board meetings will begin at 7:00 p.m. and will adjourn no later than 9:00 p.m. To continue past the time of adjournment, a majority of the board members present must concur.

4. Attendance

a) A board member may be excused from a meeting by providing advance notice to the Board chairperson, vice-chairperson or staff.

b) ~~In the event any board member has unexcused absences from three or more meetings held during any calendar year,~~ A Board member may be removed if they have unexcused absences totaling 25% of the regularly scheduled meetings for the calendar year or three consecutive unexcused absences. ~~t~~The Board may request that the City Council appoint a replacement for that member

5. Conduct of Meetings

a) The Board shall conduct its business for regularly scheduled monthly meetings in the following order: Minutes Approved, Public Input, Agenda Items, Adjournment.

b) Except as provided by these rules and regulations, Roberts Rules of Order will govern the conduct of all Board meetings.

c) A majority of the Board shall constitute a quorum and majority vote of those present shall be necessary to carry any motion.

~~c~~d) Public Input – The Park Board will receive public input at any meeting. If the Board requests public input on a specific issue, the sequence of presentation shall be: staff summary of pertinent information, public comment, Parks Board comments and questions, Parks Board deliberation and recommendation.

6. Agendas and Minutes

a) A copy of the agenda for all Parks and Recreation Board meetings will be sent to each Board member three working days prior to the date of the meeting. Staff will prepare meeting agendas with advice from the chair.

b) A staff person will be responsible for the written recording of all Board meetings. All minutes will be forwarded to the City Clerk and be made part of a permanent record.

7. Board/Council Relations

a) Any Board action which requires Council approval will ~~normally~~ be submitted as a recommendation, in writing, to the ~~Parks, Arts, Culture and Human Services Committee. The Parks, Arts, Culture and Human Services Committee will make its recommendations to the whole City Council. In cases where expedience is necessary, recommendations may go directly to the~~ City Council.

8. Conflict of Interest

a) Any board member having a direct or indirect interest in or who would benefit from any matter must disclose this interest and, if deemed appropriate by that commission member or required by law, refrain from participating or voting on the matter at hand.

9. Amending By-Laws

a) These by-laws may be amended by the Parks and Recreation Board at a regularly scheduled meeting. All changes must be approved by the Burien City Council.

CITY OF BURIEN
AGENDA BILL

Agenda Subject: Discuss and approve solid waste interlocal agreement		**Meeting Dates:** January 7 and 28, 2013
Department: Legal, City Manager **Contact:** Craig Knutson, Mike Martin **Telephone:**	**Attachments:** 1. Solid waste interlocal agreement; 2. Briefing packet	**Fund Source:** N/A **Activity Cost:** N/A **Amount Budgeted:** N/A **Unencumbered Budget Authority:** N/A
Adopted Work Plan Priority: Yes No	**Work Plan Item Description:**	

PURPOSE/REQUIRED ACTION:
The City Manager, City Attorney, and Councilmember McGilton, who serves as the Council representative on the Metropolitan Solid Waste Management Advisory Committee (MSWAC), are recommending approval of the attached solid waste interlocal agreement.

Background:
Burien and some 35 other cities are parties to a solid waste interlocal agreement with King County that has been in effect since 1988. After months of intensive negotiations, a city-county working group has developed a new solid waste interlocal agreement (ILA) that improves the prior ILA and fosters cooperation in the regional solid waste system. The Sound (formerly "Suburban") Cities Association was active in the process and is recommending approval of the new ILA.

Proposed revisions to solid waste interlocal agreement:
Among the many revisions being proposed to the ILA, two of the most important deal with duration and liablity. The term of the ILA is extended 12.5 years (through December, 2040), which will keep rates lower by allowing for longer-term bonding for capital projects. Liability provisions, particularly related to the closure of the Cedar Hills landfill, are revised to maximize the use of insurance, grants, and system reserve funds to protect city and county general funds to the greatest extent feasible.

Other improvements over the original ILA include: continued commitment to the role of the MSWAC and an expanded role for the cities in solid waste system planning (including financial policies and long-term disposal alternatives); dispute resolution provisions; recognition of the need for transfer system improvements; and mitigation of impacts on host cities and neighboring cities.

OPTIONS ***(Including fiscal impacts)*****:**
1. Approve the interlocal agreement (save $7-$9 per ton on disposal rates).
2. Do not approve the interlocal agreement (no savings on disposal rates).

Administrative Recommendation: Approve the interlocal agreement

Suggested Motion for January 28, 2013 meeting:
Move to approve the solid waste interlocal agreement and authorize the City Manager to sign it.

Submitted by:
Administration _____ **City Manager** _____

Today's Date: January 2, 2013	**File Code:** R:/CC/Agenda Bill 2013/010713ls-1 Solid Waste ILA

King County

Solid Waste Division
Department of Natural Resources and Parks
King Street Center
201 South Jackson Street, Suite 701
Seattle, WA 98104-3855
206-296-6542 Fax 206-296-0197
TTY Relay: 711

December 28, 2012

The Honorable Brian Bennett
Mayor, City of Burien
400 SW 152nd St., Suite 300
Burien, WA 98166

Dear Mayor Bennett:

With this letter I am transmitting to you the *Amended and Restated Solid Waste Interlocal Agreement* (new ILA) for your review and approval. As you may know, King County (County) and the Metropolitan Solid Waste Management Advisory Committee have been working together over the past two years to extend the *Solid Waste Interlocal Agreement of 1988* (original ILA), which your City has signed. After intensive negotiations, a team of City and County representatives has reached agreement on a new ILA that will foster cooperation in our regional solid waste system. This agreement extends the original ILA by 12.5 years, from June 2028 through December 2040, which will keep rates lower by allowing for longer-term bonding for capital projects.

The new ILA includes several significant enhancements over the original ILA. It deals much more effectively with liability, establishing a protocol for payment of Environmental Liabilities, if and when they arise, including insurance and reserves. The intent to protect both City and County general funds from Environmental Liabilities to the greatest extent feasible is explicit. Other improvements over the original ILA include:

- Commitment to the continued involvement of the Metropolitan Solid Waste Advisory Committee (MSWAC)
- An expanded role for Cities in system planning, including long-term disposal alternatives and in establishing financial policies
- A dispute resolution process, which includes non-binding mediation
- An acknowledgment that solid waste facilities are regional facilities and host cities and neighboring cities may receive mitigation for impacts

Also included with this transmittal is a non-binding statement of interest. We are requesting this non-binding statement from each City as to whether you are interested in signing the new ILA.

To accomplish this, we are asking that you complete the attached form, indicating which option best represents your City's position at this time and email it to me by close of business January 31, 2013. Again, this is non-binding, but will assist the County in planning.

In order to develop, in collaboration with MSWAC, financial policies that will affect the next rate study, the County needs each City to act on the ILA by April 30, 2013. Briefing materials to assist you in making a decision can be found here City ILA Briefing Package. Upon request, we would be happy to provide briefings to you, your City Council, or staff.

If you have any questions or would like to schedule a briefing, please call or email me at 206-296-4385 or pat.mclaughlin@kingcounty.gov .

Sincerely,

Pat D. McLaughlin
Division Director

Enclosure

cc: Mike Martin, City Manager, City of Burien
Joan McGilton, Councilmember, City of Burien
Deanna Dawson, Executive Director, Suburban Cities Association
Diane Carlson, Director of Regional Initiatives, King County Executive Office
Christie True, Director, Department of Natural Resources & Parks (DNRP)
Kevin Kiernan, Assistant Division Director, Solid Waste Division (SWD), DNRP
Diane Yates, Intergovernmental Liaison, SWD, DNRP

King County

Department of Natural Resources and Parks
Solid Waste Division

December 28, 2012

TO: The Honorable Brian Bennett, Mayor
City of Burien

RE: Request for Non-Binding Statement of Interest in signing an Amended and Restated Solid Waste Interlocal Agreement by January 31, 2013

We are requesting a non-binding statement from each City as to whether you are interested in signing the *Amended and Restated Solid Waste Interlocal Agreement*. To accomplish this, we are asking that a representative of the City complete the form below, indicating which option best reflects the City's position at this time, and email it to me by close of business January 31, 2013. Again, this is non-binding, but will assist the County in planning.

Please respond by completing the information below:

City of Burien Non-Binding Statement of Interest with Respect to Entering into the Amended and Restated Solid Waste Interlocal Agreement.

☐ It is **likely** that my City will sign the Amended and Restated Solid Waste Interlocal Agreement.

☐ It is **not likely** that my City will sign the Amended and Restated Solid Waste Interlocal Agreement.

My Name/Title: _____ **Date:** _____

If you have any questions about the attached materials, please call or email me at 206-296-4385 or pat.mclaughlin@kingcounty.gov.

cc: Mike Martin, City Manager, City of Burien
Joan McGilton, Councilmember, City of Burien
Deanna Dawson, Executive Director, Suburban Cities Association
Diane Carlson, Director of Regional Initiatives, King County Executive Office
Christie True, Director, Department of Natural Resources & Parks (DNRP)
Kevin Kiernan, Assistant Division Director, Solid Waste Division (SWD), DNRP
Diane Yates, Intergovernmental Liaison, SWD, DNRP

AMENDED AND RESTATED SOLID WASTE INTERLOCAL AGREEMENT

This Amended and Restated Solid Waste Interlocal Agreement ("Agreement") is entered into between King County, a political subdivision of the State of Washington and the City of ___ _____, a municipal corporation of the State of Washington, hereinafter referred to as "County" and "City" respectively. Collectively, the County and the City are referred to as the "Parties." This Agreement has been authorized by the legislative body of each jurisdiction pursuant to formal action as designated below:

King County: Ordinance No._____

City: _____

PREAMBLE

A. This Agreement is entered into pursuant to chapter 39.34 RCW for the purpose of extending, restating and amending the Solid Waste Interlocal Agreement between the Parties originally entered into in ____ (the "Original Agreement"). The Original Agreement provided for the cooperative management of Solid Waste in King County for a term of forty (40) years, through June 30, 2028. The Original Agreement is superseded by this Amended and Restated Agreement, as of the effective date of this Agreement. This Amended and Restated Agreement is effective for an additional twelve (12) years through December 31, 2040.

B. The Parties intend to continue to cooperatively manage Solid Waste and to work collaboratively to maintain and periodically update the existing King County

Comprehensive Solid Waste Management Plan (Comprehensive Plan) adopted pursuant to chapter 70.95 RCW.

C. The Parties continue to support the established goals of Waste Prevention and Recycling as incorporated in the Comprehensive Solid Waste Management Plan, and to meet or surpass applicable environmental standards with regard to the Solid Waste System.

D. The County and the Cities agree that System-related costs, including environmental liabilities, should be funded by System revenues which include but are not limited to insurance proceeds, grants and rates;

E. The County, as the service provider, is in the best position to steward funds System revenues that the County and the Cities intend to be available to pay for environmental liabilities; and

F. The County and the Cities recognize that at the time this Agreement goes into effect, it is impossible to know what the ultimate environmental liabilities could be; nevertheless, the County and the Cities wish to designate in this Agreement a protocol for the designation and distribution of funding for potential future environmental liabilities in order to protect the general funds of the County and the Cities.

G. The County began renting the Cedar Hills Landfill from the State of Washington in 1960 and began using it for Disposal of Solid Waste in 1964. The County acquired ownership of the Cedar Hills Landfill from the State in 1992. The Cedar Hills Landfill remains an asset owned by the County.

H. The Parties expect that the Cedar Hills Landfill will be at capacity and closed at some date during the term of this Agreement, after which time all Solid Waste under this Agreement will need to be disposed of through alternate means, as determined by the

Cities and the County through amendments to the Comprehensive Solid Waste Management Plan. The County currently estimates the useful life of the Cedar Hills Landfill will extend through 2025. It is possible that this useful life could be extended, or shortened, by System management decisions or factors beyond the control of the Parties.

I. The County intends to charge rent for the use of the Cedar Hills Landfill for so long as the System uses this general fund asset and the Parties seek to clarify terms relative to the calculation of the associated rent.

J. The County and Cities participating in the System have worked collaboratively for several years to develop a plan for the replacement or upgrading of a series of transfer stations. The Parties acknowledge that these transfer station improvements, as they may be modified from time-to-time, will benefit Cities that are part of the System and the County. The Parties have determined that the extension of the term of the Original Agreement by twelve (12) years as accomplished by this Agreement is appropriate in order to facilitate the long-term financing of transfer station improvements and to mitigate rate impacts of such financing.

K. The Parties have further determined that in order to equitably allocate the benefit to all System Users from the transfer station improvements, different customer classes may be established by the County to ensure System Users do not pay a disproportionate share of the cost of these improvements as a result of a decision by a city not to extend the term of the Original Agreement.

L. The Parties have further determined it is appropriate to strengthen and formalize the advisory role of the Cities regarding System operations.

The Parties agree as follows:

I. DEFINITIONS

For purposes of this Agreement the following definitions shall apply:

"Cedar Hills Landfill" means the landfill owned and operated by the County located in southeast King County.

"Cities" refers to all Cities that have signed an Amended and Restated Solid Waste Interlocal Agreement in substantially identical form to this Agreement.

"Comprehensive Solid Waste Management Plan" or "Comprehensive Plan" means the Comprehensive Solid Waste Management Plan, as approved and amended from time to time, for the System, as required by chapter 70.95.080 RCW.

"County" means King County, a Charter County and political subdivision of the State of Washington.

"Disposal" means the final treatment, utilization, processing, deposition, or incineration of Solid Waste but shall not include Waste Prevention or Recycling as defined herein.

"Disposal Rates" means the fee charged by the County to System Users to cover all costs of the System consistent with this Agreement, all state, federal and local laws governing solid waste and the Solid Waste Comprehensive Plan.

"Divert" means to direct or permit the directing of Solid Waste to Disposal sites other than the Disposal site(s) designated by King County.

"Energy/Resource Recovery" means the recovery of energy in a usable form from mass burning or refuse-derived fuel incineration, pyrolysis or any other means of using the heat of combustion of Solid Waste that involves high temperature (above 1,200 degrees F) processing. (chapter 173.350.100 WAC).

"Landfill" means a Disposal facility or part of a facility at which Solid Waste is placed in or on land and which is not a land treatment facility.

"Metropolitan Solid Waste Advisory Committee" or "MSWAC" means the advisory committee composed of city representatives, established pursuant to Section IX of this Agreement.

"Moderate Risk Waste" means waste that is limited to conditionally exempt small quantity generator waste and household hazardous waste as those terms are defined in chapter 173-350 WAC, as amended.

"Original Agreement" means the Solid Waste Interlocal Agreement first entered into by and between the Parties, which is amended and restated by this Agreement. "Original Agreements" means collectively all such agreements between Cities and the County in substantially the same form as the Original Agreement.

"Parties" means collectively the County and the City or Cities.

"Recycling" as defined in chapter 70.95.030 RCW, as amended, means transforming or remanufacturing waste materials into usable or marketable materials for use other than landfill Disposal or incineration.

"Regional Policy Committee" means the Regional Policy Committee created pursuant to approval of the County voters in 1993, the composition and responsibilities of which are prescribed in King County Charter Section 270 and chapter 1.24 King County Code, as they now exist or hereafter may be amended.

"Solid Waste" means all putrescible and nonputrescible solid and semisolid wastes including but not limited to garbage, rubbish, ashes, industrial wastes, swill, commercial waste, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, contaminated soils and contaminated dredged materials, discarded commodities and recyclable materials, but shall not include dangerous, hazardous, or extremely hazardous waste as those terms are defined in chapter 173-303 WAC, as amended; and shall further not include those

wastes excluded from the regulations established in chapter 173-350 WAC, more specifically identified in Section 173-350-020 WAC.

"Solid Waste Advisory Committee" or "SWAC" means the inter-disciplinary advisory forum or its successor created by the King County Code pursuant to chapter 70.95.165 RCW.

"System" includes King County's Solid Waste facilities used to manage Solid Wastes which includes but is not limited to transfer stations, drop boxes, landfills, recycling systems and facilities, energy and resource recovery facilities and processing facilities as authorized by chapter 36.58.040 RCW and as established pursuant to the approved King County Comprehensive Solid Waste Management Plan.

"System User" or "System Users" means Cities and any person utilizing the County's System for Solid Waste handling, Recycling or Disposal.

"Waste Prevention" means reducing the amount or type of waste generated. Waste Prevention shall not include reduction of already-generated waste through energy recovery, incineration, or otherwise.

II. PURPOSE

The purpose of this Agreement is to foster transparency and cooperation between the Parties and to establish the respective responsibilities of the Parties in a Solid Waste management System, including but not limited to, planning, Waste Prevention, Recycling, and Disposal. .

III. DURATION

This Agreement shall become effective as of _____, and shall remain in effect through December 31, 2040.

IV. APPROVAL

This Agreement will be approved and filed in accordance with chapter 39.34 RCW.

V. RENEGOTIATION TO FURTHER EXTEND TERM OF AGREEMENT

5.1 The Parties recognize that System Users benefit from long-term Disposal arrangements, both in terms of predictability of System costs and operations, and the likelihood that more cost competitive rates can be achieved with longer-term Disposal contracts as compared to shorter-term contracts. To that end, at least seven (7) years before the date that the County projects that the Cedar Hills Landfill will close, or prior to the end of this Agreement, whichever is sooner, the County will engage with MSWAC and the Solid Waste Advisory Committee, among others, to seek their advice and input on the Disposal alternatives to be used after closure of the Cedar Hills Landfill, associated changes to the System, estimated costs associated with the recommended Disposal alternatives, and amendments to the Comprehensive Solid Waste Management Plan necessary to support these changes. Concurrently, the Parties will meet to negotiate an extension of the term of the Agreement for the purpose of facilitating the long-term Disposal of Solid Waste after closure of the Cedar Hills Landfill. Nothing in this Agreement shall require the Parties to reach agreement on an extension of the term of this Agreement. If the Parties fail to reach agreement on an extension, the Dispute Resolution provisions of Section XIII do not apply, and this Agreement shall remain unchanged.

5.2 Notwithstanding any other provision in this Agreement to the contrary, the Parties may, pursuant to mutual written agreement, modify or amend any provision of this Agreement at any time during the term of said Agreement.

VI. GENERAL OBLIGATIONS OF PARTIES

6.1 King County

6.1.a Management. The County agrees to provide Solid Waste management services, as specified in this Section, for Solid Waste generated and collected within the City, except waste eliminated through Waste Prevention or waste recycling activities. The County agrees to dispose of or designate Disposal sites for all Solid Waste and Moderate Risk Waste generated and/or collected within the corporate limits of the City which is delivered to the System in accordance with all applicable Federal, State and local environmental health laws, rules, or regulations, as those laws are described in Subsection 8.5.a. The County shall maintain records as necessary to fulfill obligations under this Agreement.

6.1.b Planning. The County shall serve as the planning authority for Solid Waste and Moderate Risk Waste under this Agreement but shall not be responsible for planning for any other waste or have any other planning responsibility under this Agreement.

6.1.c Operation. King County shall be or shall designate or authorize the operating authority for transfer, processing and Disposal facilities, including public landfills and other facilities, consistent with the adopted Comprehensive Plan as well as closure and post-closure responsibilities for landfills which are or were operated by the County.

6.1.d Collection Service. The County shall not provide Solid Waste collection services within the corporate limits of the City, unless permitted by law and agreed to by both Parties.

6.1.e Support and Assistance. The County shall provide support and technical assistance to the City consistent with the Comprehensive Solid Waste Management Plan for a Waste Prevention and Recycling program. Such support may include the award of grants to support programs with System benefits. The County shall develop educational materials related to Waste Prevention and Recycling and strategies for maximizing the usefulness of the educational materials and will make these available to the City for its use. Although the County will not be required to provide a particular level of support or fund any City activities related to Waste Prevention and Recycling, the County intends to move forward aggressively to promote Waste Prevention and Recycling.

6.1.f Forecast. The County shall develop Solid Waste stream forecasts in connection with System operations as part of the comprehensive planning process in accordance with Article XI.

6.1.g Facilities and Services. The County shall provide facilities and services pursuant to the Comprehensive Solid Waste Management Plan and the Solid Waste Transfer and Waste Management plan as adopted and County Solid Waste stream forecasts.

6.1.h Financial Policies. The County will maintain financial policies to guide the System's operations and investments. The policies shall be consistent with this Agreement and shall address debt issuance, rate stabilization, cost containment, reserves, asset ownership and use, and other financial issues. The County shall primarily use long term bonds to finance transfer System improvements. The policies shall be developed and/or revised through

discussion with MSWAC, the Regional Policy Committee, the County Executive and the County Council. Such policies shall be codified at the same time as the Comprehensive Plan updates, but may be adopted from time to time as appropriate outside the Comprehensive Plan process.

6.2 City

6.2.a Collection. The City, an entity designated by the City or such other entity as is authorized by state law shall serve as operating authority for Solid Waste collection services provided within the City's corporate limits.

6.2.b Disposal. The City shall cause to be delivered to the County's System for Disposal all such Solid Waste and Moderate Risk Waste which is authorized to be delivered to the System in accordance with all applicable Federal, State and local environmental health laws, rules or regulations and is generated and/or collected within the corporate limits of the City and shall authorize the County to designate Disposal sites for the Disposal of all such Solid Waste and Moderate Risk Waste generated or collected within the corporate limits of the City, except for Solid Waste which is eliminated through Waste Prevention or waste Recycling activities consistent with the Comprehensive Solid Waste Management Plan. No Solid Waste generated or collected within the City may be Diverted from the designated Disposal sites without County approval.

6.3 JOINT RESPONSIBILITIES.

6.3.a Consistent with the Parties' overall commitment to ongoing communication and coordination, the Parties will endeavor to notify and coordinate with each other on the development of any City or County plan, facility, contract, dispute, or other Solid Waste issue that could have potential significant impacts on the County, the System, or the City or Cities.

6.3.b The Parties, together with other Cities, will coordinate on the development of emergency plans related to Solid Waste, including but not limited to debris management.

VII. COUNTY SHALL SET DISPOSAL RATES AND OPERATING RULES FOR DISPOSAL; USE OF SYSTEM REVENUES

7.1 In establishing Disposal Rates for System Users, the County shall consult with MSWAC consistent with Section IX. The County may adopt and amend by ordinance rates necessary to recover all costs of the System including but not limited to operations and maintenance, costs for handling, processing and Disposal of Solid Waste, siting, design and construction of facility upgrades or new facilities, Recycling, education and mitigation, planning, Waste Prevention, reserve funds, financing, defense and payment of claims, insurance, System liabilities including environmental releases, monitoring and closure of landfills which are or were operated by the County, property acquisition, grants to cities, and administrative functions necessary to support the System and Solid Waste handling services during emergencies as established by local, state and federal agencies or for any other lawful solid waste purpose, and in accordance with chapter 43.09.210 RCW. Revenues from Disposal rates shall be used only for such purposes. The County shall establish classes of customers for Solid Waste management services and by ordinance shall establish rates for classes of customers.

7.2. It is understood and agreed that System costs include payments to the County general fund for Disposal of Solid Waste at the Cedar Hills Landfill calculated in accordance with this Section 7.2, and that such rental payments shall be established based on use valuations provided to the County by an independent-third party Member, Appraisal Institute (MAI) certified appraiser selected by the County in consultation with MSWAC.

7.2.a A use valuation shall be prepared consistent with MAI accepted principles for the purpose of quantifying the value to the System of the use of Cedar Hills Landfill for Disposal of Solid Waste over a specified period of time (the valuation period). The County shall establish a schedule of annual use charges for the System's use of the Cedar Hills Landfill which shall not exceed the most recent use valuation. Prior to establishing the schedule of annual use charges, the County shall seek review and comment as to both the use valuation and the proposed payment schedule from MSWAC. Upon request, the County will share with and explain to MSWAC the information the appraiser requests for purposes of developing the appraiser's recommendation.

7.2.b Use valuations and the underlying schedule of use charges shall be updated if there are significant changes in Cedar Hills Landfill capacity as a result of opening new Disposal areas and as determined by revisions to the existing Cedar Hills Regional Landfill Site Development Plan; in that event, an updated appraisal will be performed in compliance with MAI accepted principles. Otherwise, a reappraisal will not occur. Assuming a revision in the schedule of use charges occurs based on a revised appraisal, the resulting use charges shall be applied beginning in the subsequent rate period.

7.2.c The County general fund shall not charge use fees or receive other consideration from the System for the System's use of any transfer station property in use as of the effective date of this Agreement. The County further agrees that the County general fund may not receive payments from the System for use of assets to the extent those assets are acquired with System revenues. As required by chapter 43.09.210 RCW, the System's use of assets acquired with the use of other separate County funds (e.g., the Roads Fund, or other funds)

will be subject to use charges; similarly, the System will charge other County funds for use of System property.

VIII. LIABILITY

8.1 Non-Environmental Liability Arising Out-of-County Operations. Except as provided in this Section, Sections 8.5 and 8.6, the County shall indemnify and hold harmless the City and shall have the right and duty to defend the City through the County's attorneys against any and all claims arising out of the County's operations during the term of this Agreement and settle such claims, provided that all fees, costs, and expenses incurred by the County thereby are System costs which may be satisfied from Disposal Rates as provided in Section VII herein. In providing such defense of the City, the County shall exercise good faith in such defense or settlement so as to protect the City's interest. For purposes of this Section "claims arising out of the County's operations" shall mean claims arising out of the ownership, control, or maintenance of the System, but shall not include claims arising out of the City's operation of motor vehicles in connection with the System or other activities under the control of the City which may be incidental to the County's operation. The provisions of this Section shall not apply to claims arising out of the sole negligence or intentional acts of the City. The provisions of this Section shall survive for claims brought within three (3) years past the term of this Agreement established under Section III.

8.2 Cooperation. In the event the County acts to defend the City against a claim under Section 8.1, the City shall cooperate with the County.

8.3 Officers, Agents, and Employees. For purposes of this Section VIII, references to City or County shall be deemed to include the officers, employees and agents of either Party,

acting within the scope of their authority. Transporters or generators of waste who are not officers or employees of the City or County are not included as agents of the City or County for purposes of this Section.

8.4 Each Party by mutual negotiation hereby waives, with respect to the other Party only, any immunity that would otherwise be available against such claims under the Industrial Insurance provisions of Title 51 RCW.

8.5 Unacceptable Waste

8.5.a All waste generated or collected from within the corporate limits of the City which is delivered to the System for Disposal shall be in compliance with the Resource Conservation and Recovery Act (42 U.S.C. § 6901 et seq.) (RCRA), chapters 70.95 and 70.105 RCW, King County Code Title 10, King County Board of Health Rules and Regulations, the Solid Waste Division operating rules, and all other Federal, State and local environmental health laws, rules or regulations that impose restrictions or requirements on the type of waste that may be delivered to the System, as they now exist or are hereafter adopted or amended.

8.5.b For purposes of this Agreement, the City shall be deemed to have complied with the requirements of Subsection 8.5.a if it has adopted an ordinance requiring waste delivered to the System for Disposal to meet the laws, rules, or regulations specified in Subsection 8.5.a. However, nothing in this Agreement is intended to relieve the City from any obligation or liability it may have under the laws mentioned in Subsection 8.5.a arising out of the City's actions other than adopting, enforcing, or requiring compliance with said ordinance, such as liability, if any exists, of the City as a transporter or generator for improper transport or Disposal of regulated dangerous waste. Any environmental liability the City may have for

releases of pollutants or hazardous or dangerous substances or wastes to the environment is dealt with under Sections 8.6 and 8.7.

8.5.c The City shall hold harmless, indemnify and defend the County for any property damages or personal injury caused solely by the City's failure to adopt an ordinance under Subsection 8.5.b. In the event the City acts to defend the County under this Subsection, the County shall cooperate with the City.

8.5.d The City shall make best efforts to include language in its contracts, franchise agreements, or licenses for the collection of Solid Waste within the City that allow for enforcement by the City against the collection contractor, franchisee or licensee for violations of the laws, rules, or regulations in Subsection 8.5.a. The requirements of this Subsection 8.5.d shall apply to the City's first collection contract, franchise, or license that becomes effective or is amended after the effective date of this Agreement.

8.5.d.i If waste is delivered to the System in violation of the laws, rules, or regulations in Subsection 8.5.a, before requiring the City to take any action under Subsection 8.5.d.ii, the County will make reasonable efforts to determine the parties' responsible for the violation and will work with those parties to correct the violation, consistent with applicable waste clearance and acceptance rules, permit obligations, and any other legal requirements.

8.5.d.ii If the violation is not corrected under Subsection 8.5.d.i and waste is determined by the County to have been generated or collected from within the corporate limits of the City, the County shall provide the City with written notice of the violation. Upon such notice, the City shall take immediate steps to remedy the violation and prevent similar future violations to the reasonable satisfaction of the County which may include but not be

limited to removing the waste and disposing of it in an approved facility; provided that nothing in this Subsection 8.5.d.ii shall obligate the City to handle regulated dangerous waste, as defined in WAC 173-351-200(1)(b)(i), and nothing in this Subsection shall relieve the City of any obligation it may have apart from this Agreement to handle regulated dangerous waste. If, in good faith, the City disagrees with the County regarding the violation, such dispute shall be resolved between the Parties using the Dispute Resolution process in Section XII or, if immediate action is required to avoid an imminent threat to public health, safety or the environment, in King County Superior Court. Each Party shall be responsible for its own attorneys' fees and costs. Failure of the City to take the steps requested by the County pending Superior Court resolution shall not be deemed a violation of this Agreement; provided, however, that this shall not release the City for damages or loss to the County arising out of the failure to take such steps if the Court finds a City violation of the requirements to comply with applicable laws set forth in Subsection 8.5.a.

8.6 Environmental Liability.

8.6.a Neither the County nor the City holds harmless or indemnifies the other with regard to any liability arising under 42 U.S.C. § 9601-9675 (CERCLA) as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA) or as hereafter amended or pursuant to chapter 70.105D RCW (MTCA) or as hereafter amended and any state legislation imposing liability for System-related cleanup of contaminated property from the release of pollutants or hazardous or dangerous substances and/or damages resulting from property contaminated from the release of pollutants or hazardous or dangerous substances ("Environmental Liabilities").

8.6.b Nothing in this Agreement is intended to create new Environmental Liability nor release any third-party from Environmental Liability. Rather, the intent is to protect the general funds of the Parties to this Agreement by ensuring that, consistent with best business practices, an adequate portion of Disposal Rates being collected from the System Users are set aside and accessible in a fair and equitable manner to pay the respective County and City's Environmental Liabilities.

8.6.c The purpose of this Subsection is to establish a protocol for the setting aside, and subsequent distribution of, Disposal Rates intended to pay for Environmental Liabilities of the Parties, if and when such liabilities should arise, in order to safeguard the Parties' general funds. To do so, the County shall:

8.6.c.i Use Disposal Rates to obtain and maintain, to the extent commercially available under reasonable terms, insurance coverage for System-related Environmental Liability that names the City as an Additional Insured. The County shall establish the adequacy, amount and availability of such insurance in consultation with MSWAC. Any insurance policy in effect on the termination date of this Agreement with a term that extends past the termination date shall be maintained until the end of the policy term.

8.6.c.ii Use Disposal Rates to establish and maintain a reserve fund to help pay the Parties' Environmental Liabilities not already covered by System rates or insurance maintained under Subsection 8.6.c.i above ("Environmental Reserve Fund"). The County shall establish the adequacy of the Environmental Reserve Fund in consultation with MSWAC and consistent with the financial policies described in Article VI. The County shall retain the Environmental Reserve Fund for a minimum of 30 years following the closure of the Cedar Hills Landfill (the "Retention Period"). During the Retention Period, the Environmental Reserve Fund

shall be used solely for the purposes for which it was established under this Agreement. Unless otherwise required by law, at the end of the Retention Period, the County and Cities shall agree as to the disbursement of any amounts remaining in the Environmental Reserve Fund. If unable to agree, the County and City agree to submit disbursement to mediation and if unsuccessful to binding arbitration in a manner similar to Section 39.34.180 RCW to the extent permitted by law.

8.6.c.iii Pursue state or federal grant funds, such as grants from the Local Model Toxics Control Account under chapter 70.105D.070(3) RCW and chapter 173-322 WAC, or other state or federal funds as may be available and appropriate to pay for or remediate such Environmental Liabilities.

8.6.d If the funds available under Subsections 8.6.c.i-iii are not adequate to completely satisfy the Environmental Liabilities of the Parties to this Agreement then to the extent feasible and permitted by law, the County will establish a financial plan including a rate schedule to help pay for the County and City's remaining Environmental Liabilities in consultation with MSWAC.

8.6.e The County and the City shall act reasonably and quickly to utilize funds collected or set aside through the means specified in Subsections 8.6.c.i-iii and 8.6.d to conduct or finance response or clean-up activities in order to limit the County and City's exposure, or in order to comply with a consent decree, administrative or other legal order. The County shall notify the City within 30 days of any use of the reserve fund established in 8.6.c.iii.

8.6.f In any federal or state regulatory proceeding, and in any action for contribution, money expended by the County from the funds established in Subsections 8.6.c.i-iii and 8.6.d. to pay the costs of remedial investigation, cleanup, response or other action required

pursuant to a state or federal laws or regulations shall be considered by the Parties to have been expended on behalf and for the benefit of the County and the Cities.

8.6.g In the event that the funds established as specified in Subsections 8.6.c.i-iii and 8.6.d are insufficient to cover the entirety of the County and Cities' collective Environmental Liabilities, the funds described therein shall be equitably allocated between the County and Cities to satisfy their Environmental Liabilities. Factors to be considered in determining "equitably allocated" may include the size of each Party's System User base and the amount of rates paid by that System User base into the funds, and the amount of the Solid Waste generated by the Parties' respective System Users. Neither the County nor the Cities shall receive a benefit exceeding their Environmental Liabilities.

8.7 The County shall not charge or seek to recover from the City any costs or expenses for which the County indemnified the State of Washington in Exhibit A to the Quitclaim Deed from the State to the County for the Cedar Hills Landfill, dated February 24, 1993, to the extent such costs are not included in System costs.

IX. CITY ADVISORY COMMITTEE

9.1 There is hereby created an advisory committee comprised of representatives from cities, which shall be known as the Metropolitan Solid Waste Advisory Committee ("MSWAC"). The City may designate a representative and alternate(s) to serve on MSWAC. MSWAC shall elect a chair and vice-chair and shall adopt bylaws to guide its deliberations. The members of MSWAC shall serve at the pleasure of their appointing bodies and shall receive no compensation from the County.

9.2 MSWAC is the forum through which the Parties together with other cities participating in the System intend to discuss and seek to resolve System issues and concerns. MSWAC shall assume the following advisory responsibilities:

9.2.a Advise the King County Council, the King County Executive, Solid Waste Advisory Committee, and other jurisdictions as appropriate, on all policy aspects of Solid Waste management and planning;

9.2.b Consult with and advise the County on technical issues related to Solid Waste management and planning;

9.2.c Assist in the development of alternatives and recommendations for the Comprehensive Solid Waste Management Plan and other plans governing the future of the System, and facilitate a review and/or approval of the Comprehensive Solid Waste Management Plan by each jurisdiction;

9.2.d Assist in the development of proposed interlocal Agreements between King County and cities for planning, Waste Prevention and Recycling, and waste stream control;

9.2.e Review and comment on Disposal Rate proposals and County financial policies;

9.2.f Review and comment on status reports on Waste Prevention, Recycling, energy/resources recovery, and System operations with inter-jurisdictional impact;

9.2.g Promote information exchange and interaction between waste generators, cities, recyclers, and the County with respect to its planned and operated Disposal Systems;

9.2.h Provide coordination opportunities among the Solid Waste Advisory Committee, the Regional Policy Committee, the County, cities, private waste haulers, and recyclers;

9.2.i Assist cities in recognizing municipal Solid Waste responsibilities, including collection and Recycling, and effectively carrying out those responsibilities; and

9.2.j Provide input on such disputes as MSWAC deems appropriate.

9.3 The County shall assume the following responsibilities with respect to MSWAC;

9.3.a The County shall provide staff support to MSWAC;

9.3.b In consultation with the chair of MSWAC, the County shall notify all cities and their designated MSWAC representatives and alternates of the MSWAC meeting times, locations and meeting agendas. Notification by electronic mail or regular mail shall meet the requirements of this Subsection;

9.3.c The County will consider and respond on a timely basis to questions and issues posed by MSWAC regarding the System, and will seek to resolve those issues in collaboration with the Cities. Such issues shall include but are not limited to development of efficient and accountable billing practices; and

9.3.d. The County shall provide all information and supporting documentation and analyses as reasonably requested by MSWAC for MSWAC to perform the duties and functions described in Section 9.2.

X. FORUM INTERLOCAL AGREEMENT

10.1 As of the effective date of this Agreement, the *Forum Interlocal Agreement* and *Addendum to* Solid Waste Interlocal Agreement *and Forum Interlocal Agreement* by and between the City and County continue through June 30, 2028. After 2028 responsibilities assigned to the Forum shall be assigned to the Regional Policy Committee. The Parties agree that Solid Waste System policies and plans shall continue to be deemed regional countywide policies

and plans that shall be referred to the Regional Policy Committee for review consistent with King County Charter Section 270.30 and chapter 1.24 King County Code.

XI. COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN

11.1 King County is designated to prepare the Comprehensive Solid Waste Management Plan (Comprehensive Plan) and this plan shall include the City's Solid Waste Management Comprehensive Plan pursuant to chapter 70.95.080(3) RCW.

11.2 The Comprehensive Plan shall be reviewed and any necessary revisions proposed. The County shall consult with MSWAC to determine when revisions are necessary. King County shall provide services and build facilities in accordance with the adopted Comprehensive Plan.

11.3 The Comprehensive Plans will promote Waste Prevention and Recycling in accordance with Washington State Solid Waste management priorities pursuant to chapter 70.95 RCW, at a minimum.

11.4 The Comprehensive Plans will be prepared in accordance with chapter 70.95 RCW and Solid Waste planning guidelines developed by the Department of Ecology. The plan shall include, but not be limited to:

11.4.a Descriptions of and policies regarding management practices and facilities required for handling all waste types;

11.4.b Schedules and responsibilities for implementing policies;

11.4.c Policies concerning waste reduction, Recycling, Energy and Resource Recovery, collection, transfer, long-haul transport, Disposal, enforcement and administration; and

11.4.d Operational plan for the elements discussed in Item c above.

11.5 The cost of preparation by King County of the Comprehensive Plan will be considered a cost of the System and financed out of the rate base.

11.6 The Comprehensive Plans will be "adopted" within the meaning of this Agreement when the following has occurred:

11.6.a The Comprehensive Plan is approved by the King County Council; and

11.6.b The Comprehensive Plan is approved by cities representing three-quarters of the population of the incorporated population of jurisdictions that are parties to the Forum Interlocal Agreement. In calculating the three-quarters, the calculations shall consider only those incorporated jurisdictions taking formal action to approve or disapprove the Comprehensive Plan within 120 days of receipt of the Plan. The 120-day time period shall begin to run from receipt by an incorporated jurisdiction of the Forum's recommendation on the Comprehensive Plan, or, if the Forum is unable to make a recommendation, upon receipt of the Comprehensive Plan from the Forum without recommendation.

11.7 Should the Comprehensive Plan be approved by the King County Council, but not receive approval of three-quarters of the cities acting on the Comprehensive Plan, and should King County and the cities be unable to resolve their disagreement, then the Comprehensive Plan shall be referred to the State Department of Ecology and the State Department of Ecology will resolve any disputes regarding Comprehensive Plan adoption and adequacy by approving or disapproving the Comprehensive Plan or any part thereof.

11.8 King County shall determine which cities are affected by any proposed amendment to the Comprehensive Plan. If any City disagrees with such determination, then the City can request that the Forum determine whether or not the City is affected. Such

determination shall be made by a two-thirds majority vote of all representative members of the Forum.

11.9 Should King County and the affected jurisdictions be unable to agree on amendments to the Comprehensive Plan, then the proposed amendments shall be referred to the Department of Ecology to resolve any disputes regarding such amendments.

11.10 Should there be any impasse between the Parties regarding Comprehensive Plan adoption, adequacy, or consistency or inconsistency or whether any permits or programs adopted or proposed are consistent with the Comprehensive Plan, then the Department of Ecology shall resolve said disputes.

XII. MITIGATION

12.1 The County will design, construct and operate Solid Waste facilities in a manner to mitigate their impact on host Cities and neighboring communities pursuant to applicable law and regulations.

12.2 The Parties recognize that Solid Waste facilities are regional facilities. The County further recognizes that host Cities and neighboring communities may sustain impacts which can include but are not limited to local infrastructure, odor, traffic into and out of Solid Waste facilities, noise and litter.

12.3 Collaboration in Environmental Review. In the event the County is the sole or co-Lead Agency, then prior to making a threshold determination under the State Environmental Policy Act (SEPA), the County will provide a copy of the SEPA environmental checklist, if any, and proposed SEPA threshold determination to any identifiable Host City (as defined below) and adjacent or neighboring city that is signatory to the Agreement and that may be affected by the

project ("Neighboring City") and seek their input. For any facility for which the County prepares an Environmental Impact Statement (EIS), the County will meet with any identified potential Host City (as defined below) and any Neighboring City to seek input on the scope of the EIS and appropriate methodologies and assumptions in preparing the analyses supporting the EIS. However, nothing in this Section shall limit or impair the County's ability to timely complete the environmental review process.

12.4 Collaboration in Project Permitting. If a new or reconstructed Solid Waste facility is proposed to be built within the boundaries of the City ("Host City") and the project requires one or more "project permits" as defined in chapter 36.70B.020(4) RCW from the Host City, before submitting its first application for any of the project permits, the County will meet with the Host City and any Neighboring City, to seek input. However, nothing in this Section shall limit or impair the County's ability to timely submit applications for or receive permits, nor waive any permit processing or appeal timelines.

12.5 Separately, the County and the City recognize that in accordance with 36.58.080 RCW, a city is authorized to charge the County to mitigate impacts directly attributable to a County-owned Solid Waste facility. The County acknowledges that such direct costs include wear and tear on infrastructure including roads. To the extent that the City establishes that such charges are reasonably necessary to mitigate such impacts, payments to cover such impacts may only be expended only to mitigate such impacts and are System costs. If the City believes that it is entitled to mitigation under this Agreement, the City may request that the County undertake a technical analysis regarding the extent of impacts authorized for mitigation. Upon receiving such a request, the County, in coordination with the City and any necessary technical consultants, will develop any analysis that is reasonable and appropriate to identify impacts. The cost for such

analysis is a System cost. The City and County will work cooperatively to determine the appropriate mitigation payments and will document any agreement in a Memorandum of Agreement. If the City and the County cannot agree on mitigation payments, the dispute resolution process under chapter 36.58.080 RCW will apply rather than the dispute resolution process under Section XII of the Agreement.

XIII. DISPUTE RESOLUTION

13.1 Unless otherwise expressly stated, the terms of this Section XIII shall apply to disputes arising under this Agreement.

13.2 Initial Meeting.

13.2.a Either Party shall give notice to the other in writing of a dispute involving this Agreement.

13.2.b Within ten (10) business days of receiving or issuing such notice, the County shall send an email notice to all Cities.

13.2.c Within ten (10) business days of receiving the County's notice under Subsection 13.2.b, a City shall notify the County in writing or email if it wishes to participate in the Dispute Resolution process.

13.2.d Within not less than twenty-one (21) days nor more than thirty (30) days of the date of the initial notice of dispute issued under Subsection 13.2.a, the County shall schedule a time for staff from the County and any City requesting to participate in the dispute resolution process ("Participating City") to meet (the "initial meeting"). The County shall endeavor to set such initial meeting a time and place convenient to all Participating Cities and to the County.

13.3 Executives' Meeting.

13.3.a If the dispute is not resolved within sixty (60) days of the initial meeting, then within seven (7) days of expiration of the sixty (60)-day period, the County shall send an email notice to all Participating Cities that the dispute was not resolved and that a meeting of the County Executive, or his/her designee and the chief executive officer(s) of each Participating City, or the designees of each Participating City (an "executives' meeting") shall be scheduled to attempt to resolve the dispute. It is provided, however, that the County and the Participating Cities may mutually agree to extend the sixty (60)-day period for an additional fifteen (15) days if they believe further progress may be made in resolving the dispute, in which case, the County's obligation to send its email notice to the Participating Cities under this Subsection that the dispute was not resolved shall be within seven (7) days of the end of the extension. Likewise, the County and the Participating Cities may mutually conclude prior to the expiration of the sixty (60)-day period that further progress is not likely in resolving the dispute at this level, in which case, the County shall send its email notice that the dispute was not resolved within seven (7) days of the date that the County and the Participating Cities mutually concluded that further progress is not likely in resolving the dispute.

13.3.b Within seven (7) days of receiving the County's notice under Subsection 13.3.a each Participating City shall notify the County in writing or email if it wishes to participate in the executives' meeting.

13.3.c Within not less than twenty-one (21) days nor more than thirty (30) days of the date of the notice of the executives' meeting issued under Subsection 13.3.a, the County shall schedule a time for the executives' meeting. The County shall endeavor to set such

executives' meeting a time and place convenient to all Participating Cities that provided notice under Subsection 13.3.b and to the County.

13.4. Non-Binding Mediation.

13.4.a If the dispute is not resolved within thirty (30) days of the executives' meeting, then any Participating City that was Party to the executives' meeting or the County may refer the matter to non-binding meditation by sending written notice within thirty-five (35) days of the initial executives' meeting to all Parties to such meeting.

13.4.b Within seven (7) days of receiving or issuing notice that a matter will be referred to non-binding mediation, the County shall send an email notice to all Participating Cities that provided notice under Subsection 13.3.b informing them of the referral.

13.4.c Within seven (7) days of receiving the County's notice under Subsection 13.4.b, each Participating City shall notify the County in writing if it wishes to participate in the non-binding mediation.

13.4.d The mediator will be selected in the following manner: The City(ies) electing to participate in the mediation shall propose a mediator and the County shall propose a mediator; in the event the mediators are not the same person, the two mediators shall select a third mediator who shall mediate the dispute. Alternately, the City(ies) participating in the mediation and the County may agree to select a mediator through a mediation service mutually acceptable to the Parties. The Parties to the mediation shall share equally in the costs charged by the mediator or mediation service. For purposes of allocating costs of the mediator or mediation service, all Cities participating in the mediation will be considered one Party.

13.5 Superior Court. Any Party, after participating in the non-binding mediation, may commence an action in King County Superior Court after one hundred eighty (180) days from

the commencement of the mediation, in order to resolve an issue that has not by then been resolved through non-binding mediation, unless all Parties to the mediation agree to an earlier date for ending the mediation.

13.6 Unless this Section XIII does not apply to a dispute, then the Parties agree that they may not seek relief under this Agreement in a court of law or equity unless and until each of the procedural steps set forth in this Section XIII have been exhausted, provided, that if any applicable statute of limitations will or may run during the time that may be required to exhaust the procedural steps in this Section XIII, a Party may file suit to preserve a cause of action while the Dispute Resolution process continues. The Parties agree that, if necessary and if allowed by the court, they will seek a stay of any such suit while the Dispute Resolution process is completed. If the dispute is resolved through the Dispute Resolution process, the Parties agree to dismiss the lawsuit, including all claims, counterclaims, and cross-claims, with prejudice and without costs to any Party.

XIV. FORCE MAJEURE

The Parties are not liable for failure to perform pursuant to the terms of this Agreement when failure to perform was due to an unforeseeable event beyond the control of either Party ("force majeure"). The term "force majeure" shall include, without limitation by the following enumeration: acts of nature, acts of civil or military authorities, terrorism, fire, accidents, shutdowns for purpose of emergency repairs, industrial, civil or public disturbances, or labor disputes, causing the inability to perform the requirements of this Agreement, if either Party is rendered unable, wholly or in part, by a force majeure event to perform or comply with any obligation or condition of this Agreement, upon giving notice and reasonably full particulars to

the other Party, such obligation or condition shall be suspended only for the time and to the extent practicable to restore normal operations.

XV. MERGER

This Agreement merges and supersedes all prior negotiations, representation and/or agreements between the Parties relating to the subject matter of this Agreement and constitutes the entire contract between the Parties [except with regard to the provisions of the Forum Interlocal Agreement]; provided that nothing in Section XV supersedes or amends any indemnification obligation that may be in effect pursuant to a contract between the Parties other than the Original Agreement; and further provided that nothing in this Agreement supersedes, amends or modifies in any way any permit or approval applicable to the System or the County's operation of the System within the jurisdiction of the City.

XVI. WAIVER

No waiver by either Party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach whether of the same or a different provision of this Agreement.

XVII. THIRD PARTY BENEFICIARY

This Agreement is not entered into with the intent that it shall benefit any other entity or person except those expressly described herein, and no other such person or entity shall be entitled to be treated as a third-party beneficiary of this Agreement.

XVIII. SURVIVABILITY

Except as provided in Section 8.1, 8.2, 8.3, Section 8.6.c, except 8.6.ciii and Section 8.6d, no obligations in this Agreement survive past the expiration date as established in Section III.

XIX. NOTICE

Except as otherwise provided in this Agreement, a notice required to be provided under the terms of this Agreement shall be delivered by certified mail, return receipt requested or by personal service to the following person:

For the City:

For the County:

Director
King County Solid Waste Division
201 South Jackson Street, Suite 701
Seattle, Washington 98104

IN WITNESS WHEREOF, this Agreement has been executed by each Party on the date set forth below:

CITY of	KING COUNTY
_____	_____
(Mayor/City Manager)	King County Executive
_____	_____
Date	Date
_____	_____
Clerk-Attest	Clerk-Attest
Approved as to form and legality	Approved as to form and legality
_____	_____
City Attorney	King County Deputy Prosecuting Attorney
_____	_____
Date	Date

Solid Waste Interlocal Agreement between King County and Cities

Briefing Packet

Contents

A. *Amending and Restating the Interlocal Agreement of 1988*, an overview

B. *Amending and Restating the Interlocal Agreement of 1988*, a PowerPoint presentation

C. ILA Term Sheet

D. Solid Waste Governance

E. Effect of Different Bond Terms on Fees

F. System Map

G. Amended and Restated Solid Waste Interlocal Agreement

DRAFT

Attachment A

Solid Waste Interlocal Agreement between King County and Cities

Overview

After months of intensive negotiations, a City-County team has developed a new Solid Waste Interlocal Agreement to foster cooperation in the regional solid waste system. The term of the ILA will be extended 12.5 years, through December 2040, which will keep rates lower by allowing for longer-term bonding for capital projects and maintaining the economies of scale provided by our regional system.

The new ILA deals much more effectively with liability. It establishes a protocol for payment of Environmental Liabilities, if and when they arise, including insurance and reserves. Parties' intent to protect their general funds from Environmental Liabilities to the greatest extent feasible is explicit.

Other improvements over the original ILA include:

- Commitment to the continued involvement of the Metropolitan Solid Waste Advisory Committee (MSWAC)
- An expanded Cities' role in system planning, including financial policies and long-term disposal alternatives
- A dispute resolution process which includes non-binding mediation
- An acknowledgment that solid waste facilities are regional facilities and host cities and neighboring cities may receive mitigation for impacts.

<u>Next Steps</u>

- City attorneys reviewing agreement and briefing city staff
- County distributes proposed agreement by end of December
- City adoption process January- February , 2013
- County requests response to non-binding statement of interest by January 31, 2013

DRAFT

Solid Waste Interlocal Agreement between King County and Cities

Metropolitan Solid Waste Advisory Committee

December 14, 2012

Background/History:

- 2010-2012: ILA Drafting Committee updates ILA incorporating MSWMAC recommendations; Negotiations stalled over environmental liability
- July 2012: RPC briefed on status
- August 15, 2012: SCA adopts liability principles
- October 2012: City/County team convenes to restart discussions
- December 2012: ILA drafting complete, final review underway

Key Improvements Over Current ILA

- Extends ILA 12.5 years, through December 2040 allowing long term financing to keep rates lower
- Updates liability section guided by principles from Sound Cities Association (SCA) to protect City and County general funds from long-term liability
- Expands City role in System planning
- Provides long-term stability

Key Improvements Over Current ILA-

Continued

- Adds new mitigation section guided by principles from SCA
- Adds new dispute resolution section
- Updated to be consistent with current conditions and laws

Key Improvements Over Current ILA: Environmental Liability

- Nothing in the agreement creates new environmental liability or releases any third party from environmental liability
- Establishes a protocol for setting aside funds to pay for environmental liability and, if necessary, a fair and equitable process for distributing those funds
- Explicitly recognizes the intent of the parties to protect City and County general funds to the extent possible from environmental liability, including:
  - Purchasing insurance
  - Establishing an environmental reserve fund
  - Pursuing grants to cover costs
  - Developing a financial plan, including a rate schedule to cover costs

Key Improvements Over Current ILA: Governance

- Metropolitan Solid Waste Advisory Committee (MSWAC) memorialized in ILA
- Maintains consistency with role of the RPC as provided by the King County Charter
- Increased City role in System planning, including a framework for reviewing financial policies <u>and long-term disposal options</u>
- Dispute resolution provisions
- Mitigation for host and neighboring Cities

The Transfer System

- ILA recognizes the need for transfer system improvements
- Extension of the ILA will facilitate long-term financing of those improvements while mitigating rate impacts – longer-term bonds will keep rates lower
- Recognizes that the Plan can be modified

Benefits of New ILA

- Parties to the revised ILA will benefit from longer term bonds and estimated rate savings of $7 to $9 per ton on debt
- System-wide savings of about $4 million in the 2013/14 rate period and over $8 million per year by 2019
- Provides long-term protection for City and County general funds from environmental liability
- Expanded City role in system planning, including financial policies and long-term disposal options – ILA allows for full range of future disposal options to be considered through Comprehensive Plan process
- City mitigation for transfer facilities
- Long-term stability in planning and financing of solid waste system for residents and businesses

Next Steps

- City attorneys reviewing agreement and briefing City staff
- County distributes proposed agreement by end of December
- County requests a non-binding statement of interest in signing new ILA from Cities by January 31, 2013 to allow decision-making on short term debt conversion required at the end of February
- Target for completion of approval process is end of February

Attachment C

Solid Waste Interlocal Agreement between King County and Cities

ILA Term Sheet

- **Accountability**
- **Transparency**
- **Durability: address long-term needs**
- **Simplicity**

Part I: Contract Term, Capital Financing, and Ability to Terminate Agreement in Advance	
Contract Term	ILA is extended 12.5 years, through December 2040. As of June 2012, there would be 28.5 years remaining on the contract.
Bond Term How long could the financing term be for bonds funding the Transfer Station improvement plan?	20 to 28 years, depending on when each series of bonds to finance the transfer station projects is issued.
Disposal Fees (tonnage rates)	Significantly lower cost per ton is possible as compared to the "no extension" option The longer the term, the higher the total price paid for the improvements (more interest paid).
Negotiated ILA Extension	An ILA extension is likely to be necessary at some point during the term of the amended ILA in order to accommodate a cost-effective long-term disposal solution after Cedar Hills closes. The ILA will include language describing the parties' intent to enter into negotiations to extend the ILA before Cedar Hills closes, but after such time as the region has made a decision on the long-term disposal option; that decision will require amending the Comprehensive Solid Waste Management Plan (CSWMP). The parties could choose to begin the negotiations before ratification of the CSWMP amendment is complete. The amended ILA cannot compel either party to agree to a future extension of the term.
If Cedar Hills closes on schedule (2025), what happens if the ILA is <u>not</u> extended again?	The County would have to provide disposal at another location for 15 years (2025 through 2040). The City will continue to be part of the County system during that time. This is a relatively short time period and as a result the assumption is that costs would likely be considerably more expensive than disposal at Cedar Hills.
Early Termination Will cities have the ability to terminate the ILA early?	No. If a city has the ability to terminate the ILA early, the County will, in exchange, need to be able to recoup from that city, at a minimum, all the debt service costs associated with the terminating city's share of the transfer station system upgrades. Not included because the cost of prepaying debt service for a city's share of transfer

	station system improvements is likely to be so expensive that no city would choose to exercise this option. It would imply the city would prepay for a 50-year asset after a few years, and, the terminating city would not be assured of having access to the system assets after leaving.
What if some cities don't agree to extend the ILA?	Non-extending cities would be in a different customer class than extending cities. Non-extending cities would be charged rates to ensure their portion of transfer station debt is fully repaid by June 2028. As a result, their rates would be $7-$9 per ton higher than for cities extending the ILA.
Part 2: Governance	
Cities Advisory Committee	The Cities advisory committee (MSWMAC) is memorialized within the ILA as the Metropolitan Solid Waste Advisory Committee (MSWAC). Its structure and operations are no longer controlled by County Code. It has the same composition, same rules as today: • Each city may appoint a delegate and alternates to MSWAC. • MSWAC retains its existing responsibilities. • MSWAC will elect a chair and vice-chair, and adopt its own bylaws. • MSWAC will be staffed by the County. • MSWAC remains an advisory body. It will coordinate with the Solid Waste Advisory Committee (SWAC) and provide advice to SWAC as it deems appropriate. MSWAC will also provide recommendations to the County Executive, County Council, and other entities. The County agrees to consider and respond on a timely basis to questions and issues from MSWAC, including but not limited to development of efficient and accountable billing practices.
Regional Policy Committee (RPC)	The role of the RPC is not affected by the amended and restated ILA. The RPC will retain its current charter role in acting on Comprehensive Solid Waste Management Plan (CSWMP) amendments and financial policies. Its existing responsibilities as the Solid Waste Interlocal Forum will continue through the end of the current ILA in June 2028. After 2028 those responsibilities will go to the RPC.
Part 3: Comprehensive Solid Waste Management Plan	
Process The CSWMP is reviewed and amended as needed. Several years before the Cedar Hills Landfill closes, the CSWMP will be amended to include language defining the regional disposal option.	The ILA will confirm current practice that the County Council acts to approve the CSWMP *subject to ratification*, in the same way that Countywide Planning Policies are now first approved by the County and then subject to ratification. The County will act after seeking input from MSWAC, among others. Once the County action is effective, the ratification period would run for 120 days.

Attachment C

Solid Waste Interlocal Agreement between King County and Cities

ILA Term Sheet

Ratification Requirement The current ILA requires that jurisdictions representing 75% of the contract city population must approve CSWMP changes. The 75% is determined based on those cities taking a position.	The negotiating team considered modifying the ratification requirement. Because of the difficulties of administering two different ratification processes if some cities extend and others do not, the current process was left unchanged. It has been used several times over the term of the agreement without significant problems.
Part 4: Other Issues	
Parties Obligations to Communicate	The parties will endeavor to notify each other in the event of the development of any plan, contract, dispute, use of environmental liability funds or other solid waste issue that could have potential significant impacts on the City and/or Cities, the County and/or the regional solid waste system.
Emergency Planning	The County and the cities will coordinate on the development of emergency plans related to solid waste, including but not limited to debris management.
Grants	The ILA will include a provision confirming that grants to cities in support of programs that benefit the Solid Waste system are a permissible use of system revenues.
Mitigation	The ILA will acknowledge that solid waste facilities are regional facilities and host cities and neighboring cities may sustain impacts for which there are three types of mitigation: 1. When **new facilities** are sited, or **existing facilities are reconstructed**, mitigation will be determined with advance input from host communities and neighboring cities, and per state law. The County will collaborate with potential host cities and neighboring cities in advance of both the environmental review and permitting processes, including seeking advance input from such cities as to potential impacts that should be addressed in scoping of environmental studies/documents, or in developing permit applications. 2. With respect to **existing facilities**, the County will continue the full range of operational mitigation activities required under law (odor and noise control, maintenance, litter cleanup, etc.). 3. The ILA will recognize the rights of cities to **charge the County for direct impacts** from operations consistent with State law (RCW 36.58.080). Cities that believe they are entitled to such mitigation may request the County undertake technical studies to determine the extent of such impacts; the County will undertake analysis it determines is reasonable and appropriate. The costs of such studies will be System costs. Dispute resolution would occur per the state statute provision, rather than the ILA dispute resolution provisions. Cities retain their full regulatory authority with respect to design, construction or

Attachment C

Solid Waste Interlocal Agreement between King County and Cities

ILA Term Sheet

	operation of facilities within their jurisdiction.
Cedar Hills Landfill Rent The County began leasing the Cedar Hills Landfill from the state in 1960 at a time when the solid waste function was still part of County General Fund operations. Throughout the '60s, '70s and into the '80s, the solid waste system was operated as part of the General Fund through a mix of County General Fund monies and solid waste fees. In 1983, the County formally began the effort to transform the solid waste system from a General Fund operation to a self-sustaining utility enterprise, fully funded from system revenues-- primarily tipping fees charged at the Cedar Hills Landfill. The Landfill was acquired by the General Fund from the state in 1992 and remains a General Fund asset. The General Fund began charging the Division for the use of this asset in 2004.	The ILA will acknowledge that rent is charged to the Division for use of the Cedar Hills Landfill, and clarify how the rent will be determined. The County will continue to charge the Solid Waste System rent for use of the Cedar Hills Landfill. The Landfill is a General Fund asset. The ILA will ensure that Landfill rent will be based on third party professional valuations using accepted MAI valuation principles. Cities will have input into the selection of the appraiser and will have an opportunity to review and comment on data inputs provided by the System to the appraiser for purposes of conducting the appraisal. The December 2011 appraisal setting the rent value for the period from 2013 through 2025 (the current estimated end of the Landfill's useful life) will be adjusted downward to ensure that the System is not charged for Landfill capacity that was included and paid for by the System per the previous (2004) appraisal. The same adjustment will be made with respect to any future appraisal. The ILA will define a clear process by which the value of Cedar Hills to the Division, and the associated rent, may be revalued during the Agreement, and will ensure engagement of MSWAC in that process. Rent costs are an operating cost to the Division that will be incorporated into solid waste rates. MSWAC will have input on all rate proposals, as well as the specific schedule of rent payments derived from the new appraisal. The County will commit to not charge General Fund rent for any transfer station property now in use, and will not charge General Fund rent for assets acquired in the future solely from System revenues. Assets owned by other County funds (e.g., the Roads Division, or other funds) will be subject to rent (and vice versa). Any revenue generated from System owned assets will be treated as revenues of the System.
Financial Policies	The County will develop financial policies to guide the Division's operations and investments. The policies will address debt issuance, cost containment, reserves, asset ownership and use, and other financial issues. The policies will be developed through discussion with MSWAC, RPC, the County Executive and the County Council. Such policies will periodically be codified at the same time as CSWMP updates, but may be adopted from time to time as appropriate outside the CSWMP update cycle.
Dispute Resolution	The ILA will replace the current dispute resolution provisions involving State DOE (State DOE is not willing to serve the role ascribed to it in the current ILA) with more standard provisions, similar to those used in other multi-party County ILAs. In event of a dispute, the first step will be for staff from the parties to meet. If the issue is not resolved, then the City Manager/Administrator from the city(ies) and the County Executive will meet. If the issue is still not resolved, non-binding mediation

Attachment C

Solid Waste Interlocal Agreement between King County and Cities

ILA Term Sheet

	may be pursued if any party so chooses, prior to pursuing formal legal action. All cities will be notified of disputes at each step, and may join the dispute if they so choose. Costs of mediation will be split, with the cities (all those participating in the matter) paying half of the costs and the County paying half of the costs.
Liability	SCA Principles as agreed to by Executive Constantine form the basis for the Environmental Liability section. The County and the Cities agree that System-related costs, including environmental liabilities, should be funded by System revenues which include but are not limited to insurance proceeds, grants and rates. A protocol for payment of liabilities if and when they arise is established including: • Insurance, if commercially available with cities as additional insured • Any reserves established for environmental liability shall survive for 30 years after the closure of the Cedar Hills Landfill. • Grants to the extent available • Developing a financial plan including a rate schedule in consultation with MSWAC Specific language is included indicating it is the intent of the parties to protect their general funds from Environmental Liabilities to the greatest extent feasible.
Severability	Team agreed not to include a severability section. Effect is that in the event one section of the contract is found to be invalid the Parties will need to meet to discuss how to remedy the issue
Survivability	No obligations of the agreement shall survive the expiration of the contract except portions of the liability section including: • A three year obligation for tort related operational liability • Any insurance in effect at the end of the agreement shall continue for the term of the policy • Reserve fund is retained for 30 years following Cedar Hills closure
Flow Control	Language in Section 6.2 is simplified to state "The City shall cause to be delivered to the County disposal system..." It does not specify what means the City shall use to accomplish this.
County Commitment to Transfer Station Plan	Section 6.1.g is amended to state "The County shall provide facilities and services pursuant to the Comprehensive Solid Waste Management Plan ***and the Solid Waste Transfer and Waste Management Plan as adopted...***"
Long-Term Bonds	Section 6.1.f includes "The County shall primarily use long term bonds to finance transfer system improvements." This recognizes that in the past these improvements have been partially funded by cash. This section also includes a commitment to develop, through discussions with MSWAC, financial policies in the CSWMP.

Attachment D

Amending and Restating the Solid Waste Interlocal Agreement of 1988

Solid Waste Governance

	Solid Waste Advisory Committee	Metropolitan Solid Waste Advisory Committee	Solid Waste Interlocal Forum
Basis	RCW 70.95; KCC 10.28	Amended and Restated Interlocal Agreement	Forum Agreement (Addendum to 1988 ILA)
Appointment	Executive appoints; Council confirms	Cities appoint	County Council and Sound Cities Association appoint
Membership	Interested citizens; local elected officials; waste management industry; recycling industry; labor; public interest groups; marketing interests	Cities – staff, elected officials and consultants	Regional Policy Committee members excluding City of Seattle representatives
Advises	King County	King County Executive and Council, Solid Waste Division, Solid Waste Advisory Committee, Solid Waste Interlocal Forum and Regional Policy Committee	King County Executive and Council, and other jurisdictions
Duties	Advise King County on all aspects of solid waste management planning; assist in development of programs and policies concerning solid waste management	Advise the King County Executive and Council, Solid Waste Division, Solid Waste Advisory Committee, and other jurisdictions as appropriate, on all policy aspects of solid waste management and planning	Advise the King County Executive and Council, and other jurisdictions as appropriate, on all policy aspects of solid waste management and planning

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Attachment E

Rate Differences Between the *Solid Waste Interlocal Agreement of 1988* and the *Amended and Restated Interlocal Agreement*

The chart below compares estimated fees for Cities that choose to remain with the original 1988 ILA that expires in 2028 and those Cities that choose to sign the amended ILA that expires in 2040.

	2013/14	2015/16	2017/18	2019/20	2021/22	2023/24	2025/26	2027/28
Old ILA Basic Fee	$120.17	$129.00	$138.00	$144.00	$146.00	$147.00	$153.00	$163.00
New ILA Basic Fee	$120.17	$121.00	$131.00	$135.00	$137.00	$138.00	$144.00	$155.00
Difference	$0.00	$8.00	$7.00	$9.00	$9.00	$9.00	$9.00	$8.00

See chart on page 2.

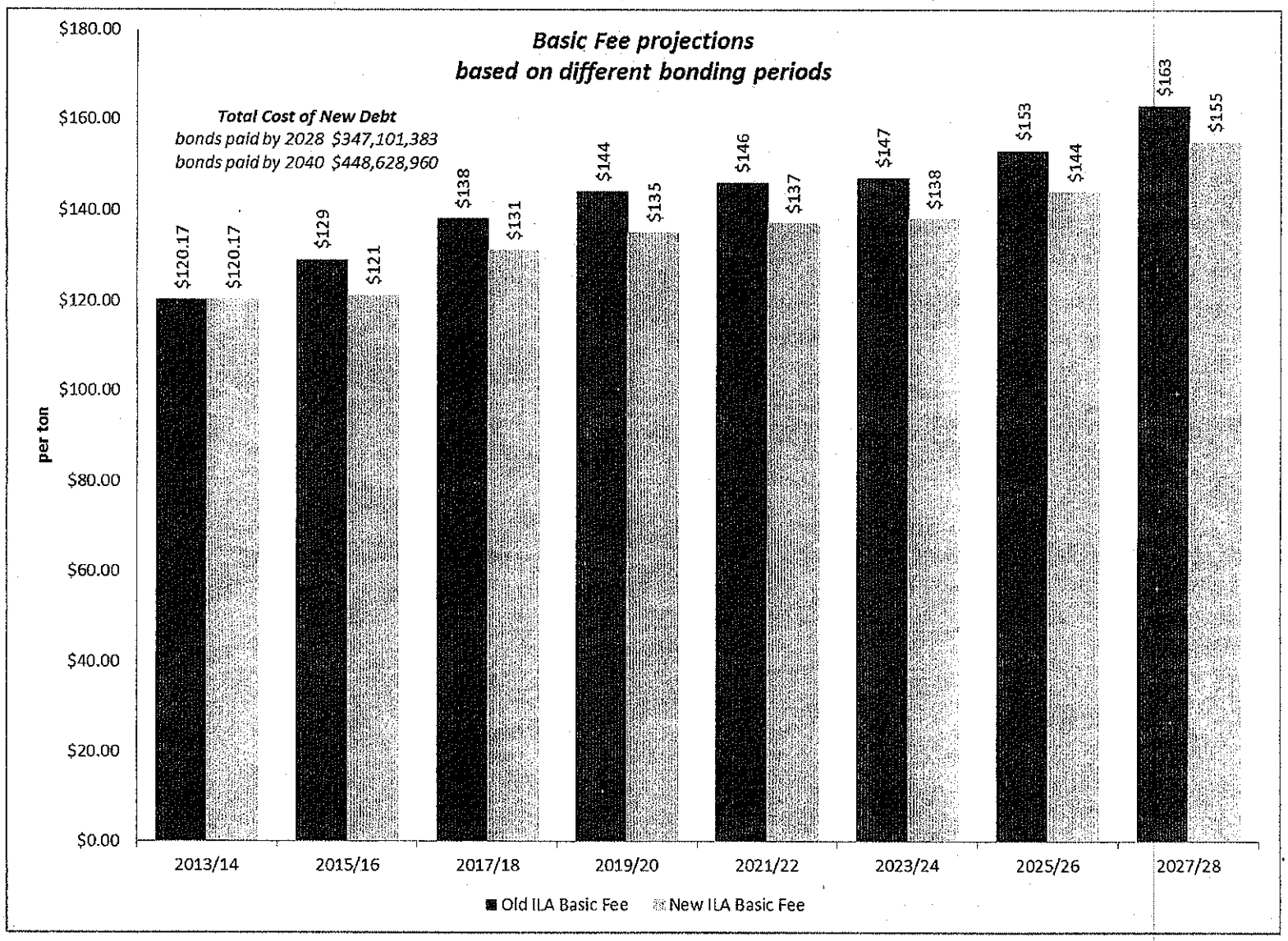
Notes:

- *This is a planning level projection - actual fees may vary depending on a variety of circumstances, including the exact mix of Cities signing the Amended and Restated ILA*
- *For Cities not signing the new ILA, the fee includes the additional amount needed to pay for shorter-term financing - estimated fees assume interest rates for borrowing for 15 years at 2 percent and for 28 years at 3.25 percent*
- *New ILA 2015/16 fee reflects savings for longer-term bonds issued during the previous period (the 2013/14 fee of $120.17 was based on an assumption of issuing shorter term bonds)*
- *Estimated fees are rounded to the nearest dollar*
- *Estimated fees differ from the 2012 Rate Study because assumptions for inflation and interest rates have been updated*
- *Fee estimates are based on current forecasts for tonnage, interest rates, inflation, transfer system improvements, etc.*
- *Operating expenses (labor costs, fuel, etc.) are assumed to increase at rate of inflation based on the King County Economic Forecast Council's August 2012 Seattle Annual CPI-U Forecast*

DRAFT

Attachment E

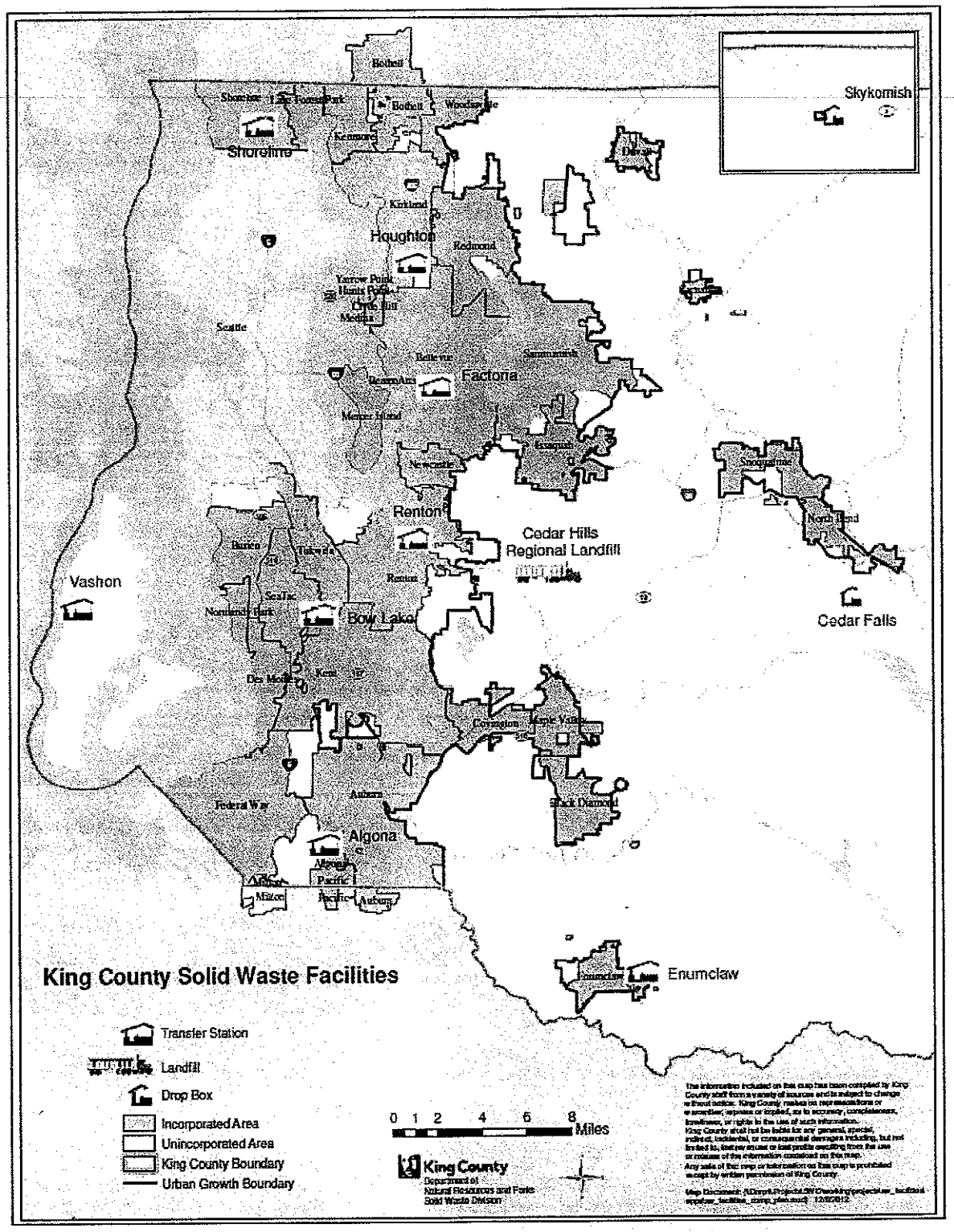
Rate Differences Between the *Solid Waste Interlocal Agreement of 1988* and the *Amended and Restated Interlocal Agreement*



Attachment F

Amending and Restating the Solid Waste Interlocal Agreement of 1988

System Map



CITY OF BURIEN
AGENDA BILL

Agenda Subject: Discussion regarding North Burien Zoning Map Amendments, 2012 Comprehensive Plan Text and Map Amendments.		**Meeting Date:** January 7, 2013
Department: Community Development **Contact:** David Johanson AICP, Interim Community Development Director **Telephone:** (206) 248-5522	**Attachments:** 1) 2012 Comprehensive Plan and Zoning Amendment City Council Comment Summary 2) GMA Comprehensive Plan/Zoning Code Consistency Requirement	**Fund Source:** N/A **Activity Cost:** N/A **Amount Budgeted:** N/A
Adopted Work Plan Priority: Yes X No __	**Work Plan Item Description:** Processing and adoption of annual comprehensive plan amendments.	

PURPOSE/REQUIRED ACTION: The purpose of this agenda item is to continue the discussion of the 2012 Comprehensive Plan and zoning amendments. The Council may ask questions, request more information or comment on the information attached. No action is necessary at this time.

BACKGROUND (*Include prior Council action & discussion*):
In 1997, the City adopted its first Comprehensive Plan. In 2003, the City Council completed mandatory updates to the Comprehensive Plan to comply with state law. Additional amendments have been considered annually. Annual amendments to the Comprehensive Plan must be approved in a single processing cycle, per state law. This amendment cycle primarily has been focused on adopting comprehensive plan land use designations for the North Burien area and continuing to update language in the plan to be consistent with changes in state and regional plans.

The public process used in developing the Planning Commission recommendation included two public open houses in North Burien, two public hearings and 18 Planning Commission meetings. The text amendment work was completed in October 2012. All recommendations of the Planning Commission were unanimous.

At the November 5 and November 19, 2012, City Council meetings there were a number of council comments and requests regarding the proposed updates to the plan and the area-wide zoning amendments. Staff has prepared a comment summary responding to questions raised by the City Council (see Attachment 1). This document will be useful for City Council to provide direction to staff regarding actions necessary prior to the council taking action on Ordinance 573.

Please also use the attachments provided in the November 5th City Council meeting packet for background and reference materials.

FUTURE ACTIONS
A public hearing is scheduled for January 28, 2013.
A City Council decision on proposed amendments to the Comprehensive Plan in early 2013.

OPTIONS (*Including fiscal impacts*): N/A

Administrative Recommendation: Receive presentations, ask questions, request more information and/or comment on Planning Commission and staff recommendations.

Advisory Board Recommendation: The Planning Commission unanimously recommended the City Council approve the map and text amendment as set forth in Ordinance No. 573.

Suggested Motion: None required.

Submitted by: David Johanson, AICP
Administration **City Manager**

Today's Date: January 2, 2013	**File Code**: R:\CC\Agenda Bill 2013\10713cd-1 CompPlanAmend 2012.docx

Council Member	#	TOPIC (Nov. 5th CC Packet Page No.)	SUMMARY of COMMENT	DRAFT RESPONSE	Modified (Since11/19/12	11/19/12 CC Direction
			2012 COMPREHENSIVE PLAN/ZONING AMENDMENTS CITY COUNCIL COMMENT SUMMARY WORKING DRAFT 11/19/2012			
LK	3	Pg. 92, 252 RE 1.6	Large home sizes section is proposed to be deleted. The Council should reconsider deleting the language.	Building coverage and impervious surface coverages are regulated by the zoning code and the public has not expressed concern regarding structure sizes. The city has also implemented size requirements for accessory structures in the zoning beginning in 2009.	X	No definitive consensus to change proposed language in the draft ordinance.
LK	4	Pg. 93 RE 1.7	What is the appropriate terminology? Unit per acre or unit per net acre. 11/19/12 - LK and BE researched GMHB cases and commented that the intent of the two documents should be consistent and that the text does not necessarily have to be word for word. Therefore the text in the Comp Plan could be amended accordingly.	The term "net" should be used when describing the allowed density because it most accurately represents the achieved density once land area deductions for items such as right-of-way and drainage facilities are incorporated into the calculation. The term "net" excludes these types of facilities from a density calculation. The term "net" should <u>not</u> be used when describing the character of an area because dedications of land (right-of-way and drainage) have already occurred. Upon further review staff recommends the term "net" should be removed from policy RE 1.6 designation criteria 1. With only that one exception all other references are consistent with the explanation above. RE 1.5 should not be amended because it is a policy included in the proposed SMP policy and any changes would make the documents inconsistent. OR 11/19/12 – Staff recommends the text be changed in the proposed SMP however it would expand the SMP issue list beyond the 4 items identified by the City Council. DOE would not likely object to this minor amendment.	X	No definitive consensus to change proposed language in the draft ordinance.
BE	6	Pg. 112, 279 SE 1.3	Change language to read "physical public access to the water is prohibited and development supports the historical link to old Burien." 11/19/12 - BE commented that access has already been analyzed in comp plan page 5-32 and suggests the following text amendments.	Should physical access be prohibited before the merits of any proposal, good or bad, are analyzed? Staff recommends that shoreline access related issues be addressed as part of the policies and regulations of the SMP rather than in the land use designation portion of the comprehensive plan. 11/19/12 – The initial issue pertains to requirement to have policies that are consistent with the implementing regulations (see pg 279). Staff has provided	X	No definitive consensus to change proposed language in the draft ordinance.

ATTACHMENT 1

			"While the City encourages and supports the continued operation of the Center, any proposed change in use in the future should be reviewed to ensure that wetlands and water quality of Lake Burien are fully protected and public access to Lake Burien would be limited primarily to views and passive recreation and ~~aPublic access to the water is prohibited: and b. T~~the development supports the historical link with Old Burien."	excerpts from the Growth Management Act and the Growth Management Hearings Board decisions regarding the requirement that development regulations (BMC & SMP) be consistent with the Comprehensive Plan. Please note the Bainbridge Island decision where the consistency requirement addresses both the comprehensive plan and shoreline master program.		
LK	7	Pg. 114, 283 PH 1.1	TDR why are we removing this section? 11/19/12 – JR we should proceed with a TDR program. Staff will provide more information on the analysis	The language was not recommended to be removed. It was intended to be moved to the introduction section (Section 2.1) as specified on page 283 in the table provided at the Nov. 5th meeting. Upon further review, it appears the text was not included in the introduction section as printed in the draft ordinance. The appropriate changes will be made to the proposed ordinance. 11/19/12 – In July 2012 the City studied the issue of whether a County TDR program could work as a redevelopment tool in the NERA. The preliminary analysis concluded that the given the scale and timing of improvements in the NERA that a TDR program would not generate sufficient revenue. In addition the money that would be needed to initiate the program may better used to provide funding for necessary capital improvements which in turn could encourage development in the area.	**X**	
LK	8	Pg. 115, 284 EV 1.3	A comment to use the proposed alternate language. "~~Attempt to~~ Avoid impact to critical areas before considering minimizing impacts or providing mitigation."	Text was recommended by the Watershed Co. as a part of the BAS gap analysis. Alternate language may be proposed. In keeping the phrase "attempt to" it recognizes that in some instances it may not be possible to avoid all impacts and therefore some level of mitigation may be acceptable.	**X**	No consensus to amend the language as proposed.
BE	9.1	Pg. 90 LU 2.1	Amend the date from 2013 to 2031.	Staff will make the appropriate change to the text.	**New**	
BE	9.2	Pg. 121 EV 5.6	Where are the ground water policies located? There should be a reference to those other policies.	Ground water policies start on the Nov. 5th Council Packet page 121 with Goal EV.5 and continue to page 121 and EV 6.3. The storm water element of the comprehensive plan also contains goals and policies that address ground water (see Section 2.8 of Comp Plan, pg. 2-109). In addition, the storm water master plan recognizes the storm water element of the comprehensive plan as the policy framework for related storm water planning efforts (pg. 1-3 of the SDMP). The goals and polices of the storm water element are included as appendix 1-1 in the Storm Drainage Master Plan. Staff recommends that the following be added to reference to the storm water element. *Note: Additional ground water related goals and policies can be found in section 2.8, Storm Water Element.*	**New**	

			COUNCIL CONSENSUS ITEMS			11/19/12 CC Direction
JR/JB/BB	1	Notice/Process	Request that each property owner receive individualized notice when there is a proposed down zone. The notice should specifically state the zoning change. Notice of potential downzone should be provided. Can we provide another notice?	If the Council so chooses, a public hearing can be scheduled and public notice could be expanded to include an individualized notice to properties where a change proposed. There are cost and timing implications that will need to be considered. Should the hearing occur before the holidays in December or early in 2013? The earliest staff could coordinate a public hearing is for your December 17th meeting. 11/19/12 – Notice will be provided and a public hearing will be conducted as directed.		Council Direction to conduct a Hearing on January 28th Notice should be provided no later than 14-days before the hearing date. Council will review the modified matrix on January 7th.
JR/BE/BB	2	Pg. 126, 299 Pol. PI 1.5	-How do you meet a "public benefit"? It is too restrictive of a standard. -Change the text to read "it will not result in a net loss to the community". -The current language could be considered an impediment to development. -Net benefit compared to net loss language. Provide examples of what the application of the criteria could lead too. Use real world examples if possible.	Public benefits can be a wide range of items depending on the specific attributes of any individual proposal. Some public benefits identified in past analysis include providing increased opportunity or capacity for employment, housing or recreation amenities. Typically a public benefit can and should be related to a goal or policy in the Comprehensive plan. The goals and policies in the plan provide direction on where the community wishes to improve and/or maintain a desired level of service or feature in the community. Some proposals may indirectly result in a public benefit, such as encouraging compact development or allowing higher intensity uses adjacent to transit. The benefits of this scenario include use of transit which reduces air pollution, added health benefits and reduced costs associated with transit capacity improvements. All of which are tangible benefits to the greater community. If a "no loss" or "no harm" standard is included in the criteria, it assumes that the community is content with the status quo and positive gains will be minimized slowing the progress toward the community's vision.		Council consensus to replace the language in the criteria from "public benefit" to "it will not result in a net loss to the community"
LK	5	Pg. 112 SE 1.2	Define boundaries of Old Burien in writing. 11/19-12 – LK and RC keep the descriptive language in this policy and other places where there is a written description of a location or boundary.	The language describing the general location of the SPA-1 (Old Burien) land use designation could remain. OR Old Burien is identified on the zoning and comprehensive plan maps as Special Planning Area 1. The comprehensive plan and zoning maps contain sufficient detail to determine the boundaries. The maps are available on line at this web address: http://www.burienwa.gov/DocumentView.aspx?DID=657 .		Council consensus to retain the descriptive language in this and other sections (SE 1.2 & SE 1.4).
LK	9	Pg. 121 EV 5.3	"Provide incentives for" should be added to the policy.	Staff supports the proposed language. The final policy could read as follows. "Provide incentives for and promote ground water recharge by allowing and encouraging the use of low impact development techniques that infiltrate runoff where site conditions permit."		Consensus to amend the language as proposed.

			QUESTIONS	DRAFT RESPONSE		
JR	10	Pg. 88 Pol. LU 1.11	Why is 5-corners not included within the Urban Center boundary? What was the reasoning for the boundaries? What would be the difference in our planning if it was included?	There is no proposed change to the Urban Center Boundary. The center was reviewed and approved in PSRC's Vision 2040 (page 50) and the Countywide Planning Policies, Policy DP-30. There are criteria in the CPP's that cities must adhere to through a countywide adoption process. References to center criteria and related policies can be found in the CPP's beginning with Policy LU-39 through LU-50 See also LU 1.11 for local policy language (page 88) relating to the creation of the urban center. The planning and related implementation work focus achieving the policy objectives in a localized portion of our city that align with the policy objectives of centers (pedestrian mobility, transit use, housing, urban design and facilities to meet human service needs). The 5-corners area is primarily an auto-oriented retail center which is not directly consistent with these policy objectives.		
BE	11	Pg. 98 BU 1.1	What are the requirements for signage and parking for home occupations?	Requirements regarding home occupations are found in BMC 19.17. 090. In summary, legally established businesses may continue, no signs are allowed and one additional parking space is required.		
BE	12	Pg. 112 SE 1.3	Does an EIS have to be approved by Ecology?	No. DOE can comment on an EIS.		
JR	13	Pg. 124 HT 1.4	Does the proposed language change the requirement that an owner has to agree to the landmark designation process?	No. The implementing regulations have been adopted into the zoning code and a requirement of filing an application is that the property owner provides written consent to initiate the designation process (BMC 19.85.020[3]).		
BE	14	Pg. 127, 299 PI 1.6 – 1.9	Land use conflicts, section deleted, why? There is an RCW that states one has precedent over the other.	The maps must be consistent and one cannot rule over the other. Answered at the Nov. 5th meeting. RCW section not provided.		
BE	14.1	Pg. 121 EV 5.4	Provide examples ground water pre-treatment.	Examples of storm water pre-treatment include the following: biofiltration swales, filter strips, wetponds, wet vaults, storm water wetlands, sand filters, catch basin inserts and oil/water separators. (source KCSWDM)	**New**	

			COMMENTS	DRAFT RESPONSE		
JB	15	Housing Capacity/Density	A comment supporting the designation from RM-24 to RM-48. Recognizing the change provides a financial incentive to rebuild those properties.	It should be noted that the proposed changes will assist the city in achieving its obligation to provide sufficient capacity for housing as required by the CPP's (see Burien Pol. LU 2.1, page 90).		
LK	16	Pg. 95 RE 1.9	Concerned about the up zoning that has occurred. RM-24 to RM-48. 11/19/12 JR/RC – Some areas are reverting back to the original zoning prior to City incorporation and will match the existing development intensity. LK – Supports retaining the RM-24 designation. JB/RC- The change back to RM-48 provides a financial incentive to redevelop those properties.	Some portions of the City may be appropriate to increase potential development intensity especially near struggling commercial nodes and along corridors with good transit services. Please see attachment 5 of the Nov. 5th Council packet for a more thorough description of the comprehensive plan and zoning change objectives (begins on council packet page 303). It should be noted that the changes assist the city in achieving its obligation to provide sufficient capacity for housing as required by the CPP's (see Pol. LU 2.1, page 90).		
LK	17	Pg. 107 IN 2.1	NERA 1. Designation criteria for NERA. Check in with staff later.	Staff has not received comments from Councilmember Krakowiak regarding this comment.		

GMA Comprehensive Plan/Zoning Code Consistency Requirement

RCW 36.70A.040

Who must plan -- Summary of requirements -- Development regulations must implement comprehensive plans.

(4) Any county or city that is required to conform with all the requirements of this chapter, as a result of the county legislative authority adopting its resolution of intention under subsection (2) of this section, shall take actions under this chapter as follows: ... (d) the county and each city that is located within the county shall adopt a comprehensive plan and development regulations that are consistent with and implement the comprehensive plan ... .

Eastern Washington Growth Management Hearings Board

State of Washington

BEATRICE M. BERTELSEN AND MERTON R. RAINE, PETITIONERS

v.

YAKIMA COUNTY, RESPONDENT

G. M. GREEN, WESLEY D. HAZEN, DR. GALEN AND PATRICIA HOOVER, FRED W. RIEBE III AND KATE E. REIBE AND WENAS CITIZENS ASSOCIATION, INC. INTERVENORS

Case No. 00-1-0009

November 2, 2000

FINAL DECISION AND ORDER

A fundamental requirement of the GMA is that development regulations be **consistent** with and implement comprehensive plans, RCW **36.70A.040(4)(d)**

Western Washington Growth Management Hearings Board

State of Washington

KATHLEEN HEIKKILA AND GLEN COOK, PETITIONER

v.

CITY OF WINLOCK, RESPONDENT

Case No. 09-2-00013c

October 8, 2009

FINAL DECISION AND ORDER

RCW **36.70A.040(4)(d)**: ... each city ... shall adopt a comprehensive plan under this chapter and development regulations that are **consistent** with and implement the comprehensive plan

WAC 365-195-210: "**Consistency**" means that no feature of a plan or regulation is incompatible with any feature of a plan or regulation. **Consistency** is indicative of capacity for orderly integration or operation with other elements in a system.

Central Puget Sound Growth Management Hearings Board

State of Washington

VASHON-MAURY, ET AL., PETITIONERS

AND

UNION HILL WATER ASSOCIATION, INTERVENOR

v.

KING COUNTY, RESPONDENT

AND

QUADRANT CORPORATION, ET AL., INTERVENORS

Case No. 95-3-0008c

November 8, 2000

[Bear Creek Portion]

CORRECTED ORDER FINDING PARTIAL NONCOMPLIANCE AND PARTIAL INVALIDITY

The Board may determine challenged amendments invalid if the Board concludes that their continued validity would substantially interfere with the fulfillment of the goals of the Act. RCW 36.70A.330(4). The Board has concluded above that a portion of the text of the County's zoning map legend in Attachment B to Ordinance 13962, does not comply with the Act since it reflects urban densities in a rural area and these densities are inconsistent with the rural densities set forth for these same areas in the County's plan designations in Attachment A to Ordinance 13962. The Board directed the County to remove the UGA (urban densities) to comply with RCW 36.70A.110(1) and RCW **36.70A.040(4)(d)** mandates that development regulations, such as zoning, must be "**consistent** with and implement the comprehensive plan." The urban density of five units per acre in Exhibit B is 25 times more dense than the rural density of unit per five acres shown as the plan density in Exhibit A. This error or discrepancy, even if due to inadvertence on the County's part, nevertheless means that a portion of Ordinance 13962 is not in compliance with RCW 36.70A.110 and .040(4)(d). The legend on Attachment B to Ordinance 13962 **does not comply** with RCW 36.70A.110 and .040(4)(d). So long as the official zoning map of the County shows the "5 dwelling unit per acre" density for the rural areas shown on Exhibit B, the potential for vesting of inappropriate project densities exists. To allow such vesting to occur, contrary to the County's adopted land use policy of one dwelling unit per 5 acres, would also substantially interfere with the fulfillment of the GMA's goals set forth at RCW

36.70A.020(1) and (2).[17] Therefore, the Board determines that the portion of the text in Exhibit B of Ordinance 13962, (the legend) that reads ""RA-5-P-SO = Rural Area, 5 Dwelling Units Per Acre" is **invalid**.

Central Puget Sound Growth Management Hearings Board

State of Washington

KELLY AND SALLY SAMSON AND ROBERT AND JO ANNE HACKER, PETITIONERS

AND

BAINBRIDGE CITIZENS UNITED, INTERVENOR

v.

CITY OF BAINBRIDGE ISLAND AND STATE OF WASHINGTON DEPARTMENT OF ECOLOGY, RESPONDENTS

Case No. 04-3-0013

(Samson)

January 19, 2005

FINAL DECISION AND ORDER

This matter involves the City's enactment and Ecology's approval of Ordinance 2003-30 amending the City's **Shoreline Master Program** to include a provision limiting development of docks in Blakely Harbor.

Does the Ordinance violate the Growth Management Act (the "GMA"), specifically RCW 36.70A.040 and RCW 36.70C.070 because it is not **consistent with** and fails to implement the City's Land Use **Comprehensive Plan** goals and policies, including its **Shoreline Master Program** policies which are a part of the Plan per RCW 36.70A.480(1)?

On this record, the Board finds that different and more restrictive dock regulations for Blakely Harbor are **consistent with** the **Comprehensive Plan** and Bainbridge SMP policies[34] and compliant **with** the **consistency** requirements of RCW 36.70A.070 and .040.

CITY OF BURIEN
AGENDA BILL

Agenda Subject: Interlocal Agreement with King County Flood Control Zone District		**Meeting Date:** January 7, 2013
Department: Public Works **Contact:** Maiya Andrews **Telephone:** (206) 248-5521	**Attachments:** Interlocal Cooperation Agreement Between the King County Flood Control Zone District and the City of Burien for Opportunity Fund Projects	**Fund Source:** N/A **Activity Cost:** N/A **Amount Budgeted:** N/A **Unencumbered Budget Authority:** N/A

PURPOSE/REQUIRED ACTION: Authorize the City Manager to sign the attached Interlocal Agreement with the King County Flood Control Zone District (the District) for the administration of Opportunity Funds.

BACKGROUND *(Include prior Council action & discussion)*: The District was formed in 2007 with the responsibility for planning and funding maintenance and repairs of the flood control system. Ten percent (10%) of their annual levy proceeds are placed in the Opportunity Fund. These funds are distributed to each jurisdiction proportional to assessed valuation for an eligible project or activity. Eligible projects include flood control and stormwater improvements as well as watershed management activities such as habitat conservation, if such projects are linked to flood or stormwater activities.

Each year, each jurisdiction decides whether to bank its funds or apply for use of the funds for an eligible project. Projects are reviewed by the District to determine that they are eligible. The City of Burien's allocation has been around $50-$55,000 each year.

The attached Interlocal Agreement (ILA) is the mechanism used between the District and the cities to administer the Opportunity Fund allocations each year. Most cities signed this agreement in 2008; however, the District indicated that they could not find one with Burien in their files. They indicated this was an oversight on their part, and requested that we sign the attached ILA.

OPTIONS *(Including fiscal impacts)*:

1. Ask the City Manager to place the ILA on the consent agenda at the next regular meeting.
2. Ask the City Manager to request changes to the ILA.

Administrative Recommendation: This item is on the agenda for discussion. Staff would like to place the ILA on the consent agenda for the next regular meeting.

Suggested Motion: N/A

Submitted by:
Administration _____ **City Manager** _____

Today's Date: December 28, 2012	**File Code:** *R:\CC\Agenda Bill 2013\010713pw-1 ILA KC Flood Control Zone District.docx*

INTERLOCAL COOPERATION AGREEMENT BETWEEN THE KING COUNTY FLOOD CONTROL ZONE DISTRICT AND THE CITY OF BURIEN FOR OPPORTUNITY FUND PROJECTS

THIS INTERLOCAL COOPERATION AGREEMENT is entered into between the CITY OF BURIEN, a municipal corporation of the State of Washington ("City"), and the KING COUNTY FLOOD CONTROL ZONE DISTRICT, a quasi municipal corporation of the State of Washington ("District") ("Parties" or when singular "Party"), and shall be effective upon execution by the Municipality and the District.

Article I. Recitals.

In April 2007, the King County Council, as authorized by chapter 86.15 RCW, created the District as a quasi-municipal corporation. The King County Council members ex officio constitute the Board of Supervisors of the District, the governing body of the District.

In Resolution FCZD 2008-15.2, the Board of Supervisors approved the District's 2009 budget and annual work program, and allocated 10 percent of the District's annual property tax revenues for a sub-regional opportunity fund to be used by King County municipalities . The Board of Supervisors further determined that eligibility of projects for opportunity funds be based on consistency with chapter 86.15 RCW; provided that expenditures under RCW 86.15.035 and RCW 39.34.190 for salmonid habitat protection be linked to the construction of a flood or stormwater project. The Board of Supervisors also allocated the opportunity funds to a municipality based on that municipality's proportional contribution to the overall King County assessed valuation, as collected.

In Resolution FCZD 2009-01.1, the Board of Supervisors included the projects and activities described in Attachment A to this Agreement in an amendment to the District's annual budget and work program for the year 2009.

The Board of Supervisors desires to have the City implement its approved opportunity fund projects and activities for the years 2008 and 2009, as well as the projects and activities that are approved for the City in subsequent District annual budgets and work programs. The City desires to implement such projects and activities, and to receive opportunity funds to finance in whole or in part such projects and activities.

The City and the District are authorized to enter into this Agreement pursuant to Chapter 39.34 RCW (the Interlocal Cooperation Act), and agree as follows:

Article II. Definitions.

2.1 Eligibility Criteria. The term "Eligibility Criteria" means one of the two following criteria that Projects shall meet to qualify for Opportunity Funds:

2.1.1. Under RCW 86.15.110, Opportunity Funds may be expended for either flood control improvements or stormwater control improvements that are extended, enlarged, acquired or constructed, provided that the City has developed a comprehensive plan of development for flood control or for stormwater control, respectively, and the improvement contributes to the objectives of the plan. For flood control improvements, such plan shall be submitted to and approved by the Department of Ecology. In addition, for newly constructed improvements, the City shall develop preliminary engineering studies and plans, and such plans and studies shall be filed with the District's engineer. For all projects, the City shall provide cost estimates and underlying data and shall describe the benefit provided by the improvement.

2.1.2. Pursuant to the criteria in RCW 86.15.035 and RCW 39.34.190, as modified by Resolution FCZD 2008-15.2, District funds may be expended for cooperative watershed management actions, including watershed management partnerships and other intergovernmental agreements, for the purposes of water supply, water quality, and water resource and habitat protection and management, provided that Opportunity Funds expended for salmon habitat protection shall be linked to the construction of a flood or stormwater project, and provided further that all such funds shall be used for the implementation of watershed management plans, including but not limited to the following:

a. Watershed plans developed under chapter 90.82 RCW;
b. Salmon recovery plans developed under chapter 77.85 RCW;
c. Watershed management elements of comprehensive land use plans developed under the growth management act, chapter 36.70A RCW;
d. Watershed management elements of shoreline master programs developed under the shoreline management act, chapter 90.58 RCW;
e. Nonpoint pollution action plans developed under the Puget Sound water quality management planning authorities of chapter 90.71 RCW and chapter 400-12 WAC;
f. Other comprehensive management plans addressing watershed health at a WRIA level or sub-WRIA basin drainage level;
g. Coordinated water system plans under chapter 70.116 RCW and similar regional plans for water supply; and
h. Any combination of the foregoing plans in an integrated watershed management plan.

The authority to use funds for implementation of these plans is broadly construed to include:

1. Coordination and oversight of watershed management plan implementation, including funding a watershed management partnership for this purpose;
2. Technical support, monitoring, and data collection and analysis;
3. Design, development, construction, and operation of projects included in the plan; and
4. Conducting activities and programs included as elements in the plan.

2.2 Project. The term "Project" or "Projects" means specific projects or activities that meet the Eligibility Criteria of this Agreement, are approved by the Board of Supervisors in a resolution approving the annual budget and work program, or amendment thereto, and are described in an attachment to this Agreement that is approved pursuant to this Agreement.

2.3 Opportunity Funds. The term "Opportunity Funds" means the funds made available by the Board of Supervisors to the municipalities within King County for implementation of Projects. For each of the years 2008 and 2009, these funds represent 10 percent of property tax revenues collected for each of those years, and are available to individual municipalities based on the proportional amount that municipality's assessed valuation as collected (as determined by the King County Assessor's office) bears to the entire amount of assessed valuation in all of King County (as determined by the King County Assessor's office). For the years after 2009, this term means District funds that are designated as "Opportunity Funds" by the Board of Supervisors in either a resolution approving the District's annual budget and work program or a separate resolution.

2.4 Service Provider. The term "Service Provider" means the Water and Land Resources Division of the King County Department of Natural Resources and Parks.

Article III. Duration of Agreement--Survival of Agreement.

This Agreement shall be effective upon execution by both Parties, and shall remain in effect until terminated by one or both of the Parties. Either Party may terminate this Agreement by providing written notice of termination to the other Party no less than sixty (60) days prior to the effective date of termination. This Agreement also may be terminated

upon mutual agreement of the Parties expressed in writing. Sections 4.2, 5.2, 5.3, 5.4, 5.5, 6.3, 6.4 and 6.5 and Article VII shall survive any termination of this Agreement.

Article IV. Conditions of Agreement.

4.1 Project Descriptions. The initial approved Projects are described in Attachment A, which is incorporated by reference. Subsequent approved Projects shall be described in new Attachments to this Agreement that are approved through the amendment process of Section 7.2.2, which Attachments shall be incorporated by reference into this Agreement.

4.2 Use of Funds. The City shall use Opportunity Funds distributed pursuant to this Agreement only for expenses related to the Projects.

Article V. Responsibilities of City.

5.1 Project Application and Description. The City may submit an application for distribution of Opportunity Funds within a period of time designated by the Service Provider and on a form approved by the Service Provider. As part of the application to receive Opportunity Funds, the City shall submit to the Service Provider the following information for each proposed Project:

5.1.1. Name of proposed project or activity;

5.1.2. Description of the flooding, stormwater, or watershed management problem to be addressed (one to two paragraphs);

5.1.3. Description of how the proposed project or activity will address the problem (one to two paragraphs);

5.1.4. Type of project or activity (e.g., feasibility study, design, construction, acquisition, programmatic activities, etc.);

5.1.5. Description of how the project or activity satisfies the "Eligibility Criteria," as defined in this Agreement;

5.1.6. Identification of the plan (flood control, stormwater control, or watershed management) that includes the Project;

5.1.7. Product/deliverable and, for constructed Projects, design plans or studies; and

5.1.8. Schedule, milestones, costs and budget for each Project, consistent with the requirements of this Agreement.

The schedule for a Project shall provide for the expenditure of Opportunity Funds within two years after the commencement date of the Project. The City shall submit a request for distribution of Opportunity Funds after an actual expenditure is incurred for the Project, provided that the City may request distribution of up to 10 percent of Opportunity Funds for a Project upon approval of a Project by the Board of Supervisors. After approval of the Project by the Board of Supervisors, the application form, as approved by the Board of Supervisors, shall become an attachment to this Agreement through the amendment process in Section 7.2.2.

5.2 City Obligations for Projects. The City shall implement the Project as described and provided for in the approved attachment to this Agreement. Upon receipt, the City shall deposit Opportunity Funds in a separate account, which shall accrue interest at the rate earned by the City on its investments. To request a distribution of Opportunity Funds, the City shall submit to the Service Provider such information and proof of expenditure as requested by the Service Provider.

5.3. Projects Seeking Opportunity Funds Beyond Current Appropriation Year. The City may request distribution of Opportunity Funds beyond the appropriation year for the District's budget and annual work program, provided that District approval of such distribution of Opportunity Funds shall not be construed as nor constitute a District obligation or commitment to appropriate Opportunity Funds for the Project beyond the approved appropriation year. The District shall have no obligation to provide Opportunity Funds beyond the appropriation year for the District's budget and annual work program, provided that the District shall distribute to the City after such appropriation year any Opportunity Funds that were allocated to the City in such appropriation year and in previous years and that have not been distributed to the City.

5.4 Reporting.

5.4.1. Until the Project is completed or all Opportunity Funds for a Project have been spent, the City shall provide semi-annually to the Service Provider brief written reports describing the progress on and status of the Project and any other relevant information that the Service Provider may request to determine compliance with this Agreement.

5.4.2. Upon completion of a Project, or upon expenditure of all of the Opportunity Funds for the Project, whichever occurs first, the City shall submit a final report to the Service Provider within 90 days of such completion or expenditure. The final report shall contain a summary of all Project expenditures, copies of invoices if requested by the Service Provider, a description of the Project status and accomplishments, and other relevant information requested by the Service Provider to verify compliance with this Agreement. The final report also shall contain a certification that all Opportunity Funds

provided to the City were expended solely on the Project in accordance with this Agreement and the Project approval. If a Project is not completed prior to termination of this Agreement, a report as described in this Section shall be provided to the Service Provider within 90 days of such termination. All records relating to a Project shall be retained by the City for a minimum of seven years, unless required by law to be retained for a longer period, in which case the longer period shall apply.

5.5 City obligations upon Project completion or termination. As consideration for receipt Opportunity Funds to implement the Project, the City agrees that:

5.5.1. If the Project involves developing a report or study, undertaking a study or collecting data, or producing written or electronic materials of any kind, copies of all such materials shall be provided upon request to the District or the Service Provider; and

5.5.2. If the Project involves the acquisition, extension, enlargement, or construction of a physical improvement, the City shall take ownership of, and shall be obligated to operate, maintain, and repair such improvement for the ordinary expected useful life of such improvement.

5.5.3 If the City terminates a Project, and the City has not expended all of the Opportunity Funds paid in advance pursuant to Section 6.3, the City shall return to the Service Provider the remaining Opportunity Funds within 60 days of the close of the calendar year in which the Project was terminated. Such returned Opportunity Funds shall be credited to the City's Opportunity Fund account, and may be used on future approved Projects, provided that if the Board of Supervisors has terminated the Opportunity Fund program at that time, the returned Opportunity Funds may be used by the District for District projects and activities.

Article VI. Responsibilities of District.

6.1 Upon timely submission of a Project application by the City, the Service Provider will review the application, provide reasonable and appropriate feedback, and consider including the Project as an element of the District's annual budget and work program.

6.2 If the Board of Supervisors approves the Project application by including the Project in the District's annual budget and work program, or an amendment thereto, the Service Provider shall attach a copy of the Project application as approved to this Agreement and it shall become a part hereof.

6.3 The District, through the Service Provider, shall distribute Opportunity Funds, up to the remaining amount of the City's total Opportunity Fund allocation, after City expenditure of funds for a Project as set forth in the approved schedule for the Project, provided that upon request of the City, the District shall pay up to 10 percent of the total Opportunity Funds allocated for a Project upon approval of an attachment to this Agreement. The Service Provider shall pay the Opportunity Funds after confirming that the expenditures have been made consistent with the Project approval and schedule.

6.4 The District assumes no obligation for future support of Projects meeting the Eligibility Criteria except as expressly set forth in this Agreement.

6.5 The District shall have no obligation to provide Opportunity Funds beyond the appropriation year for the District's budget and annual work program, provided that the District shall distribute to the City after such appropriation year any Opportunity Funds that were allocated to the City in such appropriation year and in previous years and that have not been distributed to the City.

Article VII. Other Provisions.

7.1 Hold Harmless and Indemnification.

7.1.1. The District assumes no responsibility for the direct payment of any compensation, fees, wages, benefits or taxes to or on behalf of the City, its employees, contractors or others by reason of this Agreement. The City shall protect, indemnify and save harmless the District, its officers, agents, employees and the Service Provider from any and all claims, cost and whatsoever occurring or resulting from (1) the City's failure to pay any compensation, fees, wages, benefits or taxes, and (2) the supplying to the City of works services, materials or supplies by City employees or agents or other contractors or suppliers in connection with or in support of performance of this Agreement.

7.1.2. The City further agrees that it is financially responsible for and will repay the District all indicated amounts following an audit exception, which occurs due to the negligent or intentional acts by the City, its officers, employees, agents or representatives.

7.1.3. The City shall protect, indemnify and save harmless the District from any and all costs, claims, judgments, or awards of damages, arising out of or in any way resulting from the negligent acts or omissions of the City, its officers, employees or agents in connection with the implementation of the terms of this Agreement and/or implementation of the Projects. For purpose of this Agreement only, the City agrees to waive the immunity granted it for industrial insurance claims pursuant to Washington Statute Chapter 51 to the extent necessary to extend its obligations under this paragraph to any claim, demand, or cause of action brought by or on behalf of any employee, including judgments, awards and costs arising therefrom including attorney's fees.

7.2 Amendment.

7.2.1. This Agreement may be modified by written instrument approved by the City Council and the District Board of Supervisors and signed by the Parties.

7.2.2. This Agreement also may be modified by additional attachment for Projects subsequently approved by the Board of Supervisors. After approval of a Project in the District's annual budget and work program, or amendment thereto, the Project application as approved shall become an attachment to this Agreement and shall constitute an amendment to this Agreement without further action by either Party.

7.3 Contract Waiver. No waiver by either Party of any term or condition of this Agreement shall be deemed or construed to be a waiver of any other term or condition, nor shall a waiver of any breach be deemed to constitute a waiver of any subsequent breach whether of the same or different provision of this Agreement. No waiver shall be effective unless made in writing.

7.4 No Third Party Rights. Nothing in this Agreement shall be construed to create any rights in or duties to any third party, nor any liability to or standard of care with reference to any third party.

7.5. Entirety. This Agreement is the complete expression of the terms hereto and any oral representations or understandings not incorporated are excluded. This Agreement merges and supersedes all prior negotiations, representations and agreements between the parties relating to the projects and constitutes the entire agreement between the parties. The parties recognize that time is of the essence in the performance of the provisions of this Agreement.

IN WITNESS WHEREOF, authorized representatives of the parties hereto have signed their names in the spaces put forth below:

_____

By_____
Mayor (or City Manager or Executive)
Date:_____

Approved as to form:

_____
Municipal Attorney

KING COUNTY FLOOD CONTROL
ZONE DISTRICT

_____
Executive Director
Date:_____

Acting under the authority of
Resolution _____

ATTACHMENT A

KING COUNTY FLOOD CONTROL DISTRICT

King County Water Land Resource Division
River and Floodplain Management

King County

Sub-Regional Opportunity Fund Project Application

Application Due Date: December 8, 2008

Jurisdiction: City of Burien

1) Do you wish to forego the receipt of your Opportunity Fund allocation this year, allowing it to accrue for a future year? ☒ Yes ☐ No

2) Would you prefer to apply your Opportunity Funds toward an existing project on the District's 6-year CIP? ☐ Yes ☒ No If Yes, please provide the name of the project:

If you said Yes to either (1) or (2) above, you do not need to complete the remainder of this form.

3) Proposed project or activity name and location:

4) Description of the flooding, stormwater, or linked watershed management problem that this project or activity will address (1500 character maximum):

5) Description of how the proposed activity will address the problem outlined in number 2 (1500 character maximum):

6) Type of Activity:	☐ Feasibility Study	☐ Project Design	☐ Project Construction	☐ Property Acquisition
	☐ Programmatic – identify:			
	☐ Other – identify:			

7) Describe how the proposed project or activity satisfies the eligibility criteria for at least one of the three categories listed in Section III of the attached document (1500 character maximum):

8) Identify the management plan (i.e. flood control, stormwater control, or watershed management) within which implementation of the project or activity is an element or is recommended:

9) Identify deliverables and any relevant design plans or studies (for construction projects):

10) Identify a timeline for this project from inception to completion. List any relevant milestones, and provide a rough estimate of project costs and budget:

For Informational Purposes Only: We wish to inform the Flood Control District Board of Supervisors on how Opportunity Funds leverage other resources, and we appreciate any information you are willing to provide in this regard. If you plan to partner with other jurisdictions to conduct a project or otherwise intend to use your Opportunity Fund allocation to leverage grant funds or other surface water management funds, please provide us with this information (1200 character limit):

For Internal Use Only

	Authorized Signature
☐ Project Eligible and Accepted	
☐ Project Ineligible	

King County Flood Control District

2013 Proposed Subregional Opportunity Fund Allocations

October 8, 2012

Jurisdiction	2013 Opportunity Fund Allocation	Project Name	Project Description
Algona	$4,170	N/A	Defer funds for a future year.
Auburn	$81,107	Sandbag Removal	Directing opportunity funding to King County to offset the costs of sandbag removal along the Green River.
Beaux Arts	$1,225	N/A	Defer funds for a future year.
Bellevue	$403,823	Valley Creek / NE 21st Flood Control	Design contract for enlarging the culvert at NE 21st Street and Valley Creek to alleviate structural flooding of nearby businesses and roads.
Black Diamond	$7,151	N/A	Defer funds for a future year.
Bothell	$30,547	Blyth Park: Hill Slope Stream Restoration to Control Erosion, Phase I	Reduce stream erosion upstream of sediment catchment pond by installing a series of log structures and side slope stabilization measures. Efforts will focus on how best to reduce and prevent stream erosion along steep unstable slopes. The placement of log structures will be tailored to create sediment storage opportunities, arrest further stream erosion, and create stream flow energy dissipaters. The objective is to allow the stream channel and the side slopes to stabilize over time. The side slopes could also receive treatment possibly through native riparian plantings that promote soil stability
Burien	$55,303	Vactor Truck for stormwater facility maintenance	The City will utilize the vactor truck for stormwater management to prevent flood hazards by removing sediment in catch basins or cleaning up clogged storm drain pipes. The vactor truck will also be used to respond to local flooding to remove blockages or vacuum the flooded water from the street. A vactor truck will be operated by City staff.
Carnation	$2,286	Catchbasin Sludge Holding Tank	Purchase a holding or storage tank to hold the sludge that is cleaned out of catchbasins. When the City cleans out its catchbasins they have to store the sludge until a hazardous waste hauler comes out to dispose of it. A concrete or plastic storage tank large enough to store the sludge would allow proper maintenance of City stormwater catchbasins.

Jurisdiction	2013 Opportunity Fund Allocation	Project Name	Project Description
Clyde Hill	$17,103	Miscelaneous Stormwater retrofits	Miscellaneous storm water retrofit projects throughout the city that will renew and repair pipes.
Covington	$20,782	N/A	Defer funds for a future year.
Des Moines	$32,328	N/A	Defer funds for a future year.
Duvall	$10,129	N/A	Defer funds for a future year.
Enumclaw	$13,231	N/A	Defer funds for a future year.
Federal Way	$99,824	S. 35Sth Regional Stormwater Facility Expansion/Retrofit	This project will expand the flow control and water quality capabilities of the existing S, 356lh Street Regional Stormwater Facility located at the headwaters of the North Fork of the West Hylebos Creek.
Hunts Point	$9,244	N/A	Defer funds for a future year.
Issaquah	$75,065	N/A	Defer funds for a future year.
Kenmore	$34,811	Tributary 0057 – Channel Relocation Project	This project addresses a continual flooding problem at the 7200 block of NE 170TH ST in Kenmore, WA. The project replaces an in-stream sediment box and accompanying 36" pipe system with a new 230 foot, 12 foot wide, 7 foot tall box culvert.
Kent	$153,501	Sandbag Removal	Directing opportunity funding to King County to offset the costs of sandbag removal along the Green River.
King County	$423,063	Allen Lake Outlet Improvements, Seola Pond Retrofit	Allen Lake: NE 8th Street between 245th Place NE and 250th Lane NE was officially closed by King County Roads due to 18 inches of water over in 2012. Improvements to the Allen Lake outlet channel are proposed from NE 8th Street to approximately 2,100 feet downstream to Parcel 2625069010. Seola Pond Retrofit: This project will retrofit the existing Seola Regional Detention Pond (DR0562. The retrofit includes adding more live and dead storage, changing the pond geometry to limit "short circuiting", transforming an open channel upstream into a bioswale, modifying the outlet pipe system, and stabilizing the downstream channel as necessary. Emergency/Opportunity Program: The funds will be used to fund sub-projects to implement stormwater control improvements that address flooding problems or use as seed funding to secure other grants.

Jurisdiction	2013 Opportunity Fund Allocation	Project Name	Project Description
Kirkland	$192,023	Totem Lake Flood Reduction	Replacement of pipe and dredging of channel to improve conveyance and thus reduce flooding of the intersection of 120th Ave NE/NE Totem Lake Boulevard and surrounding area.
Lake Forest Park	$24,981	Town Center Park, Hillside Creek Restoration	Town Center Park: Develop the passive park as a flood-able park. This will both enhance the floodplain with native plantings and native canopy enhancements and provide access to Lyon Creek during periods of normal flow conditions. Specifically, the funding will allow the City to install pedestrian trails, riparian plantings, and stream restorations to stabilize the streambank and create a health stream reach. Hillside Creek: The project area is a reach of the stream that flows around Brookside Elementary. One downstream culvert is inadequately sized for the stream flows resulting in flooding of the school yard and upstream area. In addition, during storms and at other unpredictable times the stream will divert itself into the pipe under the school resulting in reduced flows in the stream channel. The City proposes to design a project that includes a culvert replacement, stream channel restoration and removal of the bypass pipe inlet.
Maple Valley	$30,521	N/A	Defer funds for a future year.
Medina	$30,554	Medina Heights Storm Drainage Replacement	Replace deteriorated storm drainage pipes
Mercer Island	$108,608	Calkins Landing Shoreline Restoration	The Calkins Landing Shoreline Restoration project will reduce sediment outwash and improve nearshore habitat adjacent to a street end park by upgrading a historically problematic stormwater outfall, removing a concrete bulkhead, redefining a beach access point and revegetating the shoreline area with native species.
Milton	$1,075	N/A	Defer funds for a future year.

Jurisdiction	2013 Opportunity Fund Allocation	Project Name	Project Description
Newcastle	$23,881	Lake Boren Drainage Mitigation- Part II	The project is to develop an engineered solution to control the water level during the winter on Lake Boren. This small 15 acre Lake experience seasonal flooding and has been an issue for several decades. We have begun addressing this problem by generating a topographical and tree survey that profiled the outlet of the Lake and part of Boren Creek. It identified topography that prevents the outlet channel from draining. In addition to the survey we have a qualitative report that provides historical context of the lake function and the different flooding issues lake residences experience, along with proposed solutions to the problem. Therefore now, we want to initiate a design that involves modifying the outlet channel by lowering the high point elevation to match our ideal lake level. This involves coordinating with Army Corps of Engineers and Dept. of Fish and Wildlife for the required in-stream permits, which we have already initiated.
Normandy Park	$15,220	N/A	Defer funds for a future year.
North Bend	$10,631	Ribary Creek Restoration	Clean out and restore flow capacity in Ribary Creek
Pacific	$4,862	N/A	Defer funds for a future year.
Redmond	$146,582	Evans Creek Relocation	Construct 4,500 feet of new stream channel in open space, relocating the channel out of an industrial area. Restore in-stream habitat features and buffer vegetation.
Renton	$135,168	Cedar River Gravel Removal Project, Monitoring & Maintenance	Lower Cedar River sediment removal project, maintenance and programmatic studies and activities including channel monitoring, levee/floodwall re-certification and FEMA accreditation work, maintenance and it's mitigation (or potential mitigation projects).
Sammamish	$112,198	N/A	Defer funds for a future year.

Jurisdiction	2013 Opportunity Fund Allocation	Project Name	Project Description
SeaTac	$32,444	Purchase of a Vactor Truck for the Stormwater Maintenance Program	Purchase of a vactor truck to be used by the stormwater maintenance program for the following stormwater and flood control purposes: 1)The vactor truck would be used during and after major storm events to remove blockages (i.e. sediments and debris) from stormwater structures (catch basins, manholes, flow control & treatment facilities) which are causing localized flooding. 2) The equipment would also be used on a regular basis to maintain stormwater facilities to ensure their function and minimize the potential for clogging and the resulting instances of flooding.
Seattle	$1,510,350	14th & Concord CSS Improvements	The Combined Sewer System (CSS) is under capacity to manage stormwater runoff in the South Park Neighborhood near 14th Ave S and S Concord St, resulting in repeated flooding of street right-of-way and private properties. Excess stormwater also causes repeat sewer backups. This project will design and construct drainage and wastewater system conveyance and add storage improvements to reduce surface flooding and stormwater-related sewer backups.
Shoreline	$85,619	Culvert and Channel Improvements at NE 148'h Street and 12'h Ave NE	Improve channel and/or culvert capacity of Littles Creek to reduce flooding risk and restore stream habitat.
Skykomish	$301	N/A	Defer funds for a future year.
Snoqualmie	$21,689	N/A	Defer funds for a future year.
Tukwila	$51,633	Fort Dent Outfall Pipe Repair and Flood Gate Retrofit	Line 42' of existing 15" storm pipe and install a new 60" catch Basin with floodgate.
Woodinville	$30,857	Chateau Reach Culvert Crossing and Erosion Control Project	Installation of culverts and a sediment capture basin within City right-of-way to prevent flooding across SR 202 and improve drainage into the Sammamish River

CITY OF BURIEN
AGENDA BILL

Agenda Subject: Review of Revisions to the City Council Policies and Procedures		**Meeting Date:** January 7, 2013
Department: City Manager	**Attachments:** 1. City Council Policies and Procedures 2. Matrix of Council Requests 3. Exhibits to the City Council Policies and Procedures	**Fund Source:** N/A **Activity Cost:** N/A **Amount Budgeted:** N/A **Unencumbered Budget Authority:** N/A
Contact: Nhan Nguyen, Management Analyst		
Telephone: (206) 439-3165		
Adopted Work Plan Priority: Yes No X	**Initiative Description:**	

PURPOSE/REQUIRED ACTION: The purpose of this agenda item is for Council to review the matrix and perhaps modify that documented the revision requests to the City Council Policies and Procedures. No action is anticipated at this meeting.

BACKGROUND (*Include prior Council action & discussion*):

At the November 26 Council meeting, staff presented draft of revisions to City Council Policies and Procedures. Council asked staff to create and document in the matrix the revisions that each Councilmember wanted to make. Afterwards, Deputy Mayor Clark and Councilmember Edgar added more requests. The attached matrix compiles all revision requests to the Policies and Procedures made to staff since the November 26 Council meeting. Staff is prepared to take Council's direction regarding items on the matrix. Council may also wish to continue adding additional items.

OPTIONS *(Including fiscal impacts)*:

1. Approve the revisions to the City Council Policies and Procedures in the matrix and direct staff to put the revised Policies and Procedures on the Consent Agenda at the next Council meeting.
2. Add additional revision requests to the matrix and direct staff to bring it back at the next Council meeting for review.

Administrative Recommendation: Hold discussion and consider placing approval of the City Council Policies and Procedures on the January 28 Consent Agenda.

Suggested Motion: N/A

Submitted by: Nhan Nguyen
Administration _____ **City Manager** _____

Today's Date: December 21, 2012	**File Code**: R:\CC\Agenda Bill 2013\010713cm-2 Revisions to City Council Guidelines.docx

CITY OF BURIEN, WASHINGTON

CITY COUNCIL ~~POLICIES AND PROCEDURES~~
MEETING GUIDELINES

~~2005~~2012

~~Adopted by the Burien City Council~~
~~July 25, 1994~~
~~Revised February 13, 1995~~
~~Revised November 20, 1995 by Resolution 072~~
~~Revised December 18, 1995 by Resolution 071~~
~~Revised January 26, 1998 by Resolution 095, 097, & 100~~
~~Revised June 1, 1998 by Motion~~
~~Revised September 21, 1998 by Resolution No. 103~~
~~Revised April 27, 1999 by Ordinance No. 228 and Ordinance 229~~
~~Revised June 7, 1999 by Ordinance No. 258~~
~~Revised October 4, 1999 by Motion~~
~~Revised February 26, 2001 by Motion~~
~~Revised February 4, 2002 by Motion~~
~~Revised February 3, 2003 by Motion~~
~~Revised November 1, 2004 by Motion~~
~~Revised June 6, 2005 by Motion and Resolution No. 215~~
~~**********~~
~~Prepared by~~
~~Community Relations & Human Resources~~

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SECTION 1. AUTHORITY

1.1 The Burien City Council hereby establishes the following Council Meeting Guidelines ~~procedures for the conduct of Council meetings, proceedings and business.~~ ~~These~~ These ~~procedures~~ Guidelines shall be in effect upon adoption by the Council and until such time as they are amended or new procedures adopted in the manner provided by these ~~rules~~Guidelines. Council-Manager Plan of Government, RCW A35.13, is attached as Exhibit A.

SECTION 2. COUNCIL MEETINGS

2.1 ~~–~~ Regular Meetings and Study Sessions.

A. ~~Beginning March 5,2001, Beginning April 6, 2009, r~~Regular meetings of the City Council of the City of Burien shall be held at 7:00 p.m. on the first~~,~~ and third Monday of each month at the building designated as Burien City Hall, currently located at~~– 415 SW 150th Street~~400 SW 152nd Street, Burien, Washington, or at another location the City Council may deem appropriate. (Resolution No. 3 and amended by Resolution Nos. 3, 19, 35, 71, 97, 101, and 290)

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B. Regular Meeting is defined as a meeting used to conduct all ordinary and routine business of the city.

C. ~~Beginning November 1, 2004, s~~Study ~~sessions~~ Sessions of the City Council of the City of Burien shall be held at 7:00 p.m. on the ~~second and~~ fourth Monday of each month (except as noted in "~~H~~G" below).

D. Study Session is defined as a meeting used to review and discuss pertinent business of the city and to prepare matters for action at a Regular Meeting.

E. The City Council may take official action at either a Regular Meeting or at a Study Session.~~–~~ Only business items requiring action that are time sensitive shall be scheduled at a Study Session.~~–~~ Both Regular Meetings and Study Sessions will be broadcast live on the City's government cable T.V. channel, TBC21.

~~F. Beginning November 1, 2004, Committee meetings shall be held on an as-needed basis. Items reviewed in Committee will be scheduled for Council action per committee recommendation.~~

~~G.~~F. ~~Beginning January 2004~~, City Council workshops will be held quarterly, at a location designated by the City Council.

~~H.~~G. ~~Beginning November 1, 2004 April 6, 2009, d~~During the months of June, July, and August, Council meetings will be held on the first ~~second~~ and third Mondays of the month.~~–~~ The S~~s~~tudy s~~s~~ession on the fourth Monday will be canceled during these months.

2.2 Should any Council meeting fall upon a date designated as a legal holiday, then that meeting shall be canceled.

2.3 ~~Citizens'~~ Public comment and public hearing sign-up sheets will be available at each Regular Council meeting for the use of ~~citizens~~ the public wishing to address the Council.

2.4 The City Clerk shall prepare minutes for all Council meetings, which shall contain an account of all official actions of the Council. The minutes will constitute the official record of the Council. Council meetings shall be electronically recorded and retained for the period of time as provided by State law.~~will keep an account of all proceedings of the Council in accordance with the statutory requirements, and proceedings will be entered into a minute book constituting the official record of the Council.~~

2.5 Types of Meetings

(1) Regular: used to conduct all ordinary and routine business of the city.

(2) Study Session: used to review and discuss pertinent business and policy issues of the City and to prepare matters for action at a Regular Meeting.

(3) Special: any Council meeting other than ~~the~~ a Regular ~~Council~~ Meeting or Study Session which has been called for the purpose of conducting official action or studying an issue.~~–~~ Notice shall be given at least 24 hours in advance.~~–~~ A Special Council meeting may be scheduled by the Mayor and three additional Councilmembers, or at the request of a majority of the Councilmembers.

(4) ~~Committee Meetings: Meetings of three councilmembers, scheduled on an as-needed basis, for the purpose of discussing routine business items. Committees may make recommendations for action to the Council as a Whole. Generally, these items will be forwarded for approval on the Consent Agenda. Councilmembers who do not serve on a committee with questions or concerns about an agenda item, are responsible to contact staff or a committee member prior to the committee meeting to express their concern or need for additional information.~~

(4) ~~(4)~~ Emergency: a Special Council meeting called without 24-hour notice. An Emergency meeting deals with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of a 24 hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency meetings may be called by the Mayor or a majority of Councilmembers.~~–~~ The minutes will indicate the reason for the emergency.

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(5) Executive Session: a Council meeting that is closed except to the Council, City Manager, and authorized staff members and/or consultants authorized by the Mayor or a majority of Councilmembers. The public is restricted from attendance. Executive Sessions may be held during Regular, Study Session, or Special Council meetings, or as separate meetings, and will be announced by the Mayor. Executive Session subjects are limited to considering matters authorized by state law, ~~as set forth in~~per RCW 42.30.110.

Before convening an Executive Session, the Mayor shall announce the specific purpose of the meeting and the potential for action by the Council when it reconvenes. ~~Should the session require more time, a public announcement shall be made, extending the meeting for a time certain. At the end of that time, if the discussion has not concluded, the meeting shall by public announcement again be extended for a time certain~~The Mayor shall also announce that the Executive Session will be conducted per RCW42.30.110(2).

Executive Sessions will begin and end in accordance with State law. At the conclusion of the Executive Session, if the potential for taking action was previously announced, the public meeting will reconvene.

2.6 ORDER OF REGULAR COUNCIL MEETING AGENDA

Call to Order

The Mayor calls the meeting to order.

Pledge of Allegiance

The Mayor, and at times, invited guests lead the flag salute.

Roll Call

The City Clerk shall call the roll, and the Mayor shall indicate any Councilmember who is not in attendance and whether or not the Councilmember has an excused absence. ~~Councilmembers may make a motion to excuse absent Councilmembers.~~

Agenda Confirmation

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Councilmembers may offer motions to alter the current agenda through deletion, revision or additions to the agenda.

~~**Announcements/Presentations**~~

~~The Mayor makes announcements of upcoming meetings and events, and presents proclamations. A proclamation is defined as an official declaration made by either the City Council or the Mayor.Other special presentations may also be scheduled at this time.~~

~~**Correspondence for tAgenda Confirmation**~~

~~Councilmembers may offer motions to alter the current agenda through deletion, revision or additions to the agenda.~~

~~Citizens'~~ Public Comments

Members of the audience may comment in writing or verbally on items relating to any matter. Verbal comments are limited to three (3) minutes per person and five (5) minutes for groups.

Correspondence for the Record

Correspondence addressed to the Council will normally be included in "Correspondence for the Record" for ~~a future~~ the next regularly scheduled City Council meeting. Correspondence that contains profanity and discloses personal information will be edited out before included in the Record. Correspondence that is sent anonymously will not be included in the Record. ~~Correspondence that is abusive or otherwise inappropriate, or sent anonymously, will not be included in the Record.~~

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Consent Agenda

Consent Agenda items are considered to be routine and are approved by one motion.~~–~~ Items on the Consent Agenda include but are not limited to minutes, vouchers or other matters~~, including ordinances and resolutions,~~ discussed at a previous City Council meeting. ~~or by majority vote from a Council Committee meeting.~~ Three Councilmembers may remove any item(s) from the Consent Agenda for separate discussion and action.~~–~~ When an item is removed, the Consent Agenda is considered for action without that item.~~–~~ After the Consent agenda has been considered, each item which was removed is considered.~~–~~ When discussion on that item is completed, a motion may be made to vote on the item or to refer it to ~~committee or to~~ another meeting.

Business Agenda

Public Hearings and Discussion

Public hearings are held to receive public comment on important issues and/or issues requiring a public hearing by State statute or Burien ordinances. ~~Citizens~~ Public wishing to comment will follow the same procedure as for "~~Citizens'~~ Public Comments" and may speak after being recognized by the Mayor. After all persons have spoken, the hearing is closed to public comment. The Council may

then proceed with deliberation. For legislative public hearing, Council's decision will occur at the next regular meeting. ~~and decision making~~.

Proclamations and Presentations

The Mayor presents proclamations. A proclamation is defined as an official declaration made by either the City Council or the Mayor. The Mayor and Councilmembers may each request the preparation of two proclamations a year to honor individuals or groups. Requests for proclamations from outside organizations and groups will be placed in the City Manager's Report and reviewed by the City Council. Proclamations must be signed or otherwise be pre-approved by a majority of Councilmembers prior to execution by the Mayor. Proclamations may be placed on the Council agenda for official presentation or mailed to the honored individual or organization as appropriate.

Presentations are also scheduled at this time.

Ordinances and Resolutions

Ordinances are legislative acts or local laws.~~–~~ They are the most permanent and binding form of Council action and may be changed or repealed only by a subsequent ordinance.~~–~~ Ordinances normally become effective five days after publication in the City's official newspaper.

Resolutions are adopted to express Council policy or to direct certain types of administrative action. A resolution may be changed by adoption of a subsequent resolution.

Ordinances and resolutions may be passed under any of the agenda sections.

Council **Reports**

~~Council Committee meeting agendas and minutes, and Advisory board minutes may be transmitted for the record.~~ Councilmembers may report on ~~Council committee meetings,~~ other meetings~~,~~ and activities in which they have participated and represented the City. Councilmembers may also provide written reports to the City Manager's report under the heading, "Council Updates and Reports."

~~Staff reports on issues of interest to the Council which do not require immediate Council action shall be made at Study Sessions whenever possible.~~

Executive Session

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An Executive Session may be held before, during or after a Council meeting, as described in Council Policy 2.5 (5).

~~**Future Agenda Items**~~

~~The agenda for the next council meeting is reviewed by councilmembers.~~

~~Councilmembers may raise any issue they desire related to Council business. Requests for new agenda items should be brought to the 4th Monday Study Session for scheduling at a future Council meeting.~~

Adjournment

With no further business to come before the Council, the Mayor shall entertain a motion to adjourn. Councilmembers will vote on the motion to adjourn in the same manner as other motions. ~~(10/24/05)~~

2.6.1 Generally, formal breaks during the meeting will not be called.

2.7 ORDER OF STUDY SESSION AGENDA

Call to Order
Pledge of Allegiance
Roll Call
~~**Correspondence for the Record**~~**Correspondence for the Record**
Discussion Items

These are business items the full Council wishes to discuss and study in preparation for action at a future Council meeting.~~–~~ As noted in Section 2.1 E, action may ~~also~~ be taken at a study session.

Members of the audience may comment on the item being discussed when recognized by the Mayor.

Requests for new agenda items should be brought to the 4th Monday Study Session for scheduling at a future Council meeting.

Adjournment

2.7.1 Generally, formal breaks during the meeting will not be called.

SECTION 3. AGENDA PREPARATION

3.1 The City Clerk, in consultation with the Mayor and City Manager, will prepare an agenda for each Council meeting specifying the time and place of the meeting,

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and set forth a brief general description of each item to be considered by the Council.

3.2 The proposed agenda schedule will be reviewed~~ as the first item of discussion at the 4th Monday Study Session~~ during the last regular Council meeting of each month.~~–~~ The City Manager and City Clerk will maintain a list of all known or requested items for future Council agendas ~~as well as for its Committees~~. Changes in the proposed schedule from the previous week will be highlighted in bold with the reason for the change noted in italics below the item.~~–~~ This will be provided with each ~~week~~ agenda and be the basis of the Council's monthly review discussion.

3.3 The Mayor and/or City Manager may place items on a Council meeting agenda, according to the Proposed Council Agenda Schedule ~~recommendations from Council committees,~~ and requests of Councilmembers.

3.4 An item may be delayed if the Mayor and/or the City Manager know~~s~~ it is of particular importance to an absent Councilmember.

~~**3.5** The City Clerk will identify times for each agenda item on the agenda.~~

3.6 Legally required and advertised public hearings will have a higher priority over other time-scheduled agenda items, which have been scheduled by convenience rather than for statutory or other legal reasons.

3.7 Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.

3.8 Agendas with supporting materials will be provided to the City Council at ~~noon~~ 5 pm the Thursday prior to the meeting. Agenda and materials will be available at City Hall, ~~and~~ on the City's website and at the Burien Library for City staff, media and the public at 4:00~~5:00~~ p~~.m.~~ on the Friday prior to the meeting.

3.9 The Council may use the "Recommended Motion" language on the agenda bill ~~Recommended Motion language~~ for making a motion.

3.10 ~~Proclamations: The Mayor and Councilmembers may request the preparation of proclamations to honor individuals or groups. Requests for proclamations from outside organizations and groups will be placed in the City Manager's Report and reviewed by the City Council. Proclamations must be signed or otherwise be pre-approved by a majority of Councilmembers prior to execution by the Mayor. Proclamations may be placed on the Council agenda for official presentation or mailed to the honored individual or organization as appropriate.~~

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SECTION 4.– COUNCIL DISCUSSION AND DECISION MAKING PROCESS

4.1 New or non-routine topics and issues will be discussed first at a Study Session unless the topic requires more immediate discussion.

4.2 The Council will take action at a following Regular meeting unless Council agrees that action can be taken immediately (except Consent Agenda and emergency items).

4.3 If a majority of the Council arrives at consensus to put an issue up for a vote and a Councilmember is not there when the vote takes place, then that Councilmember should not bring the item back.

4.4 The Mayor will ~~assist in keeping~~facilitate the discussion ~~to the time noted~~in a timely manner and Councilmembers will try to be cognizant of the amount of time the discussion is taking.

4.5 The Mayor will state the public hearing procedures before each public hearing.

4.6 Staff/consultants will provide brief information and respond to questions by Councilmembers or as requested by the City Manager.

4.7 Councilmembers are individually responsible for gathering additional information on issues and for calling staff with questions not covered during the formal Study Session or Regular meeting process.

4.8 ~~All~~ To the extent not otherwise governed by these Guidelines, Council discussion ~~shall~~ will be governed by ROBERT'S RULES OF ORDER, NEWLY REVISED.

SECTION 5.– COMMENTS, CONCERNS & TESTIMONY TO COUNCIL

5.1 Persons addressing the Council, who are not specifically scheduled on the agenda, will be requested to step up to the podium, give their name and address for the record, and limit their remarks to three (3) minutes.– Groups shall limit their remarks to five (5) minutes.

All remarks will be addressed to the Council as a Whole.– Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Council, may be requested to leave the meeting.

5.2 The Mayor has the authority to preserve order at all meetings of the Council, to cause removal of any person from any meeting for disorderly conduct and to enforce the Rules of the Council.– The Mayor may command assistance of any peace officer to enforce all lawful orders of the Mayor to restore order at any meeting.

5.3 ~~Citizens~~ Public with complaints, concerns or questions, will be encouraged to refer the matter to the City Manager, or ask that the matter be placed on a future City Council meeting ~~or Council Committee meeting~~ agenda with the appropriate background information.

SECTION 6.– MOTIONS

6.1 *Prior to discussion*, the Deputy Mayor will make the motion, and the senior member of the Council will make the second. If the Deputy Mayor is absent, the senior Councilmember will make the motion and the second most senior member will make the second.

After the motion is made and seconded, the applicable staff member will give a short presentation on the subject to be discussed.

6.2 If a motion does not receive a second, it dies. Motions that do not need a second include: nominations, withdrawal of motion, agenda order, request for a roll call vote, and point of order.

6.3 A motion that receives a tie vote is deemed to have failed.

6.4 Motions shall be clear and concise and not include arguments for the motion within the motion.

6.5 After a motion has been made and seconded, the Council may discuss their opinions on the issue prior to the vote and may state why they will vote for or against a motion, if they wish to do so.

6.6 When the Council concurs or agrees with an item that does not require a formal motion, the Mayor will summarize the agreement at the conclusion of the discussion.

6.7 A motion may be withdrawn by the maker of the motion, at any time, without the consent of the Council.

6.8 A motion to table is undebatable and shall preclude all amendments or debate of the issue under consideration.– If the motion to table prevails, the matter may be "taken from the table" only by adding it to the agenda of a future Regular or Special meeting at which time discussion will continue; and if an item is tabled, it cannot be reconsidered at the same meeting.

6.9 A motion to postpone to a certain time is debatable, is amendable, and may be reconsidered at the same meeting. The question being postponed must be considered at a later time at the same meeting, or at a time certain at a future Regular or Special City Council meeting.

6.10 A motion to postpone indefinitely is debatable, is not amendable, and may be reconsidered at the same meeting only if the motion to reconsider received an affirmative vote.

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6.11 A motion to call for the question shall close debate on the main motion and is undebatable. This motion must receive a second and fails without a two-thirds (2/3) vote. If seven (7) Councilmembers are present, then five (5) must vote in the affirmative to fill the 2/3 requirement. Debate is reopened if the motion fails.

6.12 A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out, striking out and inserting, or substituting.

6.13 Whenever possible, proposed substantive amendments should be written out with all Councilmembers receiving copies in advance of the meeting.

6.14 Discussion of the motion only occurs after the motion has been moved and seconded.

6.15 When the discussion is concluded, the motion maker, Mayor, City Clerk, or City Attorney shall repeat the motion prior to voting.

6.16 The City Council votes on the motion as restated. If the vote is unanimous, the Mayor shall state that the motion has been passed unanimously according to the number of Councilmembers present, such as "7-0" or "6-0".

6.17. If the vote is not unanimous, and a Councilmember requests it, each Councilmember shall state his/her vote by roll call vote taken by the City Clerk. The City Clerk or City Attorney then restates the outcome of the vote. For example, the outcome may be restated as, "Councilmembers A, B, C, and D vote 'yes'. Councilmembers E, F. and G vote 'no'. The vote is 4-3 to adopt Ordinance X. The motion carries."

6.18 Once the vote has been taken, the topic of discussion is closed. It is not necessary for Councilmembers to justify or explain their vote. If Councilmembers wish to make their positions known, this should be stated during the discussion *preceding* the vote.

6.19 When a question has been decided, any Councilmember who voted in the majority may move for a reconsideration, but no motion for reconsideration of a vote shall be made after the meeting has adjourned.

6.20 When the Council concurs or agrees with an item that does not require a formal motion, the Mayor will summarize the Council's consensus at the conclusion of the discussion.

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6.21~~0~~ The City Attorney shall decide all questions of interpretations of these ~~policies and procedures~~meeting guidelines and other questions of a parliamentary nature which may arise at a Council meeting. All ~~cases~~ questions not provided for in these ~~policies and procedures~~meeting guidelines shall be governed by Robert's Rules of Order, Newly Revised.

In the event of a conflict, these Council ~~policies and procedures~~meeting guidelines shall prevail.

SECTION 7.– ORDINANCES

7.1 All ordinances shall be prepared or reviewed by the City Attorney. No ordinance shall be prepared for presentation to the Council unless requested by a majority of the City Council, ~~or~~ the City Manager, or the City Attorney.

7.2 Ordinances will be introduced by an Agenda Bill. The City Clerk shall assign a permanent ordinance number prior to placing the ordinance on the agenda. The City Attorney shall review the ordinance and sign it prior to placing it before the City Council for ~~their~~ its consideration.

7.3 Upon enactment of the ordinance, the City Clerk shall obtain the signature of the Mayor. After the Mayor's signature, the City Clerk shall sign the ordinance.

7.4 Ordinances or ordinance summaries shall be published in the official newspaper as a legal publication in the first possible publication following enactment.

7.5 An ordinance becomes effective five (5) days after the publication of the ordinance or ordinance summary unless otherwise specified in the ordinance.

SECTION 8. PRESIDING OFFICER OF THE COUNCIL

The Mayor shall:

(1~~.~~) Be the official spokesperson for the City

(2~~.~~) Act as the official head of the City for all ceremonial purposes.

(3~~.~~) Sign documents as appropriate on behalf of the Council.

(4~~.~~) Observe and enforce ~~all policies and procedures~~the Council Meeting Guidelines~~-~~adopted by the Council.

(5~~.~~) Act as presiding officer at all meetings of the Council.

(6~~.~~) Preserve order and decorum in the Council Chambers.

(7~~.~~) Decide all questions on order, in accordance with the ~~policies and procedures~~Guidelines, subject to appeal by any Councilmember.

(8~~.~~) Recognize Councilmembers in the order in which they request the floor. The Presiding Officer, as a Councilmember, shall have only those rights, and~~-~~shall be governed in all matters and issues by the same rules and restrictions as other Councilmembers.

(9~~.~~) Endeavor to ~~keep~~ facilitate the discussion ~~moving~~ in a timely manner ~~and within the time allocated~~.

(10~~.~~) Share information with Councilmembers on meetings, issues, etc. that the Mayor has received, conducted or participated in as part of his/her official status as Mayor.

(11~~.~~) Appoint Councilmembers to serve on ad-hoc committees if necessary.

(12~~.~~) Serve as the Council's delegate to the National League of Cities, Association of Washington Cities, and other events and conferences.

(13~~.~~) In the absence of the Mayor, the Deputy Mayor shall carry out the above responsibilities.

(14~~.~~) In the absence of the Mayor and Deputy Mayor, the member with the most continuous tenure on the Council shall be the presiding officer.

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(15~~.~~) In the event the Mayor and Deputy Mayor are unavailable to serve, the senior member of the Council shall serve as the Mayor to convene and preside over a special meeting of the Council for the purpose of naming an acting mayor and deputy mayor.

(16~~.~~) The acting mayor and deputy mayor shall serve until such time as new members are appointed to fill any vacancies on the Council.

(17~~.~~) When the Council again has seven members, it shall elect a Mayor and Deputy Mayor to fill the previously unexpired terms.

~~SECTION 9. COUNCIL RELATIONS/ANTI HARASSMENT POLICY~~

~~9.1. ANTI HARASSMENT POLICY.~~

~~(1.) It is City policy to foster and maintain a work environment that is free from discrimination and intimidation. Toward this end, the City will not tolerate harassment of any kind that is made by elected officials toward fellow councilmembers or members of the public. Elected officials are expected to show respect for one another and the public at all times, despite individual differences.~~

~~(2.) Harassment is defined as verbal, written or physical conduct that demeans or shows hostility or aversion toward an employee, another elected official or members of the public. Examples of prohibited conduct include slurs or demeaning comments to councilmembers, employees or members of the public relating to race, ethnic background, gender, religion, sexual orientation, age, or disability.~~

~~(3.) Sexual harassment is a form of unlawful discrimination.~~

~~(4.) This policy is intended to assist the City in addressing not only illegal harassment, but also any conduct that is offensive and inappropriate. Councilmembers are strongly urged to report all incidents of harassment, discrimination or other inappropriate behavior.~~

~~9.2 REPORTING DISCRIMINATION OR HARASSMENT~~

~~(1.) If the incident involves a city employee, the incident should be reported as soon as possible to the City Manager.~~

~~(2.) If the incident involves an elected official or official appointed by the City Council such as an advisory board member, the Mayor may ask the City Manager to assist the Council by providing a list of qualified experts to investigate the incident and advise the council on a response to the complaint.~~

~~(3.) All complaints will be investigated promptly. Upon receiving a complaint, the mayor shall initiate an investigation within 24 hours, or by the end of the next business day.~~

~~(4.) All complaints will be kept confidential to the fullest extent possible, and will be disclosed only as necessary to allow an investigation and response to the complaint. No one will be involved in the investigation or response except those with a need to know. Any special concerns about confidentiality will be addressed at the time they are raised.~~

~~(5.) Anyone who is found to have violated this policy is subject to corrective action. Corrective action will depend on the gravity of the offense. The City will take whatever action it deems necessary to prevent an offense from being repeated.~~

~~(6.) The City will not permit retaliation against anyone who makes a complaint or who cooperates in an investigation.~~

~~(7.) Both the person filing the complaint and the alleged offender shall receive a written response that contains the findings of the investigation and any action taken. Unless extra time is needed for a thorough investigation, the response will normally be given within thirty (30) days of when the complaint was received. All parties will be notified of an extended investigation if such an extension is necessary to complete the findings.~~

9.~~3~~ COUNCIL RELATIONS WITH STAFF

(1~~.~~) There will be mutual respect from both City staff and Councilmembers of their respective roles and responsibilities.

(2~~.~~) City staff shall acknowledge the Council as policy makers, and the Councilmembers shall acknowledge City staff as administering the Council's policies.

(3~~.~~) Councilmembers with a particular interest in an item or topic should be given a courtesy call if that item is rescheduled by staff.

(4~~.~~) All written informational material requested by individual Councilmembers shall be submitted by City staff to the City Manager who after his/her review, will submit it to all Councilmembers with a notation indicating which Councilmember requested the information.

(5~~.~~) Councilmembers shall not attempt to influence City staff in the selection of personnel, the awarding of contracts, the selection of consultants, the processing of development applications or the granting of City licenses or permits.

(6~~.~~) The Council shall not attempt to change or interfere with the operating rules and practices of any City department.

(7~~.~~) To ensure timely response and any required administrative actions, mail addressed to the Mayor shall be copied and circulated by the City Clerk to all appropriate persons as soon as practicable after it arrives. Unless specifically requested, other Councilmembers' mail shall not be opened before distribution to those Councilmembers.

~~(8.) The City Clerk shall not open mail addressed to individual Councilmembers~~

(9~~.~~) No Councilmember shall direct the City Manager or staff to initiate any action or prepare any report that is a priority or requires significant resources, or initiate any project or study without the consent of a majority of the Council.

(10~~.~~) Individual requests for information may be made directly to the Department Director unless otherwise determined by the City Manager. If the request would create a change in work assignments or City staffing levels, the request must be made through the City Manager.

SECTION 10. COUNCIL MEETING STAFFING

10.1 The City Manager shall attend all meetings of the Council unless excused. The City Manager may make recommendations to the Council and shall have the right to take part in the discussions of the Council but shall have no vote. When the City Manager has an excused absence, the designated Acting City Manager shall attend the meeting.

10.2 The City Attorney shall attend all meetings of the Council unless excused, and shall, upon request, give an opinion, either written or oral, on legal questions. The City Attorney shall act as the Council's parliamentarian. ~~The Assistant City Attorney or designee shall attend meetings when the City Attorney has been excused.~~

10.3 The City Clerk, or designee, shall attend Regular, Special and Study Session meetings of the Council, keep the official journal (minutes), and perform such other duties as may be needed for the orderly conduct of the meeting.

SECTION 11. COUNCILMEMBER ATTENDANCE AT MEETINGS

(1~~.~~) Councilmembers will inform the Mayor, a Councilmember, the City Manager or City Clerk if they are unable to attend any Council meeting, or if they knowingly will be late to any meeting. The minutes will show the Councilmember as having an excused absence.

(2). The Mayor will announce for the record a Councilmember's excused or unexcused absence at the Regular Meetings and Study Sessions after roll-call is taken~~. (10/24/05)~~

(3~~.~~) Councilmembers who attend meetings of another jurisdiction, regional meetings, or "in-house"meetings should provide a report for the City Manager's Report.

(4~~.~~) Councilmembers will not attend special district meetings as liaison. ~~(as a representative or in an official capacity on behalf of the Council).~~

(5~~.~~) Councilmembers will let the Executive ~~Administrative~~ Assistant to the City Manager know what meetings they are attending so that these can be noted on the meetings calendar.

SECTION 12. PUBLIC HEARINGS

12.1 TYPES

There are two types of public hearings: legislative and quasi-judicial. The mayor will state the public hearing procedures before each public hearing. The public may comment on public hearing items.~~Quasi-judicial hearings require the Council to use a certain process, which may include a record of considered evidence, specific findings and a decision.~~ The Public wishing to comment will follow the same procedure as for "Public Comment" and may speak after being recognized by the Mayor. After all persons have spoken, the hearing is closed to public comment. The Council then proceeds with deliberation and decision making.

12.2 LEGISLATIVE PUBLIC HEARINGS

The purpose of a legislative public hearing is to obtain public input on legislative decisions on matters of policy, including without limitation, review by the City Council of its comprehensive land use plan or the biennial budget.

12.3 QUASI-JUDICIAL PUBLIC HEARINGS

The purpose of a quasi-judicial public hearing is to decide issues including the right of specific parties and include, without limitation, certain land use matters such as site specific rezones, preliminary plats, and variances. The City Council's decision on a quasi-judicial matter must be based upon and supported by the "record" in the matter. The "record" consists of all testimony or comment presented at the hearing and all documents and exhibits that have been submitted. In quasi-judicial hearings, Councilmembers shall comply with all applicable laws including without limitation the appearance of fairness doctrine per RCW42.36.

APPEARANCE OF FAIRNESS. Councilmembers should recognize that the Appearance of Fairness Doctrine does not require establishment of a conflict of interest, but whether there is an appearance of conflict of interest to the average person. This may involve the Councilmember or a Councilmember's business associate, or immediate family. It could involve *ex* parte (outside the hearing) communications, ownership of property in the vicinity, business dealings with the proponents and/or opponents before or after the hearing, business dealings of the Councilmember's employer with the proponents and/or opponents, announced predispositions, and the like. Prior to any quasi-judicial hearing, each Councilmember should give consideration to whether a potential violation of the Appearance of Fairness Doctrine exists. If so, no matter how remote, the Councilmember should disclose the facts to the City Manager who will seek the opinion of the City Attorney, which will be communicated to the Councilmember

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and the Mayor. ~~Legislative (ordinance or miscellaneous) hearings do not require a decision be made even though information is presented.~~

~~Citizens~~ The Public ~~wishing to comment will follow the same procedure as for "Citizens'~~ Public ~~Comment" and may speak after being recognized by the Mayor. After all persons have spoken, the hearing is closed to public comment. The Council then proceeds with deliberation and decision making.~~

SECTION 13. MEDIA REPRESENTATION AT COUNCIL MEETINGS

13.1 All public meetings of the City Council and its advisory committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meeting. Seating space shall be provided for the media at each public meeting.

SECTION 14. COUNCIL REPRESENTATION

14.1 If a Councilmember appears on behalf of the City before another governmental agency, a community organization, or through the media, for the purpose of commenting on an issue, the Councilmember shall state the majority position of the Council, if known, on such issue. Personal opinions and comments, which differ from the Council majority, may be expressed if the Councilmember clearly states these statements do not represent the Council's position.

14.2 A Councilmember shall obtain the other Councilmember's concurrence before representing that Councilmember's view or position with the media, another governmental agency or community organization. If the subject is controversial, Councilmembers shall avoid speaking for each other.

14.3 Letters, written statements, newspaper guest opinions, and so on, which state a Council opinion or policy shall be submitted to the full Council for review, comment and final approval prior to their release. In some cases, it may be appropriate to provide for the signatures of the full Council.

~~**14.4**~~ As a matter of courtesy, letters to the editor, or other communication of a controversial nature, which do not express the majority opinion of the Council, should be presented to the full Council at the time of communication.~~in the Council agenda packet prior to publication so that Councilmembers may be made aware of the impending publication.~~

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SECTION 15. CONFIDENTIALITY

15.1 Councilmembers shall keep confidential all written materials and verbal information provided to them during Executive Sessions to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of Executive Sessions, when the information is considered to be exempt from disclosure under exemptions set forth in the Revised Code of Washington (RCW 42.56 Public Records Act).

15.2 If the Council, in Executive Session, has given direction or consensus to City staff on proposed terms and conditions for any type of issue, all contact with the other party shall be done by the designated City staff representative handling the issue. Prior to discussing the information with anyone other than fellow Councilmembers, the City Attorney, or City staff designated by the City Manager, Councilmembers should review such potential discussion with the City Manager. Any Councilmember having any such contact or discussion shall make full disclosure to the City Manager and/or the City Council in a timely manner.

~~SECTION 16. COUNCIL BUSINESS POLICIES~~

~~16.1 LITIGATION POLICIES AND REPORTING~~

~~a. Once monthly, the City Attorney will provide a report to the City Council on new litigation and ongoing litigation.~~

~~b. Once monthly, the City Attorney will provide a report on proposed counterclaims or abatement foreclosures.~~

~~c. The City Council shall approve counterclaims, abatement foreclosures, and the initiation of a lawsuit.~~

~~d. Quarterly reports prepared by WCIA on the City's Risk Profile will be provided to the City Council in Executive Session.~~

~~e. The City Attorney will prepare a succinct quarterly written report on the status of litigation to the City Council.~~

~~f. Due to the confidential nature of these reports, questions regarding them should be directed to the City Manager or City Attorney.~~

~~16.2 FINANCIAL MANAGEMENT POLICIES (Approved 2004)~~

~~**Introduction:** These policies are intended to serve as a Council approved set of values and expectations for Council Members, City staff, citizens and other interested parties who may do business with the City. The use of the term "City" refers to all City officials, staff and employees who are responsible to carry out these policies. The policies describe expectations for financial planning, budgeting, accounting, reporting and other management practices. They have been prepared to assure prudent financial management and responsible stewardship of the City's financial and physical assets.~~

~~A. Fund Definitions~~

~~The *General Fund* is the general operating fund of the City. It accounts for all financial resources and transactions except those required to be accounted for in another fund.~~

~~*Special Revenue funds* account for revenues derived from specific taxes, grants, or other sources that are legally restricted to expenditures for specified purposes.~~

~~*Debt Service funds* account for the accumulation of resources to pay principal, interest and related costs on general long-term debt.~~

~~*Capital Project funds* account for financial resources designated for the acquisition or construction of general government capital improvements.~~

~~*Enterprise funds* are established to account for operation (a) that are finance and operated in a manner similar to private business enterprise – where the intent of the governing~~

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~~body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes. Examples of enterprise funds are those for water, gas, and electric utilities; swimming pools; airports; parking garages; and transit systems.~~

~~*Internal Service funds* are used to account for the financing of goods or services provided by one department or agency to other departments or agencies of a government, or to other governments, on a cost-reimbursement basis.~~

~~*User Fee is* a fee charged to a customer of City services who may or may not be a Burien resident but receives a direct benefit from the service.~~

~~B. Resource Planning and Allocation Policies~~

~~1. To assure stability and continuity in City services, the City will maintain a multi-year Financial Plan. The purpose of this annual planning process will be for citizens, the staff, advisory committees and City Council to discuss current and future programs, service levels and capital facility needs. The City's six-year Operating and Capital Financial Plan will consider relevant economic conditions, estimate revenues and reserves, changes in levels of service, operating expenses, capital requirements, and debt service for the City's three major categories of funds: General Fund (including Cumulative Reserve and Parks Rehabilitation Fund); Street Fund (including Arterial Street Fund), and Surface Water Management Fund. This plan will be reviewed, modified and adopted by the Council each year.~~

~~2. The City of Burien will maintain minimum General Fund reserves of 5% of current year General Fund revenues in the Cumulative Reserve Fund and a 5% ending fund balance in the General Fund. The Cumulative Reserve Fund is a "rainy day" fund used to stabilize services and the City's employment force to minimize uncertainty about the continuity of services and employment.~~

~~3. The City of Burien will maintain in the Street and Arterial Street Fund an ending fund balance equal to 50% of current year recurring revenues.~~

~~4. The City will maintain in the Surface Water Management Fund an ending fund balance equal to 50% of current year recurring revenues.~~

~~5. The relationship between the Operating and Capital Budgets will be incorporated into the forecast and budget process. Operating and capital budgets shall be prepared to provide for operating services and maintenance or enhancement of fixed assets needed to support City services.~~

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~~6. The City's annual budget will be based on a six-year Operating and Capital Financial Plan (a forecast) approved by the Council. The City Manager prepares the Financial Plan by August each year to respond to current City goals and policies, and other long-range plans and needs of the City. The prior five years of program expenditures (as shown in the comprehensive annual financial report) and the prior five years department and object expenditures will be forwarded to the Council with the Financial Plan.~~

~~7. The City budget will implement City Council adopted goals and policies, long-range plans, the service choices for the community and revenue allocation policies of the Council.~~

~~8. The City will use "prudent revenue and expenditure assumptions" in their budget documents and financial forecasts.~~

~~9. Ongoing expenditures (which exclude ending fund balances) generally should not exceed ongoing revenues (which exclude beginning fund balances) in the first two to three years of the forecast.~~

~~10. The City Council's policy on TCI franchise revenues is to allocate 100% to street maintenance each year.~~

~~11. The City Council will dedicate 100 percent of the revenue received from electrical utility franchise with Seattle City Light for street and arterial street maintenance and major rehabilitation.~~

~~12. The City Council will dedicate 100% of the revenue received from utility and B&O taxes to the General Fund, with the exception that the utility tax on garbage revenue will be used to support Street Fund activities and the Transportation CIP until these funds are needed in the General Fund.~~

~~**C. Accounting and Financial Practice Policies**~~

~~1. The City will maintain an accounting and financial reporting system that fully meets professional standards, state accounting requirements, and standards used by debt rating agencies. The City of Burien will strive to maintain a bond rating in the "A" category.~~

~~2. Policies and procedures are in place to assure financial controls and oversight for accounting, investment and other cash management decisions. Procurement policies and procedures are adopted by the Council to meet legal requirements and assure effective and competitive purchasing. Procurement authority will be delegated consistent with Council policy and written procedures approved by the City Manager.~~

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~~3. Regardless of the budget appropriation, if a fund's revenues are less than anticipated, operating, capital and ending fund balances will be reviewed by the City Manager who will then make a recommendation for possible adjustments to the City Council.~~

~~4. If a fund's ending balance is sufficient, excess reserves or other one-time revenues, such as grants, will be used for capital, equipment, or other one-time projects or services that improve the City's productivity and efficiency.~~

~~5. Consistent with accepted government accounting practices the City may evaluate certain support services within the Financial Plan to determine if creating a user fee, internal service fund or enterprise fund will increase efficiency of service delivery or recover the cost of providing the service from the users.~~

~~D. Revenue and Collection Policies~~

~~1. **The General Fund** and its related reserve funds exist to provide services and benefits related to the general safety, health and welfare of the community. These services include: law enforcement and crime prevention services; parks, recreation and cultural services to all citizens; general community planning and development *(excluding private development projects)*; a proportionate share of overhead costs for administrative and legislative services. While some services are budgeted in the general fund such as recreational classes and development fees, these services provide specific private benefits to the users. These services are funded by user fees to recover part or all of the City's costs. The City will establish cost recovery policies for parks, recreation and cultural services and submit periodic financial reports to the Council on City progress in meeting the policies.~~

~~2. **Surface Water Management** fees are collected to provide for operating and capital expenses related to street cleaning, ditch and drainage maintenance, and capital costs for surface water conveyance, treatment and retention facilities including a share of the administrative and legislative expense of the City. Impervious surface and impacts to the flow and quality of urban surface water run off created by developed urban property are used to determine residential and commercial user charges.~~

~~3. **Street funds** are collected primarily through gas tax revenues to fund maintenance and capital improvements to the residential and arterial street system including a share of the administrative and legislative expense of the City.~~

~~4. To minimize the impact of cyclical economic downturns on City general fund revenues and services, the City will attempt to diversify the economic base, which impacts the General Fund.~~

~~5. The City will establish cost recovery policies for fee supported services which consider the relative public/private benefits received from the services being provided~~

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~~and/or the desirability of providing access to services for specialized populations. These guidelines will determine the percentage of full service costs to be recovered through fees. The level of cost recovery will be routinely adjusted to ensure that rates are current, equitable, and competitive and cover that percentage of the total cost deemed appropriate.~~

~~6. In preparing the Financial Plan, the receipt of a grant will be included in operating fund revenues only when it is probable the City will receive a grant award. *(Probable means relatively likely but not certain.)*~~

~~E. Capital Improvement Policies~~

~~1. The City will plan for capital improvements over a multi-year period. The Capital Improvement Program will directly relate to the long-range plans and policies of the City Council. When capital improvements are being planned, operating costs will be estimated and identified within the City's Financial Plan.~~

~~2. To maintain the City's physical assets, a current inventory will be maintained of all of the City's physical assets, and their condition, maintenance and periodic replacement costs. Predictable on-going capital replacement expense such as for fleet and other equipment should be funded through cash reserves set aside each year. These costs will be reported and included in the annual update of the City's Financial Plan.~~

~~3. The City will maintain an "Art in Public Places Fund" for the purpose of providing funds for capital improvement projects funded wholly or in part by the City of Burien for construction or remodeling of government owned public buildings, transit centers and parks (Ordinance 238).~~

~~4. A capital project is defined as a project of a nonrecurring nature with a cost of $25,000 or more and estimated service life of 10 years or more. Major renovations of existing facilities that cost more than $25,000 may be submitted for consideration as a capital project. Maintenance of existing facilities, however, should not be included in capital requests. Requests for funding of maintenance projects should be included in the appropriate operating budget.~~

~~5. The Adopted Capital Facilities Element of the Burien Comprehensive Plan provides guidance regarding the development of the City's Capital Improvement Program. This is incorporated into these financial policies as Appendix I.~~

~~6. In each of the three sections of the Capital Improvement Program (transportation, parks and general government and surface water management) funding sources for the six year period will be identified so that it will be clear what local funds, grant funds and other sources are supporting the program.~~

~~7. The City will use Community Development Block Grant capital funds to fund eligible capital projects that are included in the city's adopted Capital Improvement~~

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~~Program. The funds will only be spent on eligible projects that benefit low and moderate individuals as defined in the Community Development Block Grant regulations.~~

~~8. Property taxes levied for general government operations will be no more than 1% more than levied in the prior year plus the amount received as a result of new construction. The City will use "banked" property tax levy capacity to fund the construction of a new Senior Center. The "banked capacity" levied for the Senior Center will not exceed the difference between a 1% growth in the property tax from the prior year and a 6% growth. (*before taking new construction into account*). These funds will be set aside in the Senior Center Reserve Fund.~~

~~F. Debt and Investment Management Policies~~

~~1. The City will comply with debt issuance guidelines consistent with federal, state, and local policies. Debt will be used prudently in limited circumstances so as not to risk the City's credit rating. The use of councilmanic debt authority will be based on a full feasibility analysis, including the loss of revenues from an economic downturn.~~

~~2. Debt may be used on a limited basis for specific short-term cash flow needs. Debt will not be used to fund long-term revenue shortages. For major capital projects with long-term useful lives (normally 20 years or more) and where costs exceed short-term cash flows, debt may be used providing there is sufficient dedicated revenue within the Financial Plan to service the debt.~~

~~3. The City will follow state law and the City's adopted Investment Policy, which includes the following criteria in priority order:~~
~~a. Preserve capital through prudent financial investments;~~
~~b. Maintain sufficient liquidity so that funds are available when needed; and~~
~~c. Achieve the best available rate of return.~~

~~4. The City will maintain and invest any private donations and trusts in separate accounts consistent with the terms of the donation.~~

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G. Financial Management and Organizational Review Policies

1. The City Manager will review the organizational structure at frequent intervals to assure that it is responsive to current conditions, minimizes service duplication within the organization and with other local government jurisdictions. Periodic performance audits may be used to assess organizational costs and effectiveness. Budget reviews shall be made periodically to examine all line-item costs in a particular department or program.

2. The City will routinely evaluate both its administrative and direct service delivery systems to determine whether a service should be provided by the City, by agreement with a qualified and or competitively priced private or public contractor or eliminated due to changes in community requirements.

3. The City Council will adopt, through the annual budget, service levels, a work program and performance standards that reflect City revenues, community expectations and legal requirements set by other levels of government. The City is committed to examining how it provides services so that service levels and performance standards are met or exceeded at the least cost to the public.

4. The compensation of employees will be reviewed every three years. It will be competitive with that of comparable public sector employers in the relevant recruiting or market area. The criteria for reviewing employee wages and benefits will also include internal comparability for similar jobs and the City's ability to pay. If relevant private sector comparisons are available, they will be considered.

5. The City will, within available resources, maintain the productivity of staff through a supportive working environment, which includes appropriate equipment, supplies, materials, and professional staff development.

6. The City will evaluate its use of intergovernmental service contracts to prevent duplication of services and to assure an effective and efficient service delivery system to the community.

7. The approval of City contracts will be done as follows:

- The City Manager will have authority to sign contracts up to $25,000.
- Contracts over $25,000 that are budgeted, routine, and annually recurring would be placed on the Council consent agenda *(examples include contracts for janitorial services, prosecution, public defense, and parks maintenance).*
- Capital Project contracts over $25,000 that are within the project phase budget and where the Council has approved the project scope would be put on the consent agenda.
- All contracts that require additional budget authority would go to Council for discussion and approval.
- All new initiatives over $25,000 would go to Council for discussion and approval *(for example, the wireless master plan and the demographics study).*

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- All capital projects where there is a material change in scope would go to Council for discussion and approval *(for example an extension of a sidewalk that was not part of the original project scope).*

16.3 PROCUREMENT POLICIES

Approved April 3, 2000
Amended October 2, 2000

Chapter 1. Purpose, Scope, and General Policies

1.01 Purpose

Purchasing policies and procedures are intended to ensure that the City complies with applicable laws and regulations, and receives goods and services of the highest quality at the lowest cost.

1.02 Scope

These guidelines apply to all City departments and employees engaging in the purchase of goods or services for the City including public works projects. They do not govern the purchase or lease of real property.

1.03 General Contracting/Purchasing Policies

1. The City will comply with all applicable laws and regulations including grant requirements in purchasing goods and services.

2. Contracts or purchasing agreements over $25,000 will be approved, prior to execution, by the City Council, either in the adopted budget or by separate action.

3. Contracts and purchases will not be divided into units or phases to circumvent approval or bidding requirements established in these policies.

4. Employees making or authorizing purchases will ensure that budget authority is available prior to purchase, that required purchasing agreements have been properly executed prior to purchase, and that the goods or services purchased have been received and are acceptable to the City before authorizing payment. Claims requests, invoices and other supporting documentation will be submitted to the Finance Department when payment is requested. Claims requests will be signed by the Department Director.

Chapter 2. Public Works Projects

2.01 Definition

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~~The term public work refers to all work, construction, alteration, repair or improvement other than ordinary maintenance, executed at the cost of the city, or which is by law a lien or charge on any property therein. (RCW 39.04.010)~~

~~2.02 Bidding Requirements (RCW 35.22.620)~~

~~1. The City will use the "competitive bidding process," described below, for public works projects with an estimated cost exceeding $200,000.~~

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~~2. The City will use either the "competitive bidding process" or "small works roster process" for public works projects costing more than $20,000 but not more than $200,000 when a single craft or trade is involved in the project and more than $35,000 but not more than $200,000 when multiple crafts or trades are involved.~~

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~~3. For projects costing more than $500 but not more than $20,000 (for a single craft or trade) or $35,000 (for multiple crafts or trades), the City may use an informal bidding process in lieu of the "competitive bidding" or small works roster process. Project managers will solicit at least three bid quotations from qualified firms. Project managers will record bid quotations, written or unwritten, and retain this record and all bid documentation in the project file.~~

~~4. The City may not divide a public works project into units or phases to avoid these bid requirements.~~

~~5. The City may use employees to perform projects with estimated costs not exceeding $20,000 for a single craft or trade or $35,000 for multiple crafts or trades, provided that the total cost of such projects in any year may not exceed ten percent of the City's public works construction budget for that year. Public works performed by the County for the City count toward the ten- percent limitation. The City will report to the state auditor the public works construction budget, total construction costs of public works performed by public employees, and the amount above or below the ten percent limit. The City will account and record costs of public works over $5,000 not let by contract and publish a 15-day advance notice (estimate and description of work) on projects over $25,000 to be performed other than by contract or small works roster process. In emergencies, the notice may be published within seven days after work begins. (RCW 35.22.620, 39.04.020)~~

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~~2.03 Exceptions~~

~~Public works bidding requirements may be waived under the following conditions:~~

1. Emergencies. In an emergency the City Manager is authorized to declare an emergency situation exists, waive competitive bidding requirements, and award all necessary contracts to address the emergency situation. If a contract is awarded without competitive bidding due to an emergency, a written finding of the existence of an emergency will be made by the City Council or City Manager and duly entered of record no later than two weeks following the award of the contract. Emergency means unforeseen circumstances beyond the control of the City that present a real, immediate threat to the proper performance of essential functions or will likely result in material damage to property, bodily injury, or loss of life if immediate action is not taken. (RCW 39.04.280)

2. Sole source. Bidding **may** not be required if advertising for bids would result in only one bid. State law authorizes sole source "purchases" (RCW 39.04.280), but this authority is less clear for public works contracts. If sole source contracting is being considered, Department Directors will consult with the City Attorney and submit to the City Manager a written finding stating the factual basis for a sole source contract. If the contract is executed, the finding and contract will be recorded and open to public inspection.

3. County contract. The City may contract with the County (or state) for construction or repair of streets and bridges without competitive bidding. (RCW 35.77.020, 47.24.050)

4. Neighborhood self-help projects. The City may contract with a neighborhood organization for neighborhood improvements. The value received must be at least three times the cost to the City. Total payments for such projects may not exceed two dollars per City resident in any year. (RCW 35.21.278)

2.04 Competitive Bidding Process

1. Advertising for Bids. The City will publish a notice calling for sealed bids once each week for two consecutive weeks in a newspaper of general circulation, allowing at least fourteen days from the date of first publication to the date bidding is closed. The notice will also be posted in a public place.

The notice will include title of the project, nature and scope of work, location where contract documents may be reviewed or obtained, cost of contract documents, notice of place, date, and time bids are due, requirement for sealed bids, bid bond requirement, and statements that the City has the right to cancel the invitation to bid, to reject any and all bids and to waive minor irregularities in the bidding process.

Bid packets will be prepared containing the invitation to bid notice, instructions to bidders, general conditions, special bid conditions, if any, terms and conditions, specifications, bid proposal form, form for listing subcontractors, non-collusion affidavit, and contract.

2. Rejection of Bids. The City Manager may reject all bids and re-advertise for bids. If no responsive bids are received, the City Manager, with approval of the City Council, may negotiate the purchase with a vendor at the lowest possible cost to the City.

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3. Bid Bond. Bids on public works projects will be accompanied by a bid proposal deposit in the form of a cashier's check or surety bond in an amount not less than five percent of the amount bid. The City Manager may require bid bonds on other projects.

Bid bonds will be returned to unsuccessful bidders when the contract is let and to the successful bidder when the contract is executed and a performance bond provided. The bid bond will be forfeited if the successful bidder fails to enter into the contract pursuant to the bid and furnish the performance bond within ten days of being notified of the bid award.

4. Performance Bond (RCW 39.08.010). A performance bond will be required on all public works contracts. The City Manager may require performance bonds on other contracts to protect the City's interests and ensure full performance of the contract. On contracts of $25,000 or less, at the option of the contractor and in lieu of a performance bond, the City may retain fifty percent of the contract amount for a period of thirty days after the date of final acceptance or until receipt of all necessary releases from the state Department of Revenue and Department of Labor and Industries and settlement of any liens, whichever is later.

5. Award of Bids. Unless it rejects all bids, the City will accept the bid of the lowest responsible bidder. If a bid other than the low bid is accepted, the City Manager will state the reasons. This statement will be submitted to the City Council with the recommended contract, when Council approval is required, and filed with records related to the award.

6. Signature and Approval. Contracts will be prepared by the Department, initialed by the Department Director and signed by the City Manager after review by the City Attorney and, if over $25,000, approval by the City Council.

2.05 Small Works Roster Process (RCW 35.22.620, 39.04.155)

The City Council has authorized a small works roster process for awarding public works contracts for a maximum dollar amount not to exceed $200,000.

1. In this process the City Manager or designee will publish in a newspaper of general circulation once each year a notice of establishment of the small works roster. The notice will invite all qualified contractors to be listed on the roster. Where required, contractors must be licensed or registered to perform work in this state. Responsible contractors will be added to the roster at any time they submit a written request and necessary records.

2. The City will solicit quotations from all appropriate contractors or from at least five qualified contractors on the roster for each project. For projects between $100,000 and $200,000, if the City solicits bids from less than all the appropriate contractors on the roster, it will notify the remaining contractors on the roster that quotations on the work are being sought. Whenever possible, at least one contractor will be a minority or woman

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~~contractor. The City will not favor certain contractors over others on the roster performing similar services when soliciting bids.~~

~~3. Contracts will be awarded to the contractor submitting the lowest responsible bid.~~

~~4. Immediately after the award, all bid quotations submitted will be recorded and made available to the public for inspection or supplied in response to telephone inquiries.~~

~~5. Bid and performance bonds will be required.~~

~~6. The City will make available a list of the contracts awarded through the roster process at least once a year. The list will contain the name of the contractor; amount of contract, brief description of work performed, date awarded, and location where bid quotations may be inspected. (RCW 39.04.200)~~

~~Chapter 3. Professional and Technical Services~~

~~3.01 General Policies~~

~~1. The City will use a request for proposals, request for qualifications, bid solicitation or similar competitive process for selecting a contractor when the estimated cost of the service exceeds $500, except where the City Manager determines that direct negotiation of a contract will best serve the City's interests. Where bid quotations are used, Project managers will solicit at least three bids from qualified firms, record the bid quotations, written or unwritten, and retain this record and all bid documentation in permanent files.~~

~~2. Professional services contracts will be limited to firms or persons who can properly be considered contractors. A contractor will normally offer specialized skills, knowledge or experience; operate a separate business offering similar services to others for a fee; have a place of business separate from a City facility; and work independently, once provided with a scope of work, deciding how the work will be accomplished. The City will not have the right to direct or control the manner in which the contractor's services are performed.~~

~~3.02 Architectural and Engineering Services~~

~~Departments requiring architectural or engineering services, including landscape architecture and land surveying, will follow these additional special procedures in conformance with RCW 39.80.~~

~~1. Publish an advance notice of the City's need for services, stating the general scope and nature of the work or project.~~

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~~2. Invite architectural and engineering firms to submit statements of qualifications and performance data.~~

~~3. Afford minority- and woman-owned firms the maximum practicable opportunity to compete for contracts.~~

~~4. Evaluate qualifications and performance data submitted and select one or more firms for consideration.~~

~~5. Discuss methods of approach with one or more firms.~~

~~6. Select the firm most highly qualified to provide the services required without regard to price.~~

~~7. Negotiate a contract with the selected firm at a price determined by the City to be fair and reasonable. Consider the estimated value, scope, complexity and professional nature of the services in determining a reasonable price.~~

~~8. If agreement cannot be reached with the selected firm, formally terminate the negotiation, select another firm and begin the negotiating process with that firm. Continue until agreement is reached or the search terminated.~~

~~9. The City Manager may suspend these requirements upon making a finding that an emergency requires the immediate execution of the work.~~

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~~Chapter 4. Material, Supplies and Equipment~~

~~4.01 Purchasing Policies~~

~~1. Purchases over $500 will be made through a bidding process, except where the City Manager determines that a negotiated purchase agreement will best serve the City's interests. Bidding may occur through an informal process that includes solicitation of bid quotations from at least three qualified vendors. Contracts/purchase agreements will be awarded to the lowest and best responsible bidder. Employees soliciting bids will record bid quotations, written and unwritten, and retain this record and all bid documentation in permanent files.~~

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~~2. Purchases over $25,000 require City Council approval.~~

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~~3. "Open" or "blanket" contracts or purchase orders may be used where multiple purchases will be made over time and exact quantities or descriptions of goods to be purchased cannot be specified in advance. An open contract or purchase order will specify the time period and a maximum dollar amount. The maximum amount will be used for purposes of applying the above rules on bidding and signature or approval authority.~~

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4. The City's Travel Policies (Personnel Policies, Appendix B) will govern convention and travel expenses.

4.02 Exceptions

Exceptions to these purchasing policies are permitted as follows:

1. Emergencies. The City Manager may authorize emergency purchases without bidding. For purchases over $25,000, the City Manager will seek City Council approval at the earliest opportunity.

2. Sole Source. The City Manager may authorize an exception to bidding policies when purchase from a single source is justified. Warranty work, additions to or repair and maintenance of equipment already purchased, prior training of staff, inventory of replacement parts, special market conditions, the absence of alternative vendors or similar conditions may justify such an exception.

3. Auctions/Closeouts. The City Manager may authorize the purchase of supplies, material, or equipment at any public auction, closeout sale, bankruptcy sale or other similar sale upon determining that the purchase will be made at a competitive price. (RCW 39.30.045)

4. State Contracts. The City Manager may authorize purchases of supplies, materials or equipment through a State of Washington Office of State Procurement contract, without a bidding process. (RCW 39.34.030)

5. Exchanges. The City may by agreement exchange supplies, materials, services, property or equipment with other public agencies. (RCW 39.33)

6. Intergovernmental Purchases. Purchases may be made through or jointly with, another governmental entity by agreement pursuant to the Interlocal Cooperation Act, RCW 39.34. Purchases from or through the federal government may be made without bidding (RCW 39.32). Intergovernmental purchasing agreements require City Council authorization.

7. Insurance and Bonds. The City Manager may waive any bidding requirement.

Chapter 5. Prohibited Practices

5.01 Code of Ethics

The City's "Code of Ethics for City Officials and Employees" (Personnel Policies, Appendix D) will govern conduct with respect to purchasing wherever applicable.

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~~**5.02 Other Prohibited Practices**~~

~~1. **Collusion among bidders.** Collusion will result in the treatment of bids from the firms involved as null and void. Such bidders may be excluded from future bidding with the City.~~

~~2. **Disclosure of sealed bid contents.** Disclosure of information from sealed bids by a City official or employee in advance of opening bids is prohibited. Bids submitted by bidders after receiving such information will be null and void.~~

~~3. **Sale to private parties.** The City will not use its purchasing power or lend its credit to purchase goods or services for a private party or for sale to City employees, City officials or others. City property declared surplus, however, may be sold in accordance with City surplus property disposition procedures.~~

~~4. **Donations.** The City will not accept donations of goods or services in return for a commitment to initiate or continue a purchasing agreement. Discounts or awards available to all customers, or to a customer class that would normally include the City, are not prohibited.~~

~~**Chapter 6. Purchasing Procedures**~~

~~The City Manager shall establish whatever procedures are necessary to implement these policies.~~

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~~SECTION 17. COUNCIL AND STAFF TRAVEL AND EXPENSES~~

~~17.1 PURPOSE~~

~~The purpose of this policy is to identify and provide guidelines regarding the City's travel policies and to identify valid business expenses for which public officials and employees of the City may qualify for payment or reimbursement.~~

~~This policy applies to elected and appointed public officials, and to employees of the City of Burien.~~

~~In addition to this policy, the provisions of Chapter 42.24 RCW and the Budgeting, Accounting, and Reporting Systems (BARS) manual prescribed by the Washington State Auditor's Office also apply.~~

~~The City of Burien reimburses its employees and elected or appointed officials for reasonable travel, subsistence and related expenses incurred conducting City business provided the expenses are prudent and directly related to the individual's service on behalf of the City.~~

~~17.2 ADMINISTRATION~~

~~The Director of Administrative Services administers the travel and expense reimbursement program, designs and distributes forms and instruction and carries responsibility for review of claims. Claims will not be allowed without a detailed account of moneys spent certified by the individual making the claim as required by the Division of Municipal Corporations in the Office of the State Auditor.~~

~~**A. Documentation**~~

~~Claims for personal reimbursement must be made on official forms, be accompanied by the vendor's original receipt or bankcard charge slip showing the date, vendor imprinted name, amount paid and the items/services received, and must be certified correct and signed by the individual seeking reimbursement.~~

~~In addition to the documentation above, claims for business related meals as described in IV.D require the following documentation:~~

~~1. The names of the individuals participating.~~

~~2. Their official title or capacity as it relates to city business.~~

~~3. The nature of the topics discussed, nature of the occasion, what public purpose or policy was being served (and/or copy of agenda).~~

~~4. Employee claims for expenses must be signed by department directors. Director claims must be signed by the Manager. The Manager's expenses will~~

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be reviewed by the Administrative Services Director. Council member expenses must be signed by the City Manager.

B. Council Retreats/Executive Team Retreats

The reasonable cost of necessary food and beverages while conducting a City retreat is authorized for reimbursement. The cost of food and beverages shall not exceed the per diem as outlined in Section IV.E.

C. City Sponsored Training/Staff Meetings

The general rule is that meals and snacks are not reimbursable and are to be purchased by those individuals attending.

D. Professional Organization Sponsored Training or Seminars/Business Luncheon Meetings

If the meal is included as part of the cost of registration, the expense is reimbursed as part of the registration reimbursement.

If the meal is not included as part of the cost of registration, the expense is eligible for reimbursement.

E. Service Awards Ceremonies

Expenditures for reasonable refreshments served and awards given are eligible for reimbursement.

F. Special Events

The City policy is to allow for reimbursement for the costs of reasonable refreshments for public events such as open houses, City anniversary celebrations, welcoming parties for appointed city officials, and other citywide events.

G. Birthday Celebrations/Retirement Celebrations

These events are considered private parties and as such represent an inappropriate expenditure of public funds. The costs of any food or beverage or any incidental expenses related to these events (film, flowers, cards, etc.) are not eligible for reimbursement.

H. Volunteers

It is the policy of the City of Burien to recognize and acknowledge the contribution that volunteers make to the City. At awards programs, the city will pay the nominal cost of service awards and a nominal amount for food and beverage expenses for award programs.

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~~17.3 TRANSPORTATION EXPENSES~~

~~Public officials and employees are to exercise prudent judgment in incurring travel expenses on official City business. Excessive or unnecessary expenses will not be reimbursed or paid for by the City. Authorization of travel is to be exercised through the use of the current budget or other effective means.~~

~~Reasonable transportation expenses for approved travel will be reimbursed. The most direct and cost effective mode of transportation will be the basis for the reimbursement. Out-of-state travel must be approved by the City Council. In-state travel means travel within the state of Washington; out-of-state travel means travel outside the boundaries of the state of Washington. In special or unusual circumstances, arrangements will be made to accommodate unique transportation requirements.~~

~~A. Air Travel~~

~~The maximum reimbursement of air travel expenses is to be no greater than coach class or its equivalent; the "government rate" shall be requested unless a lower rate for the same travel service is available. Costs for air transportation are to be requested by purchase order and billed to the City by the vendor whenever possible.~~

~~B. Rental Vehicles~~

~~If it is more convenient and cost effective for more than one employee or public official to travel together, a vehicle may be rented. The city will reimburse for purchase of supplemental insurance. The receipt from the rental car agency must accompany the public official or employee travel expense claim form in order to obtain reimbursement.~~

~~C. Personal Vehicles~~

~~Privately owned vehicles with auto insurance may be used for official travel. If an individual elects to drive rather than fly, mileage will be reimbursed in an amount equal to the appropriate round trip coach airfare or the current city mileage rate, whichever is less. Mileage reimbursement determination will be based on the state department of transportation mileage chart or odometer readings.~~

~~If two or more public officials or employees travel in the same vehicle, the city will pay only one public official/employee. Mileage will be paid from the official's, or employee's residence, or work site to the travel site, whichever is less. The mileage rate reimbursed to public officials/employees will be the amount currently allowed by the Internal Revenue Service.~~

~~D. Other Miscellaneous Transportation Expenses~~

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~~Miscellaneous travel costs such as bus, taxi, subway, bridge or other tolls, parking, ferry, and the like are authorized and should be reported on the claim form. A receipt will be required for expenses over $5.00.~~

~~17.4 MEALS~~

~~A. Meals~~

~~Based on recommendations from the State Auditor's Office, the City uses the following guidelines in determining the use of public funds for expenditures for food and beverages:~~

~~1. Who consumed this food and drink?~~
~~2. What was the nature of the occasion for the consumption?~~
~~3. What public purpose or policy objective was served?~~
~~4. Why was it necessary to consume food and beverage to carry out the policy?~~
~~5. Were the expenses "reasonable"?~~
~~6. Were the expenses consistent with the policy authorizing reimbursement?~~

~~B. Local Business Meals~~

~~Meals (including snacks) between City public officials/employees will not normally be reimbursed. It is expected that City business between City public officials/employees can for the most part be conducted on City premises during normal work hours.~~

~~C. Meetings Through Mealtimes~~

~~The City recognizes that there are occasions when it may be necessary for a group of public officials and/or employees to work through a meal in order to meet a deadline or to keep a group convened in order to accomplish the task. To be considered for reimbursement as a working meal, the meeting must span over a three-hour period, which includes the group's normal mealtime.~~

~~D. Business Meals Between City Employees and Non-City Employees~~

~~The practice of the City providing meals to non-city employees is discouraged. However, for directors and above, the City recognizes that there are situations where non-city employees provide an unpaid service to the City during a mealtime. The costs of meals while conducting City business with persons other than City employees either locally or out of town are authorized for reimbursement subject to the limitations described in this document.~~

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E. Meals While On Authorized Travel Status

Per Diem shall be used for meals while out of town on City business. Out of town means the one way travel distance is greater than 40 miles from the City and overnight stay is required. Per Diem for meals shall be at the rate in effect at the time of travel for the specific area or locality. The maximum allowable rate shall be those in effect by the State of Washington, Office of Financial Management.

The accounting department will have a listing of the rates in effect, which are listed at the following website: http://www.ofm.wa.gov/policy/10.90.htm.

Expenditures Not Included as Food and Beverage: Unauthorized expenditures include, but are not limited to, liquor, expenses of spouse, guests or other persons not authorized to receive reimbursement under this policy or state regulations.

Situations not specifically addressed above will be reviewed by the Administrative Services Director for propriety.

17.5 LODGING

Hotel/motel accommodations for public officials/employees attending out-of-town functions on city business are acceptable. Lodging expenses shall be reimbursed at actual costs, as evidenced by a receipt, up to the specific daily maximum allowable lodging rate in effect at the time of travel for the specific area or locality. The maximum allowable lodging rates shall be those in effect by the State of Washington, Office of Financial Management. The cost of accommodations should be requested by purchase order and billed directly to the City by the vendor whenever possible. If advance payment is required, a purchase order will be prepared and the lodging registration will serve as supporting documentation for the claims check issued to the vendor. A vendor's receipt for these expenditures is required in all cases. In some situations, the maximum allowable lodging amount may not be adequate and the City Manager may approve payment of lodging not to exceed 150% of the applicable maximum per diem amount.

An employee or public official out of town on City business will be allowed one personal long distance phone call, not to exceed ten (10) minutes for each night away from the City.

17.6 OTHER TRAVEL EXPENSES

Non-Allowable Expenses

Certain travel expenses are considered personal and not essential to the transaction of official city business and therefore not reimbursable. Such non-reimbursable expenses include, but are not limited to:

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~~Baggage checking, valet services, laundry services, entertainment expenses, radio or television rental, transportation to or from places of entertainment, costs of personal trip insurance, medical and hospital services, personal toiletry articles, barber or hairdresser, personal postage or reading materials, expenses of a spouse or other family member, mileage allowance for commuting to regular, special, and committee meetings of the City Council, expenses on a personal car, meal expenses for formal meetings of City Council committees, fines for violation of motor vehicle laws.~~

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~~17.7 TRAVEL ADVANCES~~

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~~The city has established an advance travel account for the purpose of advancing funds to city council members and employees who are traveling on city business. This account will not be used for personal loans, payment of airline tickets, pre-registration fees or reimbursement of travel expenses already incurred.~~

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~~Requests for Advance Travel Funds shall be made on a form prescribed by the Director of Finance and Administrative Services and approved as described in II.A.4 above. Upon appropriate approval a check will be issued, no more than 7 days prior to departure on the authorized trip. Within 10 days of return to work a proper accounting shall be made of the use of the travel advanced funds, including receipts for other expenses as described above and excluding meals consumed at the per diem rates. Any funds remaining shall be repaid to the accounting department. If funds are due the employee the employee will be reimbursed through the claims process.~~

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~~Failure to repay a travel advance within 10 days of return to work shall result in the employee being personally responsible for the full amount of the unpaid amount plus 10% interest from the date the funds are due. No further advances will be made to any employee who is delinquent in accounting for or repaying a prior advance.~~

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SECTION 18. PUBLIC RECORDS

18.1 Public records created or received by the Mayor or any Councilmember will be transferred to the City Clerk's office for retention by the City in accordance with the Public Records Law (RCW 42.56). Public records that are duplicates of those received by, or in the possession of the City, are not required to be retained per Washington State Archives Retention Schedule. Questions about whether or not a document is a public record or if it is required to be retained should be referred to the City Attorney.

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~~SECTION 19. CITY MANAGER EVALUATION PROCESS~~

~~**19.1** The Mayor, Councilmembers and City Manager will determine the evaluation criteria and format for the city manager evaluation process.~~

~~**19.2** After the criteria have been reviewed, the City Manager will complete a self-evaluation based on the agreed upon criteria. The Manager will also provide a report on the follow-up actions identified in the Council's last evaluation. The City Council will then receive a copy of the completed self-evaluation, the prior year's Council evaluation, and a blank form for each Councilmember to complete. The City Manager's current employment contract will also be distributed.~~

~~**19.3** The Mayor, Council and Manager will schedule an executive session to discuss the Manager's self-evaluation as well as each City councilmember's evaluation comments and concerns.~~

~~**19.4** The Council, in executive session without the Manager will discuss and agree on its overall rating and feedback and assign a committee to write up the comments for final Council review and approval. Before the Council approves its evaluation summary, the Manager and full Council may meet again to review the summary. The Manager shall be given an opportunity to respond to the comments or ask questions to clarify expectations.~~

~~**19.5** Each year when the evaluation is completed, the City Manager's contract may be discussed to determine if there are any recommendations for change.~~

~~**19.6** The City Attorney shall prepare amendments, if any, to the City Manager's employment contract.~~

~~**19.7** The original or amended contract and changes in compensation shall be approved or disapproved by the City Council at a regular or special meeting of the Council.~~

~~**19.8** The Mayor, in consultation with the City Manager, shall prepare a press release no later than the next working day following final action at a regular or special Council meeting regarding the results of the evaluation.~~

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SECTION 20. MAYOR/DEPUTY MAYOR SELECTION PROCESS

20.1 The Mayor and Deputy Mayor shall be elected from the ranks of the Councilmembers according to the Council/Manager form of government.

20.2 The Mayor shall be elected to a two-year term according to RCW-35A.13.030.

20.3 The Deputy Mayor shall be elected to a one-year term at the first Regular Council meeting in January. ~~according to a motion passed by the Council on January 10, 1994.~~

20.4 The City Clerk or designee shall conduct the election for Mayor. The Mayor shall then conduct the election for Deputy Mayor.

SECTION 21. CITY COUNCIL COMMITTEES

21.1 The following City Council committees are formed by Burien Resolution No. 095, amended by Resolution No. 103, Resolution No. 123, and Resolution No. 138. **By** Motion on November 1, 2004, the Committees shall meet on an as-needed basis only (see Section 2).

A. The Council shall review the committee structure annually.

B. Beginning February 7, 2000, and continuing until the Council directs otherwise, the following Council committees are established:

1. Government Operations (includes governmental relations policies, financial planning and budget policies,voucher review, community planning and budget policies; contract services including police, parks and recreation, community development, and human services).

2. Public Works and Capital Projects (includes transportation, surface water and other utility operating issues, planning studies for physical improvements; capital projects, grants and resource development).

3. Cultural Arts, Facilities, and Events (CAFÉ) (includes developing/siting city center hydro and vintage race car museum, historical museum, the Burien Little Theater, and the Burien Art Gallery; strengthening working relationships to develop better connections to private and public funding sources; strengthening existing community events through Council leadership).

C. Each committee shall be comprised of no more than three (3) Councilmembers, with appointments made by the entire City Council in January of each year. One committee member shall be chosen by his/her fellow committee members to chair the committee meetings.

D. The City Council committees shall establish regular meeting schedules.

E. The Committees shall study issues and develop recommendations for consideration by the Council.

F. The Council committees are to be policy review and discussion arms of the Council, providing an opportunity to explore the implications of policy alternatives and the policy development process; and to serve in an advisory capacity to the Council as a whole in reviewing policy matters referred to them by the Council; informing and educating the Council on existing City programs and issues, and other such matters as the committee

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~~deems appropriate. The City Council Committees shall not become involved in administration of City government.~~

~~G. Committees may not take binding action on behalf of the Council.~~

~~H. Each Committee shall have staff support as assigned by the City Manager. The staff will work with committee chairs to prepare agendas, provide support materials, and prepare reports.~~

~~I. Draft summaries of each meeting will be prepared by a committee member or the staff assigned to the committee by the City Manager and distributed to each Councilmember and included in the Council packet for the following Council meeting. Verbal reports may be given at Regular and Special Council meetings as requested by a committee member, the committee chair, the Mayor or any member of the Council.~~

~~J. The City Council Committees shall comply with the state "Open Public Meetings Act."~~

~~K. The Committee may hold Special Meetings as needed.~~

~~L. Councilmembers shall also serve as liaisons, as assigned by a majority of the Council, to the following: Planning Commission, Business and Economic Development Partnership, Parks Board, Arts Commission, Suburban Cities Assocation, SCATBd, ACC, King County CDBG, Senior Center, SWKC Chamber of Commerce, SWKC Chamber of Commerce Government Affairs Committee, Burien Branch of Work Incentive Program, South King County Human Services Forum, and others as assigned.~~

~~**21.2** Council Committee Process Resolution No. 103. The following is established for the processing of items through City Council committees.~~

~~A. The Council approved work program will be scheduled on Council committee agendas at the beginning of the year and periodically through the year. The Director shall work with the Committee chair in setting the agendas.~~

~~B. Additional requests are made to the committee chair or appropriate director for scheduling.~~

~~C. The committee chair, in concert with the assigned committee staff or his/her designee, schedules the additional item according to its urgency and the priority of other items already under consideration.~~

~~D. The staff director or assigned staff for the committee prepares the agenda and provides staff reports and recommendations for items on the work program. Items outside the City's adopted work program may come to the committee without a report or recommendation. Unless formally requested by a majority of the City Council, the staff will not provide substantive work on a new assignment.~~

~~E. The committee discusses the item and makes a recommendation to the City Council.~~

~~F. The department director prepares brief draft minutes and submits the item to the City Clerk for a Council agenda. The Committee will consider the draft minutes for approval at the next Committee meeting.~~

~~G. The Mayor and City Manager schedule the item on an upcoming agenda according to its urgency and priority.~~

SECTION 22. APPOINTMENTS TO REGIONAL ORGANIZATIONS

Appointments to regional bodies, ad-hoc community committees or other special committees outside the City auspices may be made in two ways: (1) the regional committee may request recommendations for ultimate appointment by the regional committee; or (2) the City Council may make direct appointment to a regional committee when asked to do so by that body.

22.1 Any Councilmember may express an interest in a particular subject and interest in serving on a particular regional body.

~~**22.2** Council committee membership shall not limit a Councilmember's interest in serving on a particular regional body.~~

22.3 When a regional body requests membership recommendations where the regional body makes the final appointment, the Mayor shall ask Councilmembers to state their interest for appointment. All names of Councilmembers expressing an interest shall be submitted by the Mayor to the regional body, which will then make the appointment(s).

22.4 When the Council has the authority to make direct appointment to a regional committee, discussion shall take place with the full Council to determine interest. The Councilmember receiving a majority vote will represent the City on that regional body.

22.5 Changes in representation to regional committees where the Council has the authority to make a direct appointment shall also be determined through full Council discussion and majority vote of the Council.

22.6 Councilmembers who are appointed representatives to regional organizations shall provide a report to the Council either in written or oral form at the regular Council meeting in the City Manager's Report or under Reports on the Council agenda following a meeting of the regional organization.

SECTION 23. PROCEDURE FOR FILLING COUNCIL VACANCIES

(1.) If a Council vacancy occurs, the Council will follow the procedure outlined in RCW 35A.13.020 (1), which requires the remaining Council members to appoint a qualified person to fill the vacant position within ninety (90) days of the effective date of the vacancy.

(2.) The City Councilmember who is resigning from office will submit a letter of resignation to be accepted by the City Council at the next Council meeting.

(3.) The City Council shall review and make any revisions they wish to the Council Vacancy Application form (Exhibit B~~A~~).

(4.) The legal announcement shall appear at least two times in the legal section of the City's official newspaper and in any other publication or on any internet site deemed appropriate by the City Council.

(5.) The City Clerk shall receive all applications for the specified period of time.

(6.) The City Council shall submit questions for an interview process to the City Clerk.

(7.) The City Clerk shall compile the applications for an interview process, set an interview date according to the Council's availability, and schedule interviews with the applicants. The City Clerk will prepare the final list of interview questions as agreed upon by the Council.

(8.) The City Clerk shall prepare a notice of the meeting to interview candidates.

(9.) The Council in a Regular or Special Council meeting open to the public will interview all candidates who have submitted an application. Councilmembers will ask the same questions of all candidates. Each candidate will be allowed two minutes for closing comments. Since this is not a campaign, comments and responses about other applicants will not be allowed.

(10.) The Council may recess into Executive Session to discuss the qualifications of all candidates. Nominations, voting and selection of a person to fill the vacancy will be conducted during a public meeting.

(11.) The City Attorney will prepare the Oath of Office and swear in the newly appointed Councilmember at the same or next scheduled Council meeting.

(12.) Upon appointment, the City Clerk ~~writes~~ shall send a letter to the Department of Elections notifying ~~them~~ it of the new appointment.

(13.) The vacancy that was filled by appointment must be filled by election to that position in the next regularly scheduled municipal election.

(14.) The Councilmember elected in the next regular municipal election to the office that had been vacated prior to the expiration of the term, will take office immediately following the certification of the election.

~~SECTION 24. BURIEN CITIZEN BOARDS AND COMMISSIONS~~

~~The following Boards and Commissions are established by the Burien City Council.~~

~~24.1~~ ~~City of Burien Planning Commission. A Planning Commission consisting of seven members to provide guidance and direction to the City Council on Burien's future growth is created by Ordinance No. 388, replacing Ordinance No. 113.~~

~~Membership and Terms. The seven members are appointed to staggered terms of four years;members filling Position Numbers 1, 2, 3, and 4 shall be appointed for terms expiring March 31, 2006; and members filling Position Nos. 5, 6, and 7 shall be appointed for terms expiring March 31, 2004.~~

~~Appointment. All members shall be appointed by the City Council. Voting members must reside within the city limits and the Commission shall at all times include between five and seven voting members. Members shall be selected without respect to political affiliation and shall serve without compensation. The Council shall attempt but not be obligated to appoint members representing all geographic areas of Burien.~~

~~Removal. 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, including absence for more than eight regular meetings in a calendar year. The decision of the City Council shall be final and there shall be no appeal therefrom.~~

~~Vacancies. Vacancies shall be filled for the unexpired term in the same manner as appointments.~~

~~24.2~~ ~~Business and Economic Development Partnership. A Business and Economic Development Partnership consisting of 14 appointed citizen members and one non voting ex-officio to provide advice to the City Council on Burien's future economic development is created by Ordinance No. 114 and amended by Ordinance No. 258.~~

~~Membership. The Partnership shall consist of 14 appointed members and one non-voting ex officio member. The membership shall be selected with a goal of predominate business representation and should include applicants from the following areas serving Burien:~~

~~Business owners, managers and employees~~
~~Commercial property owners~~
~~Chambers of commerce and merchants associations~~
~~Burien city residents~~
~~Employment and job training services~~
~~Education~~
~~Others with an interest in Burien~~

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The City Manager or his/her designee shall be a non-voting ex-officio member.

Terms. Appointed members shall serve four-year terms running from April 1 through March 31, or until a 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.

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.

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.

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 above.

24.3

City of Burien Arts Commission. An Arts Commission shall be appointed to advise and make recommendations to the City Council regarding the improvement and furtherance of artistic activities within the City is created by Ordinance No. 229 and amended by Ordinance No. 324.

Membership and Terms. Eleven (11) Commission members shall be appointed to four-year terms. There shall be a term limit of two consecutive terms. Terms will expire March 31.

Appointment. All members shall be appointed by a majority vote of the City Council, from among the residents of the City. Appointments shall emphasize citizens involved in non-profit arts organizations.

Removal. Members of the Commission may be excused by majority vote of the City Council.

Vacancies. Vacancies shall be filled for new four-year terms

24.4 Parks and Recreation Advisory Board. A Parks and Recreation Advisory Board shall be appointed to advise and make recommendations to the City Council regarding recreational programming and the acquisition, promotion, improvement, maintenance, and use of City Parks is created by Ordinance No. 228 and amended by Ordinance No. 325.

Membership and Terms. Seven (7) Parks and Recreation Board members shall be appointed to four-year terms. During the initial organization of the Board, three of the members shall be appointed to two-year terms to stagger initial membership expiration. There shall be a term limit of two consecutive terms. Terms will expire March 31.

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~~Appointment. All members shall be appointed by a majority vote of the City Council, from among the residents of the City. Appointments shall be made from citizens of recongnized 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.~~

~~Removal. Members of the Commission may be excused by majority vote of the City Council.~~

~~Vacancies. Vacancies shall be filled for new four-year terms.~~

SECTION 25. MISCELLANEOUS

25.1 When Councilmembers register to attend an official conference requiring voting delegates, such as the annual National League of Cities or Association of Washington Cities, the Council shall designate the voting delegate(s) and alternate voting delegate(s) during a public meeting, by a majority vote.~~;~~ When possible, said selection of voting delegate(s) shall be done on a rotating basis for the purpose of allowing all Councilmembers the opportunity to be an official voting delegate.

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SECTION 26. SUSPENSION AND AMENDMENT OF ~~RULES~~GUIDELINES

26.1 Any provision of these ~~rules~~ guidelines not governed by state law or ordinance, may be temporarily suspended by a majority vote of the Council.

26.2 These ~~rules~~ guidelines may be amended, or new rules adopted, by a majority vote of the Council.

Adopted by the Burien City Council
July 25, 1994
Revised February 13, 1995
Revised November 20, 1995 by Resolution 072
Revised December 18, 1995 by Resolution 071
Revised January 26, 1998 by Resolution 095, 097, & 100
Revised June 1, 1998 by Motion
Revised September 21, 1998 by Resolution No. 103
Revised April 27, 1999 by Ordinance No. 228 and Ordinance 229
Revised June 7, 1999 by Ordinance No. 258
Revised October 4, 1999 by Motion
Revised February 26, 2001 by Motion
Revised February 4, 2002 by Motion
Revised February 3, 2003 by Motion
Revised November 1, 2004 by Motion
Revised June 6, 2005 by Motion and Resolution No. 215
Revised , 2012 by Resolution No.

Exhibit B

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APPLICATION FOR APPOINTMENT TO BURIEN CITY COUNCIL

Thank you for your interest in serving on the Burien City Council. Please fill out this form and attach a cover letter and resume if you wish. Submit the form to the City Clerk's Office, 400 SW 152nd Street, Suite 300, 98166, by 5 p.m. on . Should you have any questions, feel free to contact Monica Lusk, City Clerk, at (206) 248-5517.

The vacancy is for Council Position No. , which is an At Large position representing all Burien residents. The term for this position expires December 31, . Applicants must have lived in the city of Burien for 12 consecutive months prior to being appointed to office and be a registered voter to qualify for a position on the Burien City Council.
(Note: Residents living in the area annexed to Burien in April 2010 are eligible to apply)

PLEASE PRINT:
NAME: _____

HOME ADDRESS: _____

PHONE NUMBER - HOME: _____ WORK _____

EMAIL: _____

YEARS OF RESIDENCE IN BURIEN: _____
(Note: Residents living in the area annexed to Burien in April 2010 are eligible to apply)

CURRENT OCCUPATION: _____

PRIOR WORK EXPERIENCE: _____

COMMUNITY INVOLVEMENT (Past and present) _____

_____

_____

AVAILABILITY FOR LATE AFTERNOON AND EVENING MEETINGS

_____

Exhibit B

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Please provide information about experience and or training that you possess that you feel would be beneficial to holding this City Council office.

	CITY COUNCIL POLICIES AND PROCEDURES CITY COUNCIL COMMENT SUMMARY WORKING DRAFT 11/28/2012				
COUNCIL MEMBER	**#**	**REFERENCE Section**	**CURRENT**	**REQUESTS**	**COUNCIL CONSENT (Y/N)**
BE	1	2.4 Council Meetings	The City Clerk shall prepare minutes for all Council meetings, which shall contain an account of all official actions of the Council. The minutes will constitute the official record of the Council. Council meetings shall be electronically recorded and retained for the period of time as provided by State law.	BE asked: "If information is not documented in the minutes, the Council has the <u>responsibility</u> to amend the minutes?" Staff responds: There is no legal responsibility required of Council to amend the minutes; however, Council has the opportunity to do so at the next meeting under Consent Agenda.	
BE	2	2.6 Roll Call	The City Clerk shall call the roll, and the Mayor shall indicate any Councilmember who is not in attendance and whether or not the Councilmember has an excused absence. Councilmembers may make a motion to excuse absent Councilmembers.	Delete "Councilmembers may make a motion to excuse absent Councilmembers" to read: The City Clerk shall call the roll, and the Mayor shall indicate any Councilmember who is not in attendance and whether or not the Councilmember has an excused absence. Staff: No recommendation.	
LK/JB/GR	3	2.6 Correspondence for the Record	Correspondence that is abusive or otherwise inappropriate, or sent anonymously, will not be included in the Record.	Councilmembers discussed what should or shouldn't be included in the Correspondence for the Record (CFR). Staff recommends: Correspondence that contains profanity and discloses personal information will be edited out before included in the Record. Correspondence that is sent anonymously will not be included in the Record.	

LK	4	2.6 Consent Agenda	Consent Agenda items are considered to be routine and are approved by one motion. Items on the Consent Agenda include but are not limited to minutes, vouchers or other matters, including ordinances and resolutions, discussed at a previous City Council meeting.	Delete "including ordinances and resolutions" to read: Consent Agenda items are considered to be routine and are approved by one motion. Items on the Consent Agenda include but are not limited to minutes, vouchers or other matters, discussed at a previous City Council meeting. Note: The proposed change would not prevent ordinances and resolutions from being included. Staff: No recommendation.	
LK	5	2.6 Public Hearings and Discussion	Public Hearings and Discussion Public hearings are held to receive public comment on important issues and/or issues requiring a public hearing by State statute or Burien ordinances. Public wishing to comment will follow the same procedure as for "Public Comments" and may speak after being recognized by the Mayor. After all persons have spoken, the hearing is closed to public comment. The Council may then proceed with deliberation and decision making.	LK would like to add "For legislative public hearing, Council's decision will occur at the next regular meeting." Staff revised the section to read: Public Hearings and Discussion Public hearings are held to receive public comment on important issues and/or issues requiring a public hearing by State statute or Burien ordinances. Public wishing to comment will follow the same procedure as for "Public Comments" and may speak after being recognized by the Mayor. After all persons have spoken, the hearing is closed to public comment. The Council may then proceed with deliberation ~~and decision making~~. For legislative public hearing, Council's decision will occur at the next regular meeting.	
LK	6	2.6 Council Reports	Council Reports Councilmembers may report on other meetings and activities in which they have participated and represented the City. Councilmembers may also provide written reports to the City Manager's report under the heading, "Council Updates and Reports."	Combine "City Business" with "City Manager's Report" and "Council Updates and Reports" so that all are referred to under the single title of "City Business." Staff recommends status quo.	

LK/BE/GR	7	4.1-4.8 Council Discussion and Decision Making Process	In these sections and throughout the Policies and Procedures, the word "will" is being used most dominantly.	For stronger emphasis and consistency, councilmembers LK/BE/GR asked staff to use the word "shall" in place of the word "will" wherever applicable throughout the document. BE has more wordsmithing changes and will email them to Monica. Staff recommends keeping the status quo since the word "will" is less formal than "shall" and fits the intent of the document which is a "Guidelines" rather than "Policies and Procedures."	
Staff	8	Section 9 Council Relations/Anti Harassment Policy	This section was removed from Council Policies and Procedures.	Staff recommended this section be removed from the Policies and Procedures because it can be found in the Human Resources Department's City of Burien Personnel Policies, Section 2.03 Anti-Harassment Policy, Including Sexual Harassment.	
BE	9	12.3 Public Hearing - Quasi-Judicial Public Hearings	The Public wishing to comment will follow the same procedure as for "Public Comment" and may speak after being recognized by the Mayor. After all persons have spoken, the hearing is closed to public comment. The Council then proceeds with deliberation and decision making.	BE would like to move this paragraph from section 12.3 to merge with section 12.1 Public Hearings – Types to read: <u>12.1 TYPES</u> There are two types of public hearings: legislative and quasi-judicial. The mayor will state the public hearing procedures before each public hearing. The public may comment on public hearing items. The Public wishing to comment will follow the same procedure as for "Public Comment" and may speak after being recognized by the Mayor. After all persons have spoken, the hearing is closed to public comment. The Council then proceeds with deliberation and decision making. Staff agrees.	
BE	10	14.4 Council Representation	As a matter of courtesy, letters to the editor, or other communication of a controversial nature, which do not express the majority opinion of the Council, should be presented to	BE wanted to delete "in the Council agenda packet prior to publication so that Councilmembers may be made aware of the impending publication" and add "at the time of communication":	

			the full Council in the Council agenda packet prior to publication so that Councilmembers may be made aware of the impending publication.	As a matter of courtesy, letters to the editor, or other communication of a controversial nature, which do not express the majority opinion of the Council, should be presented to the full Council ~~in the Council agenda packet prior to publication so that Councilmembers may be made aware of the impending publication~~ at the time of communication. Staff: No recommendation.	
BE	11	16.1 Litigation Policies and Reporting	This section was removed from the Council Policies and Procedures.	BE requested this section to be added back. Staff recommended this section be removed from the Policies and Procedures because rather than a mandatory reporting schedule, staff recommends that litigation reporting occurs in executive session on an as-needed basis as determined by City Manager and City Attorney.	
RC	12	16.2 Financial Management Policies	This section was removed from the Council Policies and Procedures.	Staff recommended this section to be removed from the Policies and Procedures because it can be found in the 2013-2014 Biennial Budget Section 5.3 "Financial Policies." RC wanted City to include "buying from local businesses as much as possible" to be included in Purchasing Policies. Staff is in the process of revising the Purchasing Policies and plan to roll out the updated policies in March 2013. This issue could be considered at that time.	
Staff	13	Section 17 Council and Staff Travel and Expenses	This section was removed from Council Policies and Procedures.	Staff recommended this section be removed from the Policies and Procedures because it is in the "City of Burien's Travel Policies and Procedures, Revised March 31, 2011" in the Human Resources Department and is posted on City Intranet called B-Hive for staff's reference.	

Staff	14	Section 19 City Manager Evaluation Process	This section was removed from Council Policies and Procedures.	Staff recommended this section be removed from the Policies and Procedures because this process is in the "Performance Evaluations of City Manager by Mayor and City Council" document in the Human Resources Department.	
Staff	15	Section 21 City Council Committees	This section was removed from Council Policies and Procedures.	Staff recommended this section to be removed from the Policies and Procedures because there are no committees.	
Staff	16	Section 24 Burien Citizen Boards and Commissions	This section was removed from Council Policies and Procedures.	Staff recommended this section be removed from the Policies and Procedures because it can be found in Burien Municipal Code 2.45, 2.50, 2.55 and 2.60 which is available on the City of Burien's website.	
COUNCIL MEMBER	**#**	**REFERENCE Section**	**CURRENT**	**REQUESTS**	**COUNCIL CONSENT (Y/N)**
LK	17	2.1.A. Regular Meetings and Study Session	Regular meetings of the City Council of the City of Burien shall be held at 7:00 p.m. on the first and third Monday of each month at the building designated as Burien City Hall, currently located at 400 SW 152nd Street, Burien, Washington, or at another location the City Council may deem appropriate. (Resolution No. 3 and amended by Resolution Nos. 3, 19, 35, 71, 97, 101, and 290).	LK asked staff to provide Resolution 3, 19, 35, 71, 97, 101, and 290. Staff provided resolutions.	Done
LK	18	2.5.(5) Executive Session	Before convening an Executive Session, the Mayor shall announce the specific purpose of the meeting and the potential for action by the Council when it reconvenes. The Mayor shall also announce that the Executive Session will be conducted per RCW42.30.110(2).	LK asked staff to provide RCW 42.30.110(2). Staff provided resolution.	Done

LK	19	2.6 Roll Call	The City Clerk shall call the roll, and the Mayor shall indicate any Councilmember who is not in attendance and whether or not the Councilmember has an excused absence. Councilmembers may make a motion to excuse absent Councilmembers.	LK asked staff to provide ordinance regarding attendance requirement for Councilmembers. Staff provided RCW.	Done
BE	20	2.6 Correspondence for the Record	Correspondence addressed to the Council will normally be included in Correspondence for the Record for a future City Council meeting.	BE requested the word "future" to be replaced with the words "the next regularly scheduled" meeting to read: Correspondence addressed to the Council will normally be included in "Correspondence for the Record" for ~~a future~~ the next regularly scheduled City Council meeting	
LK	21	2.7 Order of Study Session Agenda	Call to Order Pledge of Allegiance Roll Call Discussion Items	Add "Correspondence for the Record" to read: Call to Order Pledge of Allegiance Roll Call Correspondence for the Record Discussion Items	
BE	22	3.2 Agenda Preparation	The proposed agenda schedule will be reviewed as the first item of discussion at the 4th Monday Study Session.	BE wanted to revise the section to read: The proposed agenda schedule will be reviewed during the last regular Council meeting of each month.	
BE/GR	23	3.8 Agenda Preparation	Agenda and materials will be available at City Hall and on the City's website for City staff, media and the public at 5 pm on the Friday prior to the meeting.	BE requested to change the time of making agenda package available to the public to an earlier time. GR requested the agenda package to be available at the Burien Library. The revised statement reads: Agenda and materials will be available at City Hall, on the City's website and at the Burien Library for City staff, media and the public at 4:00 pm on the Friday prior to the meeting.	

LK	24	6.0 Motions	There are vertical marks on the left column on page 82 and throughout the document.	LK pointed out these vertical lines should be deleted. Staff explained that once the document is finalized, the lines will be deleted.	
LK	25	8.10 Presiding Officer of the Council	Share information with Councilmembers on meetings, issues, etc. that the Mayor has received as part of his/her official status as Mayor.	Add "conducted or participated in" to read: Share information with Councilmembers on meetings, issues, etc. that the Mayor has received, conducted or participated in as part of his/her official status as Mayor.	
BE	26	8.10 Presiding Officer of the Council	Format: (1.), (2.) and so on.	Remove the period after the number to read: (1), (2) and so on.	
BE	27	9.7 & 9.8 Council Relationship with Staff	9.7 To ensure timely response and any required administrative actions, mail addressed to the Mayor shall be copied and circulated by the City Clerk to all appropriate persons as soon as practicable after it arrives. Unless specifically requested, other Councilmembers' mail shall not be opened before distribution to those Councilmembers. 9.8 The City Clerk shall not open mail addressed to individual Councilmembers.	BE expressed concern that these two sections might duplicate each other and asked staff to remove section 9.8. Section 9.8 is deleted. ~~9.8 The City Clerk shall not open mail addressed to individual Councilmembers~~ Staff agrees.	
BE	28	11.5 Councilmember Attendance at Meetings	Councilmembers will let the Executive Assistant to the City Manager know what meetings they are attending so that these can be noted on the meetings calendar.	BE asked: "Where is the meeting calendar located that shows which meetings each Council member attends?" Staff's response: "The meeting calendar is the pink sheet distributed in the first page of the City Council meeting package at each regular meeting."	Done
BE	29	15.1 Confidentiality	Councilmembers shall keep confidential all written materials and verbal information provided to them during Executive Sessions to ensure that the City's position is not compromised. Confidentiality also includes	BE requested the referenced RCW to be identified. This section is revised to read: Councilmembers shall keep confidential all written materials and verbal information provided to them during Executive Sessions to ensure that the City's position is not	Done

			information provided to Councilmembers outside of Executive Sessions, when the information is considered to be exempt from disclosure under exemptions set forth in the Revised Code of Washington (RCW).	compromised. Confidentiality also includes information provided to Councilmembers outside of Executive Sessions, when the information is considered to be exempt from disclosure under exemptions set forth in the Revised Code of Washington (RCW 42.56 Public Records Act).	
LK	30	20.3 Mayor/Deputy Mayor Selection Process	The Deputy Mayor shall be elected to a one-year term at the first Regular Council meeting in January according to a motion passed by the Council on January 10, 1994.	Delete the date to read: The Deputy Mayor shall be elected to a one-year term at the first Regular Council meeting in January ~~according to a motion passed by the Council on January 10, 1994.~~	Done
LK/BE/GR	31	22.2 Appointments to Regional Organizations	Council committee membership shall not limit a Councilmember's interest in serving on a particular regional body.	Delete this section: ~~Council committee membership shall not limit a Councilmember's interest in serving on a particular regional body.~~	
BE	32	22 Appointments to Regional Organizations	SECTION 22. APPOINTMENTS TO REGIONAL ORGANIZATIONS Appointments to regional bodies, ad-hoc community committees or other special committees outside the City auspices may be made in two ways: (1) the regional committee may request recommendations for ultimate appointment by the regional committee; or (2) the City Council may make direct appointment to a regional committee when asked to do so by that body.	BE would like to see procedure for appointments to organizations <u>other</u> than regional organizations. Staff recommends status quo because Council discusses and makes appointments to organizations (regional and non-regional) during Council Retreat.	
RC	33	Miscellaneous		Requested that before asking staff to do something, at least three councilmembers must be agreement to take this action. Staff recommends: Council majority is required for significant issues.	

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JEH/are
10/02/92

RESOLUTION NO. 92-003

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, ESTABLISHING THE DATES, TIME AND PLACE OF CITY COUNCIL MEETINGS AND ADOPTING RULES OF PROCEDURE FOR THE CONDUCT OF THOSE MEETINGS.

THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Regular Meetings and Study Sessions.

A. Regular meetings of City Council of the City of Burien shall be held at 6:00 p.m. on the second and fourth Mondays of each month, at the Southwest District Court, 601 S.W. 149th Street, Burien, Washington.

B. The City Council shall hold workshops or study sessions at 6:00 p.m. on the first and third Mondays of each month at the same location as regular meetings are held. The City Council shall not take a final vote on any item that comes before it at such a session, unless a majority plus one of the entire membership of the Council deems that an emergency exists necessitating final action.

C. Should any Council meeting, regular or study session, fall upon a date designated as a legal holiday, the City Council may, by motion and majority vote of those members present, change the date of the said regular meeting or study session.

Section 2. Special Meetings. Special meetings may be called by the Mayor or by a majority of the Council by written notice delivered personally or by mail to each Councilmember and

the Mayor at least twenty-four hours prior to the time set for the meeting as specified in the notice. The requirements of the Open Meetings Act RCW Chapter 42.30 shall apply in all respects to special meetings of the Council.

Section 3. Meetings Public - Executive Sessions. All regular and special meetings of the Council, and all study sessions, shall be open to the public. The Council may hold executive sessions from which the public may be excluded for those purposes set forth in RCW 42.30.110 (the Open Meetings Act), may order the removal of individuals for interrupting the meeting as provided in RCW 42.30.050, and may exclude witnesses during investigation of a matter by the Council as provided in RCW 42.30.110.

Section 4. Quorum - Voting.

A. A majority of the members of the Council shall constitute a quorum at all meetings of the Council, but a lesser number may adjourn from time to time. Once a meeting has been constituted and called to order, no member present shall absent himself from the same without leave of the presiding officer or a majority of Council.

B. The passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money shall require the affirmative vote of at least a majority of the whole membership of the Council. Other matters shall require the affirmative vote of a majority of those present.

Section 5. Presiding Officer - Mayor.

A. The presiding officer at all meetings of the Council shall be the Mayor, and, in

the Mayor's absence, the Deputy Mayor, who shall conduct the business and deliberations of the Council under these rules. If both the Mayor and the Deputy Mayor are absent and a quorum is present, the Council shall elect one of its members to serve as presiding officer of the Council until the return of the Mayor or Deputy Mayor. The presiding officer, as a member of the Council, shall have only those rights, and shall be governed in all matters and issues by the same rules and restrictions, as other Councilmembers.

B. It shall be the duty of the presiding officer of the Council meeting:

1. Call the meeting to order;
2. Keep the meeting to its order of business;
3. State each motion and require a second to that motion before permitting discussion;
4. Handle discussion in an orderly way, including:

   a. Giving every Councilmember who wishes an opportunity to speak;
   b. Keeping all speakers to the rules and to the questions;
   c. Giving pro and con speakers an equal opportunity to speak.

5. Put motions to a vote and announce the outcome;
6. Appoint committees when authorized by law or Council actions.

Section 6. Voting - Disqualification. Each member present must vote on all questions put to the Council, except as to

matters with respect to which the member may have a conflict of interest.

Section 7. Questions of Order. All questions of order shall be decided by the presiding officer of the Council, with the right of appeal to the Council by any member.

Section 8. Robert's Rules of Order. Robert's Rules of Order, Revised, shall govern the proceedings of the Council, expect when in conflict with any of the forgoing rules or any law or ordinance governing such proceedings.

Section 9. Council Committees.

A. The following standing committees of the City Council are hereby established:

1. Finance, Budget and Economic Development;
2. Planning, Zoning, Growth Management and Transportation;
3. Public Works and Utilities;
4. Public Safety and Health;
5. Building and Codes;
6. Parks, Recreation and Community Development;
7. General Administration.

B. Each committee shall be composed of three Councilmembers, one of whom shall chair the committee meetings. No Councilmember may chair more than one committee. The membership of each committee shall be determined by the Council on an annual basis.

C. The committee shall review issues and matters referred to them by the Council or City Manager and shall review the same and make recommendations thereon for Council action. Nothing shall prevent the Council from taking final action without committee review if a majority of the Council so determines.

ADOPTED by the City Council of the City of Burien at its meeting of OCT 12, 1992.

CITY OF BURIEN

Arun Jhaveri

ARUN JHAVERI, MAYOR

ATTEST/AUTHENTICATED:

Nacelle Heuslein CMC

NACELLE HEUSLEIN, ACTING CITY CLERK

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
RESOLUTION NO. 02003

CITY OF BURIEN
WASHINGTON

RESOLUTION NO. 92-019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, ESTABLISHING THE DATES, TIME AND PLACE OF CITY COUNCIL MEETINGS AND ADOPTING RULES OF PROCEDURE FOR THE CONDUCT OF THOSE MEETINGS AND RESCINDING RESOLUTION NO. 92-003

THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON HEREBY RESOLVES AS FOLLOWS:

Section 1. Regular Meetings and Study Sessions.

A. Beginning with the effective date of this Resolution and continuing until February 28, 1993, regular meetings of the City Council of the City of Burien shall be held at 6:00 p.m. each Monday at the Southwest District Court, 601 S.W. 149th Street, Burien, Washington.

B. Thereafter, the City Council shall hold workshops or study sessions at 6:00 p.m. on the first and third Mondays of each month, and regular meetings on the second and fourth Mondays. The City Council shall not take a final vote on any item that comes before it at such a session, unless a majority plus one of the entire membership of the Council deems that an emergency exists necessitating final action.

C. Should any Council meeting, regular or study session, fall upon a date designated as a legal holiday, then that meeting shall be held on the next business day at the same time and location.

Section 2. Special Meetings. Special meetings may be called by the Mayor or by a majority of the Council by written notice delivered personally or by mail to each Councilmember and the Mayor at least twenty-four hours prior to the time set for the meeting as specified in the notice. Attendance by any Councilmember shall act as a waiver to any objection of failure to receive written notice of any special meeting. The requirements of the Open Meetings Act RCW Chapter 42.30 shall apply in all respects to special meetings of the Council.

RS00026.mrk

Section 3. Meetings Public - Executive Sessions. All regular and special meetings of the Council, and all study sessions, shall be open to the public. The Council may hold executive sessions from which the public may be excluded for those purposes set forth in RCW 42.30.110 (the Open Meetings Act), may order the removal of individuals for interrupting the meeting as provided in RCW 42.30.050, and may exclude witnesses during investigation of a matter by the Council as provided in RCW 42.30.110.

Section 4. Quorum - Voting.

A. A majority of the members of the Council shall constitute a quorum at all meetings of the Council, but a lesser number may adjourn from time to time. Once a meeting has been constituted and called to order, no member present shall absent himself from the same without leave of the presiding officer or a majority of Council.

B. The passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money shall require the affirmative vote of at least a majority of the whole membership of the Council. Other matters shall require the affirmative vote of a majority of those present.

Section 5. Presiding Officer - Mayor.

A. The presiding officer at all meetings of the Council shall be the Mayor, and, in the Mayor's absence, the Deputy Mayor, who shall conduct the business and deliberations of the Council under these rules. If both the Mayor and the Deputy Mayor are absent and a quorum is present, the Council shall elect one of its members to serve as presiding officer of the Council until the return of the Mayor or Deputy Mayor. The presiding officer, as a member of the Council, shall have only those rights, and shall be governed in all matters and issues by the same rules and restrictions, as other Council members.

B. It shall be the duty of the presiding officer of the Council meeting to:

1. Call the meeting to order;
2. Keep the meeting to its order of business;
3. State each motion and require a second to that motion before permitting discussion;
4. Handle discussion in an orderly way, including:

    a. Giving every Councilmember who wishes an opportunity to speak;

b. Keeping all speakers to the rules and to the questions;
c. Giving pro and con speakers an equal opportunity to speak;

5. Put motions to a vote and announce the outcome; and
6. Appoint committees when authorized by law or Council actions.

Section 6. Voting - Disqualification. Each member present must vote on all questions put to the Council, except as to matters with respect to which the member may have a conflict of interest.

Section 7. Questions of Order. All questions of order shall be decided by the presiding officer of the Council, with the right of appeal to the Council by any member.

Section 8. Robert's Rules of Order. Robert's Rules of Order, Revised, shall govern the proceedings of the Council, except when in conflict with any of the foregoing rules or any law or ordinance governing such proceedings. The City Council may, by motion and majority vote of those members present, change the date of the said regular meeting or study session.

Section 9. Council Committees.

A. The following standing committees of the City Council are hereby established:

1. Finance, Budget and Economic Development;
2. Planning, Zoning, Growth Management and Transportation;
3. Public Works and Utilities;
4. Public Safety and Health;
5. Building and Codes;
6. Parks, Recreation and Community Development;
7. General Administration.

B. Each committee shall be composed of three Council members, one of whom shall chair the committee meetings. No Council member may chair more than one committee. The membership of each committee shall be determined by the Council on an annual basis. The Council reserves the right to establish from time to time such other City Council committees as the Council may deem appropriate.

C. Each committee shall review issues and matters referred to it by the Council or City Manager and shall review the same and make recommendations thereon for Council action. Nothing shall prevent the Council from taking final action without committee review if a majority of the Council so determines.

Section 10. Recision of Resolution No. 92-003. Resolution No. 92-003 is hereby rescinded in its entirety as of the effective date of this Resolution.

ADOPTED by the City Council of the City of Burien at a regular meeting this 14th day of December, 1992.

CITY OF BURIEN

Judy A Nelson
ARUN JHAVERI, MAYOR Deputy

ATTEST/AUTHENTICATED:

Naoelle Heuslein
NACELLE HEUSLEIN, Acting City Clerk

Approved as to form:

Michael Kenyon 12/16/92
MIKE KENYON, City Attorney

FILED WITH THE CITY CLERK: 12-10-92
PASSED BY THE CITY COUNCIL: 12-14-92
RESOLUTION NO. 92-019

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CITY OF BURIEN
WASHINGTON

Resolution No. 035

A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON, AMENDING RESOLUTION NO. 92-019, ESTABLISHING THE DATES, TIME AND PLACE OF CITY COUNCIL MEETINGS AND ADOPTING RULES OF PROCEDURES FOR THE CONDUCT OF THOSE MEETINGS

THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON HEREBY RESOLVES AS FOLLOWS:

Section 1. Section 1 of Resolution No. 92-019 is hereby amended to read as follows:

Section 1. Regular Meetings and Study Sessions.

A. Beginning August 1, 1993, regular meetings of the City Council of the City of Burien shall be held at 7:00 p.m. on the second and fourth Monday of each month at the Southwest District Court, 601 SW 149th Street, Burien, Washington.

B. The City Council shall hold workshops or study sessions at 7:00 p.m. on the first and third Mondays of each month at the same location. The City Council shall not take a final vote on any item that comes before it as such a session, unless a majority plus one of the entire membership of the Council deems that an emergency exists necessitating final action.

C. Should any Council meeting, regular or study session, fall upon a date designated as a legal holiday, then that meeting shall be held on the next business day at the same time and location.

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ADOPTED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, AT A REGULAR MEETING THEREOF THIS 12 DAY OF July, 1993.

CITY OF BURIEN

Arun Jhaveri

Arun Jhaveri, Mayor

ATTEST:

Jan Hubbard

Jan Hubbard, City Clerk

APPROVED AS TO FORM:

Michael Kenyon

Mike Kenyon, City Attorney

Filed with the City Clerk: July 8, 1993
Passed by the City Council: July 12, 1993
Resolution No. 035
Date of publication:

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CITY OF BURIEN
WASHINGTON

Resolution No. 071

A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON, AMENDING RESOLUTION NO. 035 ESTABLISHING THE DATES, TIME AND PLACE OF CITY COUNCIL MEETINGS AND ADOPTING RULES OF PROCEDURES FOR THE CONDUCT OF THOSE MEETINGS

THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON HEREBY RESOLVES AS FOLLOWS:

Section 1. Section 1 of Resolution No. 035 is hereby amended to read as follows:

Section 1. Regular Meetings.

A. Beginning January 1, 1996, regular meetings of the City Council of the City of Burien shall be held at 7:00 p.m. on the first, second and third Monday of each month at the building designated as Burien City Hall, currently located at 415 SW 150th Street, Burien, Washington.

B. All regular meetings may include study or discussion items on which action may or may not be taken according to the Council's wishes.

C. Should any Council meeting fall upon a date designated as a legal holiday, then that meeting shall be canceled.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, AT A REGULAR MEETING THEREOF THIS 16 DAY OF December, 1995.

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CITY OF BURIEN

Arun Jhaveri

Arun Jhaveri, Mayor

ATTEST:

Jan Hubbard

Jan Hubbard, City Clerk

APPROVED AS TO FORM:

Mike Kenyon

Mike Kenyon, City Attorney

Filed with the City Clerk: September 27, 1995
Passed by the City Council: 12-18-95
Resolution No. 071
Date of publication:

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CITY OF BURIEN
WASHINGTON

Resolution No. 097

A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON, AMENDING RESOLUTION NO. 071 ESTABLISHING THE DATES, TIME AND PLACE OF CITY COUNCIL MEETINGS

THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON HEREBY RESOLVES AS FOLLOWS:

Section 1. Section 1 of Resolution No. 071 is hereby amended to read as follows:

Section 1. Regular Meetings and Study Sessions.

A. Beginning February 2, 1998, regular meetings of the City Council of the City of Burien shall be held at 7:00 p.m. on the first, and third Monday of each month at the building designated as Burien City Hall, currently located at 415 SW 150th Street, Burien, Washington, or at another location the City Council may deem appropriate.

B. Regular Meeting is defined as a meeting used to conduct all ordinary and routine business of the city.

C. Beginning February 2, 1998, study sessions of the City Council of the City of Burien shall be held at 7:00 p.m. on the second and fourth Monday of each month.

D. Study Session is defined as a meeting used to review and discuss pertinent business of the city and to prepare matters for action at a Regular Meeting.

E. Beginning February 2, 1998, city council retreats may be held on the fifth Monday of the month, at a location designated by the City Council.

F. Beginning February 2, 1998, during the months of July, August, and September, meetings will be held only on the second and fourth Mondays of the month. These meetings will be designated as regular meetings and may include action and/or study items.

G. Should any Council meeting fall upon a date designated as a legal holiday, then that meeting shall be canceled.

Section 2. Section 2.7 (3), (4) and (5) of the City Council Policies and Procedures are amended as follows:

(3) Special: any council meeting other than the Regular Council which has been called for the purpose of conducting official action or studying an issue. Notice shall be given at least 24 hours in advance. A Special Council meeting may be scheduled by the Mayor and three additional councilmembers , or at the request of a majority of the Councilmembers.

(4) Emergency: a Special Council meeting called without 24-hour notice. An Emergency meeting deals with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of a 24 hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency meetings may be called by the Mayor or a majority of Councilmembers. The minutes will indicate the reason for the emergency.

(5) Executive Session: a Council meeting that is closed except to the Council, City Manager, and authorized staff members and/or consultants authorized by the Mayor or a majority of councilmembers. The public is restricted from attendance. Executive sessions may be held during Regular or Special Council meetings, or as separate meetings, and will be announced by the Mayor. Executive Session subjects are limited to considering matters authorized by state law, as set forth in RCW 42.30.110.

Before convening an Executive Session, the Mayor shall announce the specific purpose of the meeting and the potential for action by the Council when it reconvenes. Should the session require more time, a public announcement shall be made, extending the meeting for a time certain. At the end of that time, if the discussion has not concluded, the meeting shall by public announcement again be extended for a time certain.

Executive Sessions will begin and end in accordance with state law. At the conclusion of the Executive Session, if the potential for taking action was previously announced, the public meeting will reconvene.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, AT A REGULAR MEETING THEREOF THIS 2ND DAY OF FEBRUARY, 1998.

CITY OF BURIEN

Catherine "Kitty" Milne, Mayor

ATTEST:

Jan Hubbard, City Clerk

APPROVED AS TO FORM:

Mike Kenyon, City Attorney

Filed with the City Clerk: January 29, 1998
Passed by the City Council: 2/9/98
Resolution No. 097
Date of publication: ——

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CITY OF BURIEN
WASHINGTON

Resolution No. 101

A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON, AMENDING RESOLUTION NO. 097 ESTABLISHING THE DATES OF REGULAR CITY COUNCIL MEETINGS IN JULY, AUGUST AND SEPTEMBER.

THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON HEREBY RESOLVES AS FOLLOWS:

Section 1. Section 1(F) of Resolution No. 097 is hereby amended to read as follows:

Section 1. Regular Meetings

F. Beginning, April 20, 1998, during the months of July, August, and September, meetings will be held only on the first and third Mondays of the month. These meetings will be designated as regular meetings and may include action and/or study items.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON. AT A REGULAR MEETING THEREOF THIS 20th DAY OF April, 1998.

CITY OF BURIEN

Kitty Milne

Catherine "Kitty" Milne, Mayor

ATTEST:

Jan Hubbard

Jan Hubbard, City Clerk

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APPROVED AS TO FORM:

Dana Kapella, Assistant City Atty
Mike Kenyon, City Attorney

Filed with the City Clerk: April 16, 1998
Passed by the City Council: April 20, 1998
Resolution No. 101

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CITY OF BURIEN, WASHINGTON

RESOLUTION NO. 290

A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON, REPLACING AND SUPERSEDING RESOLUTION NOS. 097 AND 101, ESTABLISHING THE DATES, TIME AND PLACE OF CITY COUNCIL MEETINGS.

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

Section 1. Resolution Nos. 071 and 101 are hereby replaced and superseded.

Section 2. Council Meetings.

A. Beginning April 6, 2009, meetings of the City Council of the City of Burien shall be held at 7:00 p.m. on the first, second, and fourth Monday of each month at the building designated as Burien City Hall, currently located at 15811 Ambaum Boulevard SW, Burien, Washington, or at another location the City Council may deem appropriate.

B. Council Meeting is defined as a meeting used to conduct all ordinary and routine business of the city.

C. Beginning April 6, 2009, during the months of June, July, and August, Council meetings shall be held only on the first and third Mondays of the month.

G. Should any Council meeting fall upon a date designated as a legal holiday, then that meeting shall be canceled.

Section 3. 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 COUNCIL MEETING THEREOF THIS 23RD DAY OF MARCH, 2009.

CITY OF BURIEN

Joan McGilton, Mayor

ATTEST/AUTHENTICATED:

Monica Lusk, City Clerk

Approved as to form:

Christopher D. Bacha,
Kenyon Disend, PLLC
Interim City Attorney

Filed with the City Clerk: March 4, 2009
Passed by the City Council: MARCH 23, 2009
Resolution No. 290

R: //Resolutions-Final/Res290

CITY OF BURIEN, WASHINGTON

RESOLUTION NO. 329

A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON, ESTABLISHING THE DATES, TIME AND PLACE OF CITY COUNCIL MEETINGS AND REPEALING RESOLUTION NOS. 071, 097, 101 AND 290.

THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON HEREBY RESOLVES AS FOLLOWS:

Section 1. Regular Meetings and Study Sessions.

A. Regular Meetings of the City Council of the City of Burien shall be held at 7:00 p.m. on the first and third Monday of each month at the building designated as Burien City Hall, currently located at 400 SW 152nd Street, Burien, Washington, or at another location the City Council may deem appropriate.

B. Regular Meeting is defined as a meeting used to conduct all ordinary and routine business of the city.

C. Study Sessions of the City Council of the City of Burien shall be held at 7:00 p.m. on the fourth Monday of each month.

D. Study Session is defined as a meeting used to review and discuss pertinent business of the city and to prepare matters for action at a Regular Meeting. Business items requiring action that are time sensitive shall be scheduled at a Study Session.

E. During the months of June, July, and August, Council meetings shall be held only on the first and third Mondays of the month. These meetings will be designated as Regular Meetings and may include action and/or study items.

G. Should any Council meeting fall upon a date designated as a legal holiday, then that meeting shall be canceled.

Section 2. Repealer. Resolution Nos. 071, 097, 101 and 290 are hereby repealed.

Section 3. 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 19th DAY OF MARCH, 2012.

CITY OF BURIEN

Brian Bennett

Brian Bennett, Mayor

ATTEST/AUTHENTICATED:

Monica Lusk

Monica Lusk, City Clerk

Approved as to form:

Craig D. Knutson

Craig D. Knutson, City Attorney

Filed with the City Clerk: March 19, 2012
Passed by the City Council: March 19, 2012
Resolution No. 329

RCW 42.30.110

Executive sessions.

(1) Nothing contained in this chapter may be construed to prevent a governing body from holding an executive session during a regular or special meeting:

(a) To consider matters affecting national security;

(b) To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price;

(c) To consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price. However, final action selling or leasing public property shall be taken in a meeting open to the public;

(d) To review negotiations on the performance of publicly bid contracts when public knowledge regarding such consideration would cause a likelihood of increased costs;

(e) To consider, in the case of an export trading company, financial and commercial information supplied by private persons to the export trading company;

(f) To receive and evaluate complaints or charges brought against a public officer or employee. However, upon the request of such officer or employee, a public hearing or a meeting open to the public shall be conducted upon such complaint or charge;

(g) To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW 42.30.140(4), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public;

(h) To evaluate the qualifications of a candidate for appointment to elective office. However, any interview of such candidate and final action appointing a candidate to elective office shall be in a meeting open to the public;

(i) To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

This subsection (1)(i) does not permit a governing body to hold an executive session solely because an attorney representing the agency is present. For purposes of this subsection (1)(i), "potential litigation" means matters protected by RPC 1.6 or RCW 5.60.060(2)(a) concerning:

(i) Litigation that has been specifically threatened to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party;

(ii) Litigation that the agency reasonably believes may be commenced by or against the agency, the governing body, or a member acting in an official capacity; or

(iii) Litigation or legal risks of a proposed action or current practice that the agency has identified when public discussion of the litigation or legal risks is likely to result in an adverse legal or financial consequence to the agency;

(j) To consider, in the case of the state library commission or its advisory bodies, western library network prices, products, equipment, and services, when such discussion would be likely to adversely affect the network's ability to conduct business in a competitive economic climate. However, final action on these matters shall be taken in a meeting open to the public;

(k) To consider, in the case of the state investment board, financial and commercial information when the information relates to the investment of public trust or retirement funds and when public knowledge regarding the discussion would result in loss to such funds or in private loss to the providers of this information;

(l) To consider proprietary or confidential nonpublished information related to the development, acquisition, or implementation of state purchased health care services as provided in RCW 41.05.026;

(m) To consider in the case of the life sciences discovery fund authority, the substance of grant applications and grant awards when public knowledge regarding the discussion would reasonably be expected to result in private loss to the providers of this information;

(n) To consider in the case of a health sciences and services authority, the substance of grant applications and grant awards when public knowledge regarding the discussion would reasonably be expected to result in private loss to the providers of this information;

(o) To consider in the case of innovate Washington, the substance of grant or loan applications and grant or loan awards if public knowledge regarding the discussion would reasonably be expected to result in private loss to the providers of this information.

(2) Before convening in executive session, the presiding officer of a governing body shall publicly announce the purpose for excluding the public from the meeting place, and the time when the executive session will be concluded. The executive session may be extended to a stated later time by announcement of the presiding officer.

[2011 1st sp.s. c 14 § 14; 2010 1st sp.s. c 33 § 5; 2005 c 424 § 13; 2003 c 277 § 1; 2001 c 216 § 1; 1989 c 238 § 2; 1987 c 389 § 3; 1986 c 276 § 8; 1985 c 366 § 2; 1983 c 155 § 3; 1979 c 42 § 1; 1973 c 66 § 2; 1971 ex.s. c 250 § 11.]

NOTES:

Effective date -- 2011 1st sp.s. c 14: See RCW 43.333.901.

Captions not law -- Liberal construction -- Severability -- Effective dates -- 2005 c 424: See RCW 43.350.900 through 43.350.903.

Severability -- Effective date -- 1987 c 389: See notes following RCW 41.06.070.

Severability -- 1986 c 276: See RCW 53.31.901.

RCW 35A.12.060

Vacancy for nonattendance.

In addition a council position shall become vacant if the councilmember fails to attend three consecutive regular meetings of the council without being excused by the council.

[1994 c 223 § 33; 1967 ex.s. c 119 § 35A.12.060.]

RCW 40.14.060
Destruction, disposition of official public records or office files and memoranda — Record retention schedules.

(1) Any destruction of official public records shall be pursuant to a schedule approved under RCW 40.14.050. Official public records shall not be destroyed unless:

(a) Except as provided under RCW 40.14.070(2)(b), the records are six or more years old;

(b) The department of origin of the records has made a satisfactory showing to the state records committee that the retention of the records for a minimum of six years is both unnecessary and uneconomical, particularly if lesser federal retention periods for records generated by the state under federal programs have been established; or

(c) The originals of official public records less than six years old have been copied or reproduced by any photographic or other process approved by the state archivist which accurately reproduces or forms a durable medium for so reproducing the original.

(2) Any lesser term of retention than six years must have the additional approval of the director of financial management, the state auditor and the attorney general, except when records have federal retention guidelines the state records committee may adjust the retention period accordingly. An automatic reduction of retention periods from seven to six years for official public records on record retention schedules existing on June 10, 1982, shall not be made, but the same shall be reviewed individually by the state records committee for approval or disapproval of the change to a retention period of six years.

Recommendations for the destruction or disposition of office files and memoranda shall be submitted to the records committee upon approved forms prepared by the records officer of the agency concerned and the archivist. The committee shall determine the period of time that any office file or memorandum shall be preserved and may authorize the division of archives and records management to arrange for its destruction or disposition.

[1999 c 326 § 1; 1982 c 36 § 5; 1979 c 151 § 52; 1973 c 54 § 4; 1957 c 246 § 6.]

RCW 42.56.100
Protection of public records — Public access.

Agencies shall adopt and enforce reasonable rules and regulations, and the office of the secretary of the senate and the office of the chief clerk of the house of representatives shall adopt reasonable procedures allowing for the time, resource, and personnel constraints associated with legislative sessions, consonant with the intent of this chapter to provide full public access to public records, to protect public records from damage or disorganization, and to prevent excessive interference with other essential functions of the agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives. Such rules and regulations shall provide for the fullest assistance to inquirers and the most timely possible action on requests for information. Nothing in this section shall relieve agencies, the office of the secretary of the senate, and the office of the chief clerk of the house of representatives from honoring requests received by mail for copies of identifiable public records.

If a public record request is made at a time when such record exists but is scheduled for destruction in the near future, the agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives shall retain possession of the record, and may not destroy or erase the record until the request is resolved.

[1995 c 397 § 13; 1992 c 139 § 4; 1975 1st ex.s. c 294 § 16; 1973 c 1 § 29 (Initiative Measure No. 276, approved November 7, 1972). Formerly RCW 42.17.290.]

Process for evaluating the Burien City Manager

1. City Manager sends Council Members blank evaluation forms with completed self evaluation. (by second Monday in November).

2. Council Members complete individual evaluations then convene in executive session without City Manager for one hour for general discussion. (on date agreed to by consensus).

3. Council Members finalize written evaluations and e-mails them to designated individual. (by date agreed to by consensus).

4. Designated individual compiles comments verbatim. (by a date agreed to by consensus).

5. Designated individual sends them back to all Council Members and to City Manager. (by a date agreed to by consensus).

6. Council Members meet with City Manager to discuss evaluation. (by date agreed to by consensus).

PERFORMANCE EVALUATION

OF

CITY MANAGER

BY

MAYOR AND CITY COUNCIL

GENERAL EXPECTATIONS

1. COMMUNITY RELATIONS

Indicators of successful performance. The City Manager:

- Makes effort to know and understand general community concerns.
- Makes effort to know and understand special interest and community organization concerns.
- Encourages public participation in developing City policies and implementing them.
- Provides information on significant constituent complaints/inquiries.
- Works proactively with the press.

☐ **5=OUTSTANDING**: Truly excellent; a clear strength; could be a role model for others.	☐ **4=VERY STRONG**: Highly effective, but still could be fine-tuned.	☐ **3=COMPETENT**: Solid and steady in essential aspects, but could be improved.
☐ **2=UNDERDEVELOPED**: Not consistent or fully developed in some essential aspects; could be a weakness if critical for job success.	☐ **1=NOT DEVELOPED**: Undeveloped in most essential aspects; would clearly be a weakness if critical for job success.	☐ **NA=DOES NOT APPLY**: Not relevant or do not know.

2. INTERGOVERNMENTAL RELATIONS

Indicators of successful performance. The City Manager:

- Provides information regarding intergovernmental relations.
- Is effective in representing the City's interests.
- Participates enough to have impact on behalf of the City.
- Actively promotes City policy with other agencies.

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COMMENTS:

3. COMMUNICATION

Indicators of successful performance. The City Manger:

- Provides for a direct contact with each Council Member that is tailored to the individual preferences and needs of each Council Member.
- Assures that Council Members receive important information from the City Manager in a timely manner (NO SURPRISES).
- Facilitates open, two-way communication.
- Provides updated list of major agenda items.
- Provides a regular update memo to the City Council.
- Actions encourage mutual honesty, respect, and trust.
- Provides the Council with reasonable access to information.
- Seeks to know and understand the significant concerns of stakeholders before making recommendations to the Council.
- Insures staff are available to respond to Council questions regarding agenda.

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COMMENTS:

4. POLICY MAKING/VISION IMPLEMENTATION

Indicators of successful performance. The City Manager:

- Is objective and takes care to separate the facts from judgments.
- Is committed to the Council's vision for the community.
- Recognizes that City Council needs to make policy decisions.
- Provides the Council with real alternatives/creative solutions.
- Provides for an orderly, open, and effective policy process with adequate lead time.
- Makes effort to create a positive environment for decisions. Acknowledges all points of view.
- Assesses impact of policy choices on the Council's vision.
- Doesn't count votes.

☐ **5=OUTSTANDING**: Truly excellent; a clear strength; could be a role model for others.	☐ **4=VERY STRONG**: Highly effective, but still could be fine-tuned.	☐ **3=COMPETENT**: Solid and steady in essential aspects, but could be improved.
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COMMENTS:

5. MANAGEMENT OF ORGANIZATION

Indicators of successful performance. The City Manager.

- Accepts full accountability for staff.
- Identifies organization problems and takes remedial action.
- Effectively utilizes the City's human resources.
- Implements policy consistent with Council decisions.
- Properly prepares and manages the budget.
- Assures that staff provides independent advice. Staff is not political
- Staff provides high quality product within financial constraints.
- Views all staff as professionals. Provides for growth within the organization and pushes staff to new levels of performance.
- Analyzes the organizations growth and her personal growth.
- Professionally manages staff (e.g. indicators of success - achievement of objectives, positive community feedback).

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COMMENTS:

ACHIEVEMENTS

List the three top achievements or strong points of the City Manager for the past 12 months.

FUTURE DEVELOPMENT

List three performance objectives for this individual you feel are the most important targets for this year.

_____

_____

_____

_____

_____

_____

OVERALL

☐ **5=OUTSTANDING**: Truly excellent; a clear strength; could be a role model for others.	☐ **4=VERY STRONG**: Highly effective, but still could be fine-tuned.	☐ **3=COMPETENT**: Solid and steady in essential aspects, but could be improved.
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Council Member _____

Date _____

EXCERPT

City of Burien Personnel Policies

2.03 ANTI-HARASSMENT POLICY, INCLUDING SEXUAL HARASSMENT

The City is committed to ensuring that the practices and conduct of all its employees comply with the requirements of Federal and State laws against employment discrimination. It is the policy of the City that all employees have the right to work in an environment free from harassment based upon their race, color, religion, gender, national origin, age, marital status, pregnancy, honorably discharged veteran or military status, sexual orientation, disability, or any other protected status or characteristic. Any such harassment of employees by their co-workers, supervisors or others in the workplace will not be tolerated.

A definition of all conduct that could constitute unlawful discrimination or harassment or other unlawful conduct is difficult, if not impossible, to create. For that reason the following list of examples of prohibited conduct is intended to be illustrative but not all-inclusive.

- Verbal or physical conduct that demeans or shows hostility or aversion toward another employee or members of the public.
- Slurs or demeaning comments to employees or members of the public relating to race, ethnic background, color, religion, national origin, pregnancy, age, marital status, sexual orientation, military or veteran status, or any other characteristic protected by law .

Sexual harassment is also a form of unlawful discrimination. Examples of prohibited conduct include but are not limited to:

- Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions;
- Verbal harassment of a sexual nature, including but not limited to lewd comments, sexual jokes or references, and offensive personal references;
- Demeaning, insulting, intimidating, or sexually suggestive comments about an individual;
- The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects, pictures, cartoons or photographs;
- Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.
- Solicitation or coercion of sexual activity, dates or the like with the implied or express promise of rewards or preferential treatment.
- Intimidating, hostile, derogatory, contemptuous or otherwise offensive remarks that are directed at a person because of that person's gender, whether or not the remarks themselves are sexual in nature, where the remarks cause discomfort or humiliation and interfere with the performance of the employee's duties.

2.04 REPORTING DISCRIMINATION OR HARASSMENT

Any person who believes he or she is a victim of or who observes any unlawful discrimination or harassment should immediately tell the offending individual how they feel and ask them to stop. If this approach is not successful or if the employee is uncomfortable confronting the offending individual, the employee should report the incident promptly, either verbally or in writing to a Department Director or the Human Resources Manager. Any Department Directors or supervisors who receive such reports from other employees shall immediately communicate the information to the Human Resources Manager or the City Manager.

The complaint will be immediately investigated. The City will determine the selection of the investigator, level of formality, and the procedures used in the investigation based upon the nature of the allegations and circumstances of the situation. Confidentiality will be maintained throughout the investigatory process to the extent practical and consistent with the City's need to undertake a full investigation. As soon as reasonable, investigative findings shall be submitted to the City Manager. If the investigation shows the accused employee engaged in unlawful harassment or discrimination, appropriate disciplinary action will be taken, up to and including termination.

The City will not permit retaliation or discipline against anyone who makes a complaint in good faith or who cooperates in an investigation of a harassment or discrimination complaint.

There may be instances in which an employee reporting harassment or discrimination seeks only to discuss the matter informally and does not wish the City to undertake an investigation or to take further steps. In such situations, the City may arrange some informal mechanism for resolving the issues. However, an individual reporting harassment or discrimination should be aware that the City may decide it must take action to address the issue beyond informal means.

CITY OF BURIEN, WASHINGTON
TRAVEL POLICIES AND PROCEDURES
Revised March 31, 2011

Purpose

The purpose of this policy is to identify and provide guidelines regarding the City's travel policies and to identify valid business expenses for which public officials and employees of the City may qualify for payment or reimbursement.

This policy applies to elected and appointed public officials, and to employees of the City of Burien.

The City of Burien reimburses its employees and elected or appointed officials for reasonable travel, subsistence and related expenses incurred in conducting City business provided the expenses are reasonable and directly related to the individual's service on behalf of the City.

Administration

The Finance Director administers the travel and expense reimbursement program and carries responsibility for review of claims. Claims will not be allowed without a detailed account of moneys spent certified by the individual making the claim.

A. Documentation

Claims for personal reimbursement must be made on official forms, be accompanied by the vendor's original receipt or bankcard charge slip showing the date, vendor imprinted name, amount paid and the items/services received, and must be certified correct and signed by the individual seeking reimbursement. Claims for personal reimbursement must be submitted within 45 days of the date expense was incurred by public official or employee.

Meals and Lodging

Public officials and employees are to exercise prudent judgment in incurring travel expenses on official City business. Excessive or unnecessary expenses will not be reimbursed or paid for by the City. Authorization of travel is to be exercised through the use of the current budget or other effective means.

A. Meals

Based on recommendations from the State Auditor's Office, the City uses the following guidelines in determining the use of public funds for expenditures for food and beverages:

1. Who consumed this food and drink?

2. What was the nature of the occasion for the consumption?
3. What public purpose or policy objective was served?
4. Why was it necessary to consume food and beverage to carry out the policy?
5. Were the expenses "reasonable"?
6. Were the expenses consistent with the policy authorizing reimbursement?

B. Local Business Meals

Meals (including snacks) between City public officials/employees will not normally be reimbursed. It is expected that City business between City public officials/employees can for the most part be conducted on City premises during normal work hours.

C. Meetings Through Mealtimes

The City recognizes that there are occasions when it may be necessary for a group of public officials and/or employees to work through a meal in order to meet a deadline or to keep a group convened in order to accomplish the task. To be considered for reimbursement as a working meal, the meeting must span over a three-hour period, which includes the group's normal mealtime.

D. Business Meals Between City Employees and Non-City Employees

The practice of the City providing meals to non-city employees is discouraged. However, for directors and above, the City recognizes that there are situations where non-city employees provide an unpaid service to the City during a mealtime. The costs of meals while conducting City business with persons other than City employees either locally or out of town are authorized for reimbursement subject to the limitations described in this document.

E. Meals and Refreshments for Volunteers

During events in which non-city employees are volunteering and/or being honored for service to the City, it is appropriate for the City to provide, pay for or reimburse volunteers for meals and refreshments associated with the event. All such events and associated expenses shall be preapproved by the City Manager.

E. Expenditures Not Included as Food and Beverage:

Unauthorized expenditures include, but are not limited to, liquor, gratuity exceeding 18% of the total bill before taxes, tobacco, expenses of spouse, guests or other persons not authorized to receive reimbursement under this policy or state regulations.

F. Meals While On Authorized Travel Status

Employees and officials are only eligible for meal reimbursement or per diem allowance while on authorized travel status. Authorized travel status means the employee has an overnight stay with a one way travel distance greater than sixty (60) miles from the work site or residence, whichever is closer. To be eligible for

meal reimbursement or per diem allowance, the employee must be in travel status during the normal meal period(s):

- Breakfast - in travel status before 7:00 a.m.
- Lunch – in travel status between 12:00 noon and 1:00 p.m.
- Dinner - in travel status after 6:00 p.m.

Participation in local training and/or meetings does not constitute travel status; therefore, meals are not eligible for reimbursement.

The City will follow the U.S. General Services Administration (GSA) schedules for per diem rates. Per diem is a daily allowance for living expenses, including but not limited to meals, while traveling in connection with work. No receipts are required when the per diem method of reimbursement is used.

Per diem rates for in-state travel within Washington State are found at:

http://www.ofm.wa.gov/resources/travel.asp.

Per diem rates for out-of-state travel are found at:

http://www.gsa.gov/Portal/gsa/ep/contentView.do?contentType=GSA_BASIC&contentId=17943.

No payment or reimbursement of meal expenses shall be allowed when a meal is provided as part of the event or included as part of the lodging accommodations. When the per diem method of reimbursement is used, any meals included or provided with the registration costs of the convention, seminar or meeting will be deducted from the per diem amount, in the following percentages (rounded to the nearest dollar):

(25%) Breakfast
(30%) Lunch
(45%) Dinner
(100%) Daily Total

Situations not specifically addressed above will be reviewed by the Finance Director or City Manager for propriety.

B. Lodging

Lodging shall be approved and paid for by the City for travel where the total distance (one way) is at least sixty (60) miles, measured from both the official's or employee's residence and work site.

Reasonable rates will include the lowest available room rate at the accommodations recommended in the convention brochure or associated with the event being attended. If there are no recommended accommodations, the US General Services Administration (GSA) schedule provides the maximum reasonable reimbursement rate. The lesser of the GSA rate or actual rate paid will be reimbursed, including any applicable sales and/or lodging tax. A vendor's receipt for these expenditures is required in all cases.

If special or unusual circumstances or other limitations exist in connection with the lodging for an event, higher lodging rates may be approved in advance by the appropriate authority.

Transportation Expenses

Reasonable transportation expenses for approved travel will be reimbursed. The most direct and cost effective mode of transportation will be the basis for the reimbursement. In-state travel means travel within the state of Washington; out-of-state travel means travel outside the boundaries of the state of Washington. Out-of-state travel must be approved by the City Manager. In special or unusual circumstances, arrangements will be made to accommodate unique transportation requirements; however these arrangements must be pre-approved by department director and City Manager.

A. Air Travel

The maximum reimbursement of air travel expenses is to be no greater than coach class or its equivalent; the "government rate" shall be requested unless a lower rate for the same travel service is available. Prudent effort shall be made to find the least expensive airfare which provides reasonably direct and timely service.

B. Rental Vehicles

If it is more convenient and cost effective for more than one employee or public official to travel together, a vehicle may be rented if no City owned vehicle is available. The City will reimburse for the purchase of supplemental insurance, the actual cost of fuel, and other necessary and related expenses. Receipts for actual expenses must accompany the public official or employee travel expense claim form in order to obtain reimbursement.

C. Personal Vehicles

Privately owned vehicles with auto insurance may be used for official travel. If an individual elects to drive rather than fly, mileage will be reimbursed in an amount equal to the appropriate cost of a round trip coach airfare or the current mileage reimbursement rate established by the Internal Revenue Service, whichever is less. The IRS mileage reimbursement rate is inclusive of all costs associated with a personal vehicle, including but not limited to gasoline, maintenance, wear and tear and auto insurance. **Mileage reimbursement determination will be based on a transportation mileage chart or odometer readings.**

When using a personal vehicle for City business, proof of a valid Washington State driver's license and valid insurance is required. The employee's personal auto insurance is primary coverage while using personal vehicle for City business, as such it is important that an employee maintain adequate insurance limits.

If two or more public officials or employees travel in the same vehicle, the city will pay only one public official/employee. Mileage will be paid from the official's or employee's residence, or work site to the travel site, whichever distance is less. All mileage reimbursement requests must be submitted on the Mileage Log and Reimbursment form and include beginning and ending odometer readings or be supported by a transportation mileage chart such as Mapquest or Google Maps.

Incidentals

Miscellaneous travel costs such as bus, taxi, subway, bridge or other tolls, parking, ferry, and the like, when essential to transacting official City business are authorized and should be reported on the claim form. A receipt will be required for expenses over $10.00.

Fees and tips for services such as waiters, porters, baggage handlers, laundry, cleaning or pressing of clothing are included in the per diem allowance and are not reimbursable.

Similarly, the following expenses are considered personal and therefore are not reimbursable:

- Beauty parlor or barber
- Personal entertainment or reading materials
- Liquor or tobacco
- Theft, loss or damage to personal property
- Personal toiletry articles
- Valet or laundry services
- Personal postage, phone calls or other communication charges
- Airline or other trip insurance
- In-room movies or other hotel entertainment options

An employee or official on authorized travel status for more than 24 hours will be allowed one personal long distance phone call, not to exceed ten (10) minutes for each night. City owned cell phones or similar devices, if assigned to an employee, should be utilized for such calls.

Travel Advances

Requests for Advance Travel Funds shall be made on a form prescribed by the Finance Director. Upon appropriate approval a check will be issued, no more than 7 days prior to departure on the authorized trip. Within 10 days of returning to work a proper accounting shall be made of the use of the travel advanced funds, including receipts for other expenses as described above and excluding meals and incidentials consumed at the per

diem rates. Any funds remaining shall be repaid to the Finance department. If funds are due the employee will be reimbursed through the claims process.

Failure to repay a travel advance within 10 days of return to work may result in disciplinary action. No further advances will be made to any employee who is delinquent in accounting for or repaying a prior advance and interest may be charged to the employee on the outstanding balance due.

CITY OF BURIEN
FINANCIAL POLICIES

The City's Financial Policies are intended to serve as a Council-approved set of values and expectations for Council Members, City staff, citizens and other interested parties who may do business with the City. The use of the term "City" refers to all City officials and staff who are responsible for the activities to carry out these policies. The policies describe expectations for financial planning, budgeting, accounting, reporting and other management practices. They have been prepared to assure prudent financial management and responsible stewardship of the City's financial and physical resources.

A. City Funds

The City shall utilize "governmental fund accounting" as the organizational structure for its financial activities. The following funds have been established for budgeting, accounting and reporting.

OPERATING FUNDS

1. The *General Fund* is the general operating fund of the City. It accounts for all financial resources and transactions except those required to be accounted for in another fund.

2. The *Street Fund* is required by state law to account for dedicated state-shared gas tax revenue, The City's business license fee revenue, solid waste franchise fees and solid waste utility taxes are also deposited in this fund. Monies in the Street Fund are used for street maintenance and transportation capital projects.

3. The *Surface Water Management Fund* accounts for the maintenance and capital improvements to the City's storm and surface water drainage system. Revenues come from fees collected from residential and commercial property owners.

RESERVE FUNDS

1. The *Equipment Replacement Reserve Fund* provides monies for the orderly replacement of City assets with a value over $1,000 and with an estimated service life of three or more years. All monies come from the City's Operating Funds (General, Street, and Surface Water Management).

2. The *Public Works Reserve Fund* is utilized to accumulate monies for future Capital Improvement Program projects. Funding sources include the Real Estate Excise Tax (REET), Park Mitigation Fees, and transfers from the General Fund.

3. The *Capital Project Reserve* was established to accumulate monies from the City's annual property tax levy for future Capital Improvement Program projects.

4. The *Art in Public Places Fund* accounts for contributions, donations and commissions on sales of art displayed in public places along with 1% of construction contracts for City owned buildings, transit centers and parks.

5. The *Local Improvement District (LID) Guaranty Fund* is required by State law to maintain a balance of not less than 10% of the City's outstanding LID assessments. All monies in the Fund come from the Street Fund; any monies in excess of the needs of the LID Guaranty Fund are returned to the Street Fund.

DEBT SERVICE FUND

1. The City maintains a single *Debt Service Fund* to account for the resources necessary to pay principal and interest when due on the City's outstanding General Obligation Bonds, Local Improvement District Bonds, and Public Works Trust Fund Loans.

CAPITAL IMPROVEMENT PROGRAM FUNDS

Four Capital Improvement Program Funds have been established to account for the revenues and expenditures associated with the following Capital Improvement Program project areas:

1. Parks and General Government;
2. Town Square;
3. Transportation; and
4. Surface Water Management.

B. Resource Planning

1. To assure stability and continuity in City services, the City will prepare and update on a biennial basis a six-year Financial Forecast for all City Operating and Reserve Funds. This biennial planning process will enable citizens, staff, advisory committees, and the City Council to discuss current and future programs, service levels, and capital facility needs.

2. The relationship between the Operating and Capital Budgets will be incorporated into the Financial Forecasts and Budgets. Maintenance and operating costs associated with new Capital Improvement Program projects shall be disclosed in the Capital Budget when projects are being considered and included in the Operating Budget when the projects are complete.

3. The City Manager shall develop on a biennial basis a Financial Planning calendar that will provide for the timely update of the six-year Financial Forecasts for all City Operating and Reserve Funds along with the biennial process to develop, review, and adopt the City's Operating and Capital Budgets.

4. The City's Operating and Capital Budgets will implement City Council adopted goals and policies, long-range plans, and service choices for the community.

5. The City will use "prudent revenue and expenditure assumptions" in the development of the six-year Financial Forecasts, Operating and Capital Budgets. Revenue and expenditure estimates shall be conservative to generally produce variances from budget estimates in the 3% to 5% range for overall fund revenues and 3% to 5% range for overall fund expenditures.

6. One-time resources shall be identified and shall be used to support one-time expenditures. Ongoing expenditure programs shall only be supported by ongoing resources.

7. Where estimated expenditures and fund balances exceed estimated resources for any Financial Forecast, potential options to bring the six-year Financial Forecasts into balance shall be included as an integral part of the Budget process.

C. Fund Balance and Reserve Levels

Budgeted fund balances shall be established at a minimum of 10% of budgeted recurring revenue for the General Fund and 5% of budgeted recurring revenues for the Street and Surface Water Management Funds. The City's General Fund Reserve shall be increased to 20% by 2022. The City hereby establishes and will maintain reservations of Fund Balance, as defined in accordance with Governmental Accounting and Financial Standards Board Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*. This Policy shall only apply to the City's governmental funds. Fund Balance shall be composed of the following five categories:

1. Non-Spendable Fund Balance – Amounts that are not in a spendable form (such as inventory) or are required to be maintained intact (such as the principal of an endowment fund).
2. Restricted Fund Balance – Amounts that can be spent only for the specific purposes stipulated by external resource providers (such as grantors), constitutionally, or through enabling legislation (that is, legislation that creates a new revenue source and restricts its use). Restrictions may only be changed or lifted with the consent of the resource providers.
3. Committed Fund Balance – Amounts that can be used only for the specific purposes determined by formal action of the City Council. Commitments may be changed or lifted only by the City Council taking the same formal action that imposed the constraint originally.
4. Assigned Fund Balance – Amounts the City intends to use for a specific purpose.
5. Unassigned Fund Balance – The residual classification for the General Fund and includes all amounts not contained in the other classifications. Unassigned amounts are the portion of fund balance that is not obligated or specifically designated and is available for any purpose.

The Finance Director shall have the authority to assign amounts of fund balance to a specific purpose; however, before expenditure, amounts must be appropriated by the City Council.

When expenditures are incurred for purposes for which both restricted and unrestricted fund balance is available, restricted fund balance is considered to have been spent first.

When expenditures are incurred for purposes for which amounts in any of unrestricted fund balance classifications can be used, committed amounts shall be reduced first, followed by assigned amounts and then unassigned amounts.

D. Resource Allocation

The City Council has established the following allocations for designated revenues:

1. Not less than 1% of annual General Fund expenditures will be for Human Services programs.

2. Solid Waste franchise revenues are allocated 100% to the Street Fund for street maintenance activities.

3. Solid Waste Utility Tax revenues are allocated 100% to the Street Fund for street maintenance activities.

4. The City shall increase the electric utility tax (Puget Sound Energy) from 3% to 6%. This revenue will be allocated 100% to the General Fund.

E. Accounting, Budget, and Financial Practice Policies

1. The City will maintain an accounting and financial reporting system that fully meets professional standards, state accounting requirements, and standards used by debt rating agencies.

2. Financial procedures shall be developed to assure appropriate controls are in place to protect City assets and to provide for the development of timely financial reporting.

3. Procurement policies and procedures shall be developed and periodically updated as needed to meet legal requirements and assure effective and competitive purchasing practices.

4. The City will strive to maintain at least an "A1" bond rating from Moody's Investor Services.

5. The Finance Director shall provide to the City Council not less than quarterly a Financial Status Report for all City Funds. This Report will include comparisons of actual revenue and expenditure performance to the respective Budget estimates. Where revenue collections are, or are anticipated to be significantly less than Budget estimates, and/or, where expenditures are, or are anticipated to be significantly greater than Budget estimates, the Finance Director shall include recommendations for possible adjustments or actions.

6. In accordance with state law, the City Manager is authorized to transfer budgeted amounts within any fund; however, any revisions that alter the total expenditure authority (appropriation) of a fund, that increase the total number of authorized employee positions, or that change any salary rate within the pay classification system in the budget by more than 5%must be approved by the City Council.

F. Revenue Policies

1. To minimize the impact of cyclical economic downturns on General Fund revenues and services, the City will attempt to diversify its economic base.

2. Where the City has authority to establish and change fees and charges, all such fees and charges shall be adjusted annually for inflation, based on the change in the Implicit Price Deflator (IPD) for State and Local Government Consumption Expenditures and Gross Investment for the twelve month period ending June 30, or other applicable index or measure.

3. The City will establish cost recovery policies for fee supported services which consider the relative public/private benefits received from the services being provided and/or the desirability of providing access to services for specialized populations. These policies will determine the percentage of full service costs to be recovered through fees. The level of cost recovery may be adjusted to ensure that rates are current, equitable, and competitive and cover that percentage of the total cost deemed appropriate. Staff shall submit periodic financial reports to the Council on the progress in meeting the policies.

4. Grant revenue will be included in the City's Financial Forecasts and Budgets when it is probable the City will receive the grant award.

5. Property taxes levied for general government operations will be at least 1% more than levied in the prior year plus the amount received as a result of new construction. Effective with the 2012 Property Tax Levy, 90% of the Property Taxes will be allocated to the General Fund and 10% will be allocated to the Capital Projects Reserve Fund. Property taxes set aside in the Capital Projects Reserve Fund will grow at 1% per year beginning in 2013, contingent upon a minimum of 1% growth in total Property Tax revenue.

G. Capital Improvement Program Policies

1. The City will plan for capital improvements over a multi-year period. The Capital Improvement Program will directly relate to the City's long-range plans and policies. When capital improvements are being planned, maintenance & operating costs will be estimated and identified within the City's Financial Forecasts. When the capital projects are complete, monies will be included in the City's Operating Budget to provide for maintenance and operating costs.

2. To plan for replacement of the City's physical assets, the City shall maintain a current inventory of all of the City assets, their condition, and estimated replacement costs. The City shall maintain an Equipment Replacement Reserve Fund consisting of cash reserves set aside each year to provide for the timely and orderly replacement of assets. The Equipment Replacement Reserve Fund shall be included in the update of the City's Financial Forecasts.

3. The City will maintain an "Art in Public Places Fund" for the purpose of providing funds for art in capital improvement projects funded wholly or in part by the City of Burien for construction or remodeling of government owned public buildings, transit centers and parks.

4. A capital project is defined as a project of a nonrecurring nature with a cost of $25,000 or more and estimated service life of at least 10 years including major renovations of existing facilities. Routine maintenance of existing facilities, however, should not be included in capital requests.

5. The Adopted Capital Facilities Element of the Burien Comprehensive Plan provides guidance regarding the development of the City's Capital Improvement Program.

6. For each Fund included in the Capital Improvement Program (Parks and General Government, Town Square, Transportation, and Surface Water Management), funding sources will be identified so that it will be clear what local funds, grant funds, and other revenue sources are supporting each program.

7. The City will use Community Development Block Grant capital funds for eligible capital projects that are included in the City's adopted Capital Improvement Program. The funds will only be spent on eligible projects that benefit low and moderate income individuals as defined in the Community Development Block Grant regulations.

H. Debt Policies

1. When evaluating the use of councilmanic debt and the associated debt service obligations, a financial feasibility analysis will be performed including the City's ability to make debt service payments, taking into account revenue fluctuations associated with periodic economic cycles.

2. Voted and councilmanic debt will be used prudently in a manner to avoid any adverse impact on the City's credit rating.

3. The City will establish appropriate procedures to assure compliance with its bond covenants and all other applicable federal, state, and local laws, policies or regulations.

4. Debt may be used on a limited basis for specific short-term cash flow needs. Debt will not be used to fund long-term revenue shortages. For major capital projects with long-term useful lives (normally 20 years or more) and where costs exceed short-term cash

flows, debt may be used provided there is sufficient discretionary revenue within the Financial Forecasts Plan to service the debt without disrupting the City's existing service delivery programs.

I. Investment Policies

1. The City will follow state law and the following criteria in priority order when investing City monies:
   a. Preserve capital through prudent financial investments;
   b. Maintain sufficient liquidity so that monies are available when needed; and
   c. Achieve the best available rate of return.

2. The City will provide the appropriate accounting and reporting for any private donations or monies held in trust by the City.

J. Financial Management and Organizational Review Policies

1. The City Manager will periodically review the City's organizational structure to assure that it is responsive to current conditions; and to eliminate service duplication within the organization and with other local government jurisdictions. Periodic performance audits may be used to assess organizational costs and effectiveness. Periodic budget reviews shall be made to examine departmental and/or program line-item costs.

2. The City Manager will periodically evaluate the City's administrative and direct service delivery systems to determine whether a service should be provided by the City, by agreement with a qualified and or competitively priced private or public contractor, or eliminated due to changes in community needs and expectations.

3. The City Council will adopt, through the biennial Budget, service levels, a work program, and performance standards that reflect City revenues, community expectations and legal requirements. The City is committed to examining how it provides services so that service levels and performance standards are met or exceeded at the least cost to the public.

4. The City's compensation structure (salaries and benefits) will be reviewed at least every three years. The City's compensation structure shall be competitive with that of comparable public sector employers in the relevant recruiting or market area; however, no adjustments shall be made if it is determined the City does not have the ability to pay. The criteria for reviewing employee salaries and benefits will also include internal comparability for similar jobs. If relevant private sector comparisons are available, they will be considered.

5. The City will, within available resources, maintain the productivity of staff through a supportive working environment, which includes appropriate equipment, supplies, materials, and professional staff development.

6. The City will evaluate its use of intergovernmental service contracts to prevent duplication of services and to assure an effective and efficient service delivery system to the community.

7. The City adopts biennial budgets at the start of every odd-numbered year. The biennial budget provides a two-year expenditure appropriation with side-by-side one-year budget displays. To avoid overspending the two-year appropriation too quickly, departments are held to single-year budgets and are generally not able to commit funds from the second year of the biennium before it begins. The City Manager may approve the carryover of unspent funds from the first year to the second year if it is determined that a program and/or project was not complete at the end of the year and funds are available.

K. Contract Approval Authority

The approval authority for execution of City contracts is as follows:

1. The City Manager will have authority to sign contracts up to $25,000.

2. The City Manager will have authority to sign contracts over $25,000 for equipment, goods, and services that are included in the Adopted Budget.

3. Contracts that exceed Adopted Budget spending authority must be placed on the Council agenda for discussion and approval.

4. Contracts over $25,000 for initiatives not included in the Adopted Budget must be placed on the Council agenda for discussion and approval.

5. All capital projects in which there is a material change in scope must be placed on the Council agenda for discussion and approval.

City of Burien, Washington
Purchasing Policies

Approved April 3, 2000
Amended December 15, 2009

Chapter 1. Purpose, Scope, and General Policies

1.01 Purpose

Purchasing policies and procedures are intended to ensure that the City complies with applicable laws and regulations, and maximizes the purchasing value of the City of Burien's funds.

This policy does not create any enforceable rights or causes of actions in third parties. City staff risks disciplinary action for unauthorized departure from these guidelines.

1.02 Scope

These guidelines apply to all City departments and employees engaging in the purchase of goods or services for the City including public works projects. They do not govern the purchase, sale, conveyance, or lease of real property.

In the case where federal, state or private financial assistance, grants or funds are involved in the proposed acquisition and/or contract, the program management requirements should be obtained from the appropriate agency. Such requirements are beyond the scope of these guidelines.

1.03 General Contracting/Purchasing Policies

1. All purchases shall comply with all applicable federal, state and city laws and regulations.

2. City Council must approve contracts that exceed Adopted Budget spending authority and contracts over $25,000 for initiatives not included in the Adopted Budget and Work Plan.

3. Contracts and purchases will not be divided into units or phases to circumvent approval or bidding requirements established in these policies.

4. For purchases and contracts obtained by competitive bidding, such purchases and contracts shall be awarded to the lowest responsive and responsible bidder[1]. When purchases and contracts are obtained through competitive negotiation, purchases and contracts shall be awarded to the bidder whose proposal is most advantageous to the City with price and other factors considered. When

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[1]) As used in this policy, "bidder" means any vendor, supplier, contractor, person, or entity that seeks to enter into a commercial relationship with the City, including, but not limited to, those who respond to requests for bids and proposals. Bidder, includes, but is not limited to, one or more principals, owners, officers, directors, shareholders, partners, members, managers, or control persons of the person submitting the bid, and persons associated or affiliated with the person submitting a bid or proposal. "Person" as used herein includes both natural persons, corporations, partnerships, sole proprietorships, limited liability companies, and any other business entity, combination or association, whether for profit or non-profit.

determining whether a bidder in a competitive bid is responsible, or when evaluating a bidder's proposal in competitive negotiation for purchases and contracts, the following factors will be considered, any one of which will suffice to determine a bidder is either not the lowest responsible bidder or the bidder's proposal is not the most advantageous to the City:

A. The ability, capacity and skill of the bidder to perform the contract or provide the service required.

B. The character, integrity, reputation, judgment, experience and efficiency of the bidder.

C. Whether the bidder can perform the contract within the time specified.

D. The quality of performance of previous public and private contracts or services, including, but not limited to, the bidder's failure to perform satisfactorily or complete any written contract. The City's termination for default of a previous contract with a bidder shall be deemed to be such a failure.

E. The previous and existing compliance by the bidder with laws relating to the contract or services.

F. More than one proposal is submitted for the same project from a bidder under the same or different names.

G. When a trade-in option is in the City's best interests, the price offered on the trade will be considered when determining the lowest responsive and responsible bid.

H. The bidder is not qualified for the work or to the full extent of the bid.

I. There is uncompleted work with the City or others, or an outstanding dispute on a previous or current contract that might hinder, negatively affect or prevent the prompt completion of the work bid upon.

J. At the time of bid opening, the bidder is not authorized to do business in Washington, is not registered as a contractor in Washington, or otherwise lacks a necessary license, registration or permit.

K. Such other information as may be secured having a bearing on the decision to award the contract.

L. Any other reason deemed proper by the City.

5. Employees making or authorizing purchases will ensure that budget authority is available prior to purchase, that required purchasing agreements have been properly executed prior to purchase, and that the goods or services purchased have been received and are acceptable to the City before authorizing payment. Claims requests, invoices and other supporting documentation will be submitted to the Finance Department when payment is requested. Claims requests will be signed by the Department Director.

1.04 Proper Authorization

Only authorized individuals may obligate the City to acquire goods and services. Individuals purchasing goods on behalf of the City without proper authorization may be personally liable to the vendor and the City, and may be disciplined.

Purchase orders commit City funds for the acquisition of goods and/or services. Therefore, only individuals authorized to purchase goods and services may issue purchase orders on behalf of the City.

Chapter 2. Public Works Projects

2.01 Definition

The term public work refers to all work, construction, alteration, repair or improvement other than ordinary maintenance, executed at the cost of the City, or which is by law a lien or charge on any property therein. (RCW 39.04.010) Ordinary maintenance is work performed by contract that is performed on a regularly scheduled basis (e.g., daily, weekly, monthly, seasonally, semiannually, but not less frequently than once per year), to service, check, or replace items that are not broken; or work not performed by contract that is not regularly scheduled but is required to maintain the asset so that repair does not become necessary. (WAC 296-127-010(7)(b)(iii))

2.02 Bidding Requirements

1. The City will use the "competitive bidding" process, described in section 2.04, for public works projects with an estimated cost exceeding $300,000.

2. The City may use either the "competitive bidding" process for "small works roster" process (RCW 39.04.155) for public works projects with an estimated cost more than $35,000 but not more than $300,000.

3. For public works projects costing more than $5,000 but not more than $35,000, the City may use an informal alternative bidding process in lieu of the "competitive bidding" or "small works roster" process. Project managers will solicit at least three bid quotations from small works roster vendors or contractors. Project managers

will record bid quotations, written or unwritten, and retain this record and all bid documentation in the project file.

4. The City may not divide a public works project into units or phases to avoid these bid requirements.

5. The City may use employees to perform projects with estimated costs not exceeding $30,000 for a single craft or trade or $50,000 for multiple crafts or trades, provided that the total cost of all such projects in any year may not exceed ten percent (10%) of the City's public works construction budget for that year. Public works performed by the County for the City count toward the ten-percent limitation.

6. Whenever there is a reason to believe that the lowest acceptable bid is not the best price obtainable, all bids may be rejected and the City may call for new bids.

2.03 Exceptions

Public works bidding requirements may be waived under the following conditions:

1. Emergencies. In an emergency the City Manager is authorized to declare an emergency situation exists, waive competitive bidding requirements, and award all necessary contracts to address the emergency situation. If a contract is awarded without competitive bidding due to an emergency, a written finding of the existence of an emergency will be made by the City Council or City Manager no later than two weeks following the award of the contract. Emergency means unforeseen circumstances beyond the control of the City that present a real, immediate threat to the proper performance of essential functions or will likely result in material damage to property, bodily injury, or loss of life if immediate action is not taken. (RCW 39.04.280)

2. Sole source. Bidding **may** not be required when it is in the best interest of the City to purchase materials, supplies, or equipment from a sole source or sole provider. The circumstances that may justify such waiver include, but are not limited to situations where there is only one feasible supplier and the requesting department has documented the same in a memo or report provided to the Finance Director. (RCW 39.04.280)

3. County contract. The City may contract with the County (or state) for construction or repair of streets and bridges without competitive bidding. (RCW 35.77.020, 47.24.050)

4. Neighborhood self-help projects. The City may contract with a neighborhood organization for neighborhood improvements. The value received must be at least three times the cost to the City. Total payments for such projects may not exceed $25,000 in total or two dollars ($2) per City resident in any year. (RCW 35.21.278)

2.04 Competitive Bidding Process

1. Advertising for Bids. The City will publish a notice calling for sealed bids once each week for two consecutive weeks in a newspaper of general circulation, allowing at least fourteen days from the date of first publication to the date bidding is closed. The notice will also be posted in a public place.

   The notice will include title of the project, nature and scope of work, location where contract documents may be reviewed or obtained, cost of contract documents, notice of place, date, and time bids are due, requirement for sealed bids, bid bond requirement, and statements that the City has the right to cancel the invitation to bid, to reject any and all bids and to waive minor irregularities in the bidding process.

   Bid packets will be prepared containing the invitation to bid notice, instructions to bidders, general conditions, special bid conditions, if any, terms and conditions, specifications, bid proposal form, form for listing subcontractors, non-collusion affidavit, and contract.

2. Rejection of Bids. The City Manager may reject all bids and re-advertise for bids. If no responsive bids are received, the City Manager, with approval of the City Council, may negotiate the purchase with a vendor at the lowest possible cost to the City.

3. Bid Bond. Bids on public works projects will be accompanied by a bid proposal deposit in the form of a cashier's check or surety bond in an amount not less than five percent of the amount bid. The City Manager may require bid bonds on other projects. Pursuant to state law, no bid will be considered unless accompanied by a bid proposal when required.

   Bid bonds will be returned to unsuccessful bidders when the contract is let and to the successful bidder when the contract is executed and a performance bond provided. The bid bond will be forfeited if the successful bidder fails to enter into the contract pursuant to the bid and furnish the performance bond within ten days of being notified of the bid award.

4. Performance Bond (RCW 39.08.010). A performance bond will be required on all public works contracts, to ensure that the job will be completed and that all workers, subcontractors, and supplies will be paid. A failure to obtain a required bond subjects the City to all claims of persons performing the contract. The City Manager may require performance bonds on other contracts to protect the City's interests and ensure full performance of the contract. On contracts of $35,000 or less, at the option of the contractor and in lieu of a performance bond, the City may retain fifty percent of the contract amount for a period of thirty days after the date of final acceptance or until receipt of all necessary releases from the state Department of Revenue and Department of Labor and Industries and settlement of any liens, whichever is later.

5. Award of Bids. Unless it rejects all bids, the City will accept the bid of the lowest responsive and responsible bidder. If a bid other than the low bid is accepted, the City Manager will state the reasons.

6. Signature and Approval. Contracts will be prepared by the Department, initialed by the Department Director and signed by the City Manager or designee after review by the City Attorney.

2.05 Small Works Roster Process (RCW 39.04.155)

The City Council has authorized a small works roster process for awarding public works contracts for a maximum dollar amount not to exceed $300,000.

1. In this process the City Manager or designee will maintain a Small Works Roster subject to the provisions of RCW 39.04.155 or enter into an interlocal agreement or contract with other local governments establishing a small works roster or rosters to be used by the parties to the agreement. Any such interlocal agreement or contract will clearly identify the lead entity that is responsible for implementing the provisions of RCW 39.04.155.

2. The City will solicit quotations from all appropriate contractors or from at least five qualified contractors on the roster for each project. For projects between $150,000 and $300,000, if the City solicits bids from less than all the appropriate contractors on the roster, it will notify the remaining contractors on the roster that quotations on the work are being sought. Whenever possible, at least one contractor will be a minority or woman contractor.

3. Contracts will be awarded to the contractor submitting the lowest responsible and responsive bid.

4. Immediately after the award, all bid quotations submitted will be recorded and made available to the public for inspection or supplied in response to telephone inquiries.

5. Bid and performance bonds will be required.

6. The City will make available a list of the contracts awarded through the roster process by January 31 for the prior calendar year. The list will contain the name of the contractor; amount of contract, brief description of work performed, date awarded, and location where bid quotations may be inspected. (RCW 39.04.200)

Chapter 3. Professional and Technical Services

3.01 General Policies

1. The City will use a request for proposals, request for qualifications, bid solicitation or similar competitive process for selecting a contractor when the estimated cost of the service exceeds $5,000, except where the City Manager determines that direct negotiation of a contract will best serve the City's interests. Where bid quotations are used, project managers will solicit at least three bids from qualified firms, record the bid quotations, written or unwritten, and retain this record and all bid documentation in permanent files.

2. Professional services contracts will be limited to firms or persons who can properly be considered contractors. A contractor will normally offer specialized skills, knowledge or experience; operate a separate business offering similar services to others for a fee; have a place of business separate from a City facility; and work independently, once provided with a scope of work, deciding how the work will be accomplished. The City will not have the right to direct or control the manner in which the contractor's services are performed.

3.02 Architectural and Engineering Services

Departments requiring architectural or engineering services, including landscape architecture and land surveying, will follow these additional special procedures in conformance with the Qualification-Based-Selection (QBS) pursuant to Chapter 39.80 RCW. In the alternative, departments may utilize the Municipal Research and Service Center of Washington (MRSC) Consultant Roster to select a qualified architectural or engineering vendor.

Chapter 4. Material, Supplies and Equipment

4.01 Purchasing Policies

1. Purchases over $5,000 will be made through a bidding process, except where the City Manager determines that a negotiated purchase agreement will best serve the City's interests. Bidding may occur through an informal process that includes solicitation of bid quotations from at least three qualified vendors. Contracts/purchase agreements will be awarded to the lowest and best responsible bidder. Employees soliciting bids will record bid quotations, written and unwritten, and retain this record and all bid documentation according to state retention rules.

2. "Open" or "blanket" contracts or purchase orders may be used where multiple purchases will be made over time and exact quantities or descriptions of goods to be purchased cannot be specified in advance. An open contract or purchase order will specify the time period and a maximum dollar amount. The maximum amount will be used for purposes of applying the above rules on bidding and signature or approval authority.

4.02 Electronic Data Processing and Telecommunications Systems

1. The City will use bid solicitation or competitive negotiation in procuring electronic data processing or telecommunication equipment, software or services in an amount over $5,000.

2. If competitive negotiation is selected as the procurement method, at a minimum, a request for proposal must be submitted to at least three qualified sources and notice published in the official newspaper for at least fourteen (14) days before the last date proposals will be received. Award shall be made to the qualified bidder whose proposal is most advantageous to the City with price and all other factors considered. For good cause, the City may reject any and all proposals and request new proposals.

4.03 Exceptions

Exceptions to these purchasing policies are permitted as follows:

1. Emergencies. The City Manager may authorize emergency purchases without bidding. For purchases over $25,000, the City Manager will seek City Council approval at the earliest opportunity.

2. Sole Source. The City Manager may authorize an exception to bidding policies when purchase from a single source is justified. Warranty work, additions to or repair and maintenance of equipment already purchased, prior training of staff, inventory of replacement parts, special market conditions, and the absence of alternative vendors or similar conditions may justify such an exception.

3. Auctions/Closeouts. The City Manager may authorize the purchase of supplies, material, or equipment at any public auction, closeout sale, bankruptcy sale or other similar sale upon determining that the purchase will be made at a competitive price. (RCW 39.30.045)

4. State Contracts. The City Manager may authorize purchases of supplies, materials or equipment through a State of Washington Office of State Procurement contract, without a bidding process. (RCW 39.34.030)

5. Exchanges. The City may by agreement exchange supplies, materials, services, property or equipment with other public agencies. (RCW 39.33)

6. Intergovernmental Purchases. Purchases may be made through or jointly with, another governmental entity by agreement pursuant to the Interlocal Cooperation Act, RCW 39.34. Purchases from or through the federal government may be made without bidding (RCW 39.32). Intergovernmental purchasing agreements require City Council authorization.

7. Insurance and Bonds. The City Manager may waive any bidding requirement.

Chapter 5 Surplus.

The City Manager may authorize the sale of personal property belonging to the City if it determines that the property is not and will not be needed for City purposes. All sales shall be public, except for scrap or sales to other government entities, which may be by private sale. Sales to other government entities shall be at fair market value unless otherwise declared by Council to be the best interest of the public. Scrap may be sold by private sales at prices established by current market conditions. Scrap is any equipment or material that cannot serve its original purpose. Trade-ins of old equipment to upgrade equipment of the same or reasonably related kind are permitted when it is in the best interests of the City.

Chapter 6. Prohibited Practices

6.01 Code of Ethics

The City's "Code of Ethics for City Officials and Employees" (Personnel Policies, Appendix D) will govern conduct with respect to purchasing wherever applicable.

6.02 Other Prohibited Practices

1. Collusion among bidders. Collusion will result in the treatment of bids from the firms involved as null and void. Such bidders may be excluded from future bidding with the City.

2. Disclosure of sealed bid contents. Disclosure of information from sealed bids by a City official or employee in advance of opening bids is prohibited. Bids submitted by bidders after receiving such information will be null and void.

3. Sale to private parties. The City will not use its purchasing power or lend its credit to purchase goods or services for a private party or for sale to City employees, City officials or others. City property declared surplus, however, may be sold in accordance with City surplus property disposition procedures.

4. Donations. The City will not accept donations of goods or services in return for a commitment to initiate or continue a purchasing agreement. Discounts or awards available to all customers, or to a customer class that would normally include the City, are not prohibited.

Chapter 7. Purchasing Procedures

The City Manager shall establish whatever procedures are necessary to implement these policies.

Summary of Minimum Purchasing Requirements

Public Works Projects

< $5,000 - No Bids Required, Department Selection Procedures

$5,000 - $35,000 -Informal Alternative Bidding –3 verbal quotes, award lowest responsible & responsive bidder

$35,000 - $149,999 - Small Works Roster "SWR" Process – bids solicited from 5 "SWR" contractors, award lowest responsible & responsive bidder

$150,000 - $300,000 – "SWR" Process – bids solicited from 5 SWR & notification to all other qualified "SWR" vendors, award lowest responsible & responsive bidder

>$300,000 - Competitive Bid Process, award lowest responsible & responsive bidder

Professional and Technical Service

< $5,000 -No Bids Required, Department Selection Procedures

>$5,000 - Informal Alternative Bidding –3 verbal quotes, award lowest responsible& responsive bidder

Architectural and Engineering Services

< $5,000 - No Bids Required, Department Selection Procedures

>$5,000 – Selection from MRSC Consultants Roster or in compliance with Qualification Based Selection.

Materials, Supplies and Equipment

< $5,000 - No Bids Required, Department Selection Procedures

>$5,000 - Informal Alternative Bidding –3 verbal quotes, award lowest responsible& responsive bidder

Electronic Data Processing and Telecommunications Systems

< $5,000 - No Bids Required, Department Selection Procedures

>$5,000 - Competitive Negotiation or Competitive Bid Process

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M E M O R A N D U M

TO: Honorable Mayor and Members of the City Council
FROM: Mike Martin, City Manager
DATE: January 7, 2013
SUBJECT: City Manager's Report

I. INTERNAL CITY INFORMATION

A. Parks, Recreation & Cultural Services (PaRCS) to Adjust Lease Rates at Annex

Based on a recent analysis of lease rates at the Community Center Annex, the PaRCS Department has determined that a more equitable lease rate for all tenants should be implemented in 2013 and has recently given all tenants advance notice of the change. For some tenants this will mean increases while others will see a reduction. Most of the leases will become effective July 1, 2013. The adjustments are also based on the need to ensure that the building's operating costs and the administrative costs of managing the facility are being fully recovered.

B. Teen Street Team Promotes Participation

Staff from the PaRCS Teen Program have been working with local high schools' student/teen program participants to create a 'Burien Teen Street Team'. The Street Team's goal is to get more middle and high school youth connected with PaRCS' teen programs. Street Team meets monthly with staff to brainstorm activity ideas for the After School (AS) and Late Night (LN) programs. They assist with the promotion of the programs by handing out flyers in their schools, at high school sporting events, and through social media. A recent activity was "Spirit Tutus". To celebrate Highline High School's Homecoming, the LN program hosted a "Spirit Tutu" activity, where students made tutus in their school colors. As a result, 20 new participants attended the LN program.

C. Teen Leadership Summit

PaRCS teen staff and six Street Team members attended a Teen Leadership Summit event in Auburn on October 12. Participants learned how to initiate group ice breakers and recreation activities. Highlights of the event were facilitated roundtable discussions with youth from six cities. Teens talked about what changes they'd like to see in their communities, what they need to have a positive future, and what they can do/what needs to occur to make this all happen.

D. New Recreation Fees Established

Beginning with the 2013 Winter Quarter, PaRCS will be implementing a new "Resident Discount". This benefit is available to all Burien residents and will allow them to pay existing fees for recreation programs. A new fee structure has been established for program participants living outside the City. This concept follows the traditional "resident" and "non-resident" fee system that has been in place for a number of King County's suburban parks and recreation departments for many years. As a portion of the property taxes city residents pay already contributes to parks and recreation services, the new system establishes an equitable contribution by non-residents. Beginning last August, this two-tiered system was successfully implemented for Community Center rentals.

E. Adopt-a-Park Program Summary for 2012

The Adopt-a-Park Program finished 2012 with 210 volunteers contributing 1,873 hours of volunteer labor in the City's parks. Some of the highlights from this past year include:

- Trail improvements at Seahurst Park, which were funded through the King Conservation District, and was a collaborative effort of students from New Start School, King County Work Training, ESC and Volunteers for Outdoor Washington;
- A return of annual summer clean-ups at Manhattan Park by Jobee's Childcare;
- Continued restoration at Salmon Creek Ravine and Shorewood Park by Shorewood on the Sound community members;
- Day of Service Volunteers from the Church of Latter Day Saints helping on various projects at Mathison and Seahurst Parks;
- Senior student from Aviation High School working on a native plant restoration project at Mathison Park;
- New stairs added to a steep trail section at Eagle Landing Park by Eagle Scout candidate Cory Ndifon;
- New playground safety chips added to Lakeview Park by group from the organization Hanbleceya;
- Many community volunteers helping at other park sites throughout the Burien community.

F. City Newsletter to go Digital

The Communications Office is planning a transition to an all-electronic newsletter in 2013, similar to what the Parks, Recreation & Cultural Services (PaRCS) Department has done with the Recreation Guide. Beginning with the September 2013 edition, the newsletter will no longer be printed and mailed to all Burien households and businesses. This will cut costs and increase environmental sustainability. The newsletter will be available on the City website and will be emailed to residents who request it. A limited number of printed newsletters will be available at City Hall, the Community Center and other outlets around Burien and will be mailed to residents

upon request. The March and June newsletters will provide notice of the change and encourage recipients to sign up for the e-mailed version, or to contact the City if they still want a print copy mailed to them. Burien is following the lead of other suburban cities that have saved taxpayers money by cutting back on print publications and mailings by building effective electronic communications.

G. Utility Tax Audit Update

The City completed the utility tax audits for Century Link and Puget Sound Energy. The audit period was from 2007 through February and March 2012, respectively. The City billed Century Link in the amount of $60,251.80; $44,060.00 was back taxes, $4,406.00 was penalties and $11,785.80 was interest. Puget Sound Energy was billed $44,775.08; $29,950.99 was back taxes, $2,995.14 was penalties and $11,828.95 was interest. The payments are expected within 30 days. The Puget Sound Energy audit also resulted in a small Business and Occupation Tax refund of $131.95; $123.96 was B&O taxes, $7.99 was interest. This is a result of PSE mistakenly reporting some utility income on the B&O tax return. To date, the total amount recovered as a result of the audit is $596,774.35. Per contract, the auditor receives 25% of this amount, or approximately $149,200.

Audits still in process include AT&T Mobility, MCI Verizon, Seattle City Light, Seattle SMSA - Verizon, T-Mobile, and Waste Management. Staff will prepare a report summarizing the results after all the audits have been finalized.

H. Burien Finance Director Elected to Puget Sound Finance Officers Board

Finance Director Kim Krause has been elected to the 2013 Board of Directors for the Puget Sound Finance Officers Association (PSFOA). PSFOA is comprised of local and state government finance professionals in the Puget Sound region. The purpose of the organization is to keep abreast of current legislation and other information pertinent to local government finance. The group holds a monthly luncheon that is also a training session for various topics of interest, such as contract/bidding requirements and health care reform. Board member duties include attending Board meetings, assisting with speakers and topics and attending a minimum of one luncheon per quarter.

I. Volunteer Sought for King County Landmarks Commission

Applications are being accepted through January 18 for a qualified volunteer to serve a three-year term as Burien's special member on the King County Landmarks Commission. Advertising began in mid-December and included the City's home page, the Highline Times, the B-Town Blog and two "Notify Me" lists from the City's website. Applications are available online at http://www.burienwa.gov/DocumentView.aspx?DID=2146 and in City Hall. Two applications have been received thus far. The City Council will appoint Burien's special member to the commission in February.

J. Public Works Ready for Snow & Ice

The Public Works Department purchased a 500-gallon anti-icing system tank, which is now connected to the Ford F-550 and full of brine solution to de-ice the Burien roads. The plow blades have been mounted and sand and salt are stock-piled and ready to go. Citizens can see the Snow Route Map by going to "I want to view" on the City of Burien website.

K. 1st Avenue South Phase 1 Part 2

Original contract work was completed before the holidays and the contractor has completed remaining punch list items. Extra work (an additional pedestrian pole and traffic loops) was identified and is expected to be completed early in January 2013 (pending weather). The traffic loop work will address some resident questions regarding the signal timing at SW 150th and 1st Avenue South.

L. 1st Avenue South Phase 2

Seattle City Light (SCL) has energized its "backbone" underground feeder system with most service cutover work complete. They have also begun removing some of the overhead wiring on the east side of 1st Avenue South within the project area. Comcast/Century Link is finalizing its required work, which will be complete by mid-January. Once that is finished SCL will complete its wreck-out of overhead lines and power poles.

The general contractor, DPK, has requested a project shutdown to coincide with the holidays as well as current utility work by Comcast/Century Link. As soon as this work is completed and weather pending, DPK will resume work in the second week of January. Currently all driveways are complete and a majority of the new sidewalk (with curb/gutter) is in place. During this shutdown most traffic control has been removed and pedestrian access is being maintained, some of which includes the new sidewalk.

COUNCIL UPDATES/REPORTS

A. Follow-Up to Annexation Questions (Page 325)

City Council asked staff to respond to three annexation related issues raised by Councilmember Block. The response prepared by the City Attorney is attached and is based on the applicable Revised Code of Washington (RCWs) and information from the Municipal Research and Services Center (MRSC) webpage.

B. Letter from King County Executive Dow Constantine to Mayor Bennett (Page 327)

Executive Constantine requests that a new representative and alternate be named for the South County Area Transportation Board (SCATBd) for 2013, or the ones who served in 2012 be reappointed.

C. Letter from Burien City Council to King County Library System (KCLS) Board of Trustees (Page 329)

At the December 3 Council meeting, Council directed staff to write a letter to KCLS asking that the public be involved in the process for determining a location for the new White Center Library, and for KCLS to move forward as soon as possible on the renovation work at Boulevard Park Library. Council asked that the letter be available for review at the January 7 meeting. The draft letter and the 2008 Interlocal Agreement between the City of Seattle and KCLS regarding "Disposition of Library Capital Assets in the Event of Certain Annexations" are attached.

D. Public Comment Invited: Lora Lake Apartments Site Cleanup (Page 335)

Department of Ecology requests comments on the First Amendment to the Agreed Order for the Lora Lake Apartments site. Public comment will be accepted from December 21, 2012, through January 31, 2013.

E. Letter from Waste Management Announcing 2013 King County Disposal Adjustment (Page 341)

Attached is a letter from Greg Hale, Waste Management District Manager, transmitting an updated 2013 rate schedule for solid waste and recycling services (also attached).

F. Letter from General Teamsters Local Union #174 (Page 349)

A letter (attached) was sent by Rick Hicks, General Teamsters Local Union #174 Secretary-Treasurer, to City Manager Mike Martin regarding the efforts by Waste Management to transfer dispatch positions for Burien's garbage and recycle services out of state.

G. Letter from Waste Management (Page 351)

A letter (attached) was sent by Mary Evans, Waste Management Area Director, to City Manager Mike Martin addressing the letter sent by General Teamsters Local Union #174.

H. Highline School District Receives Race to the Top Grant Funds

On October 19, Mayor Bennett sent a letter to Arne Duncan, U.S. Secretary of Education, in support of the application by the Road Map District Consortium (comprised of the Highline, Seattle, Auburn, Federal Way, Kent, Renton and Tukwila school districts) for Race to the Top funding. On December 11, it was announced that the U.S. Department of Education selected the Consortium as a winner to receive the full funding award of $40 million over four years.

I. Citizen Action Report (CAR) (Page 353)

Staff has provided Council with the attached November Citizen Action Report.

J. Permitting Reports (Page 355)

Attached are reports for Permit Applications Received and Permits Issued in November, 2012.

K. Dynamic Family Service Receives Certificate of Occupancy

A little more than one year after permits were issued, work has been completed and occupancy approved for the Dynamic Family Service Center located at 127 SW 156th Street. The new center will provide additional physical, occupational, and speech language therapy; home-based early intervention; specialized education; custom orthotics, and compression garments to local children with special needs.

L. Fred Meyer Construction Permits Issued

Plumbing, Mechanical, Electrical, and Building Permits were issued for a remodel of the Fred Meyer store on First Avenue. In addition to making updates the store will be expanding into previously occupied tenant spaces. The plans for these permits were accepted, reviewed and approved electronically, giving staff the opportunity to learn to review drawings on the computer and saving the applicant thousands of dollars in printing costs.

The fueling station was also completed and given occupancy approval the last week of November.

M. Amendments to the King County Countywide Planning Policies (CPP)

On December 3, 2012, the Metropolitan King County Council approved and ratified two amendments to the King County Countywide Planning Policies (CPP) on behalf of unincorporated King County. In accordance with the Countywide Planning Policy FW-1, Step 9, the amendments will become effective when ratified by ordinance or resolution by at least 30 percent of the city and county governments representing 70 percent of the population of King County according to the interlocal agreement. A city will be deemed to have ratified the CPP and amendments unless, within 90 days of the adoption by King County, the city takes legislative action to disapprove the amendments. The 90-day deadline for this amendment expires at close of business on Monday, March 4, 2013.

Copies of the King County staff reports, ordinances and Growth Management Planning Council motion for the two amendments are available for review at City Hall and any questions regarding the amendments should be directed to David Johanson, Interim Community Development Director at (206) 248-5522.

N. Notices: (Page 359)

The following (attached) Notices were published:

- Notice of Decision for a short plat-one residential lot into two residential lots. 283 SW 119th St. Preliminary approval with conditions; the deadline for filing a written Notice of Appeal with the City Clerk was prior to 5:00 pm on December 17, 2012.
- Notice of Application to replace equipment at an existing personal wireless service facility located at the Washington State Criminal Justice Training Center. Determination of Non Significance (DNS) will be issued; written comments must be received prior to 5:00 pm on January 11, 2013.

- Comprehensive Plan Amendment Request Notice: The deadline for individuals and organizations to submit Comprehensive Plan Amendment requests is 5:00 pm, March 1, 2013.
- Planning Commission Meeting Cancellation: The January 9, 2013, meeting has been cancelled. The next regularly scheduled meeting is Wednesday, January 23, at 7:00 pm.

ANNEXATION ISSUES

1. Interlocal Agreement Method of Annexation

This method of annexation was passed into law in 2003 and is codified at RCW 35A.14.460 and .470. It may be used when at least sixty percent of the boundaries of the territory proposed for annexation is contiguous to the annexing code city or to the annexing city and one or more other cities.

A city or county may initiate an annexation process by resolution commencing negotiations for an interlocal agreement (ILA) between the city and the county. Each legislative body must hold a public hearing on the annexation. Following adoption and execution of the ILA, the city council must pass an ordinance annexing the area in accordance with the terms of the ILA. The annexation is effective 45 days or later after the ordinance is adopted.

The annexation ordinance is subject to referendum within 45 days of ordinance adoption. The referendum petition must be signed by registered voters in number at least equal to 15% of the votes cast in the last state general election in the area to be annexed. If the petition has sufficient signatures, the referendum must be considered at a future election to be held no more than 90 days after filing of the petition. The annexation will be deemed to be approved unless a majority of the votes cast in the annexation area are in opposition to the annexation.

The county can negotiate ILAs with more than one city. In that case, an election will be held in the area to be annexed, allowing voters to cast votes in favor of annexation to any one city. If a majority of votes cast are against annexation, the proposition is defeated. If the majority of votes cast favor annexation, the area will be annexed to the city receiving the most votes. The county is responsible for costs of the election.

As set forth in the statute and summarized above, the ILA process and agreement are between cities and counties. Fire districts are not explicitly involved.

2. Annexation Sales Tax Credit

Under RCW 82.14.415(3)(b), cities in counties with a population greater than 600,000 may obtain a sales tax credit of .85 percent for annexed areas with a population greater than 16,000, if the annexed area was, prior to November 1, 2008, officially designated as a potential annexation area (PAA) by more than one city, one of which has a population greater than 400,000.

Since the statute specifies that the annexed area must have been in more than one city's PAA prior to November 1, 2008, removal of one city's PAA designation after this date would have no effect on the other city's entitlement to the sales tax credit.

3. Citizens Vote on Annexation

Although city councils may call for advisory elections allowing city residents to vote on any number of issues, including annexation, the results of this type of ballot are not binding, and the city council can choose to take an action different than the voters prefer.

There is no mechanism providing for a binding vote on submitting an annexation petition or resolution for a vote of current city residents. Those powers are given exclusively to the city council and cannot be delegated to the voters. See RCW 35A.14.015 and 35A.14.020. Also see *State ex rel. Haas v. Pomeroy,* 50 Wn.2d 23 (1957) and *Leonard v. Bothell,* 87 Wn. 2d 847 (1976).

(It may be noted that the opposite is true as to "deannexation". Before an area currently within the city can withdraw from the city, the entire electorate must vote to approve such withdrawal. See RCW 35A.16.010-.030. In that instance, the reduction in the city's boundaries is subject to a vote of all city residents and the results of that election are binding.)

King County

Dow Constantine
King County Executive

401 Fifth Avenue, Suite 800
Seattle, WA 98104

206-296-9600 Fax 206-296-0194
TTY Relay: 711
www.kingcounty.gov

December 14, 2012

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

Dear Mayor Bennett:

I would like to take this opportunity to request that you name a representative and an alternate from the City of Burien to participate in the South County Area Transportation Board (SCATBd) for 2013. You may name a new representative and an alternate or appoint the same ones who served in 2012.

We believe that the SCATBd provides an effective forum for sharing information, building consensus and coordinating on a wide range of transportation issues. In the current economic climate, and for the foreseeable future, we will need to strengthen our existing partnerships and use our resources as efficiently as possible to solve common problems.

For your convenience, I have enclosed a SCATBd appointment form to identify your representative and alternate. If you have any questions, please feel free to contact Paul Takamine, Transportation Planner III, King County Department of Transportation, at 206-684-1417, or via e-mail at paul.takamine@kingcounty.gov.

Thank you for your time and assistance. I look forward to your continued involvement in helping to improve the transportation system for our citizens and businesses.

Sincerely,

Dow Constantine

Dow Constantine
King County Executive

Enclosure: 2013 SCATBd Appointment Form

cc: Monica Lusk, City Clerk, City of Burien
Paul Takamine, Transportation Planner, King County Department of Transportation

2013 SCATBd REPRESENTATIVE AND ALTERNATE APPOINTMENT/REAPPOINTMENT

City/County/Agency: _____

SCATBd REPRESENTATIVE for 2013:

Name: _____
Title: _____
Mailing Address: _____
Phone: _____
Fax: _____
Email Address: _____

SCATBd ALTERNATE for 2013:

Name: _____
Title: _____
Mailing Address: _____
Phone: _____
Fax: _____
Email Address: _____

Please return to Paul Takamine, Transportation Planner, King County Department of Transportation at 201 S. Jackson Street, KSC-TR-0814, Seattle, WA 98104-3856. If you have questions, call 206-684-1417 or email me at paul.takamine@kingcounty.gov.

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

January 8, 2013

Jim Wigfall
President, Board of Trustees
King County Library System
960 Newport Way NW
Issaquah, WA 98027

Dear Mr. Wigfall:

You are no doubt aware that Burien's attempt to annex the North Highline Area failed. Left unresolved by that outcome is the future of the White Center and Boulevard Park libraries. The City of Burien encourages you to 1) commence improvements in the Boulevard Park Library immediately and 2) if the Board is considering another location for the White Center Library, to convene a public meeting seeking comment on where the White Center Library should be built.

To the best of our knowledge, there is no disagreement that you intend to move forward with the Boulevard Park Library improvements. We look forward to seeing that work advanced and completed in the very near future. As the permitting agency, we assure you the City will do everything in its power to expedite this project.

Regarding the second item, we know there is some debate among Board Members about the best location for the future White Center Library, currently located at Ambaum and 116th streets. If the Board is seriously considering relocating this library, we strongly encourage you to ask - not tell - the community where the new library should be built, and we suggest you convene a public meeting in the White Center area to get the community's thoughts. We believe the Board would find that input instructive in making its decision regarding the new library.

Like you, we are anxious to move this long-overdue work forward. Thanks in advance for what we know will be a successful project.

Sincerely,

Brian Bennett, Mayor
On behalf of the Burien City Council

Cc Joe McDermott, Councilmember, King County Council
Barbara Dobkin, President, North Highline Unincorporated Area Council
Angelica Alvarez, President, School Board for Highline District Schools

DRAFT

AGREEMENT
REGARDING DISPOSITION OF LIBRARY CAPITAL ASSETS IN THE EVENT OF CERTAIN ANNEXATIONS

This AGREEMENT REGARDING THE DISPOSITION OF LIBRARY CAPITAL ASSETS IN THE EVENT OF CERTAIN ANNEXATIONS (this "Agreement"), is made by and between the KING COUNTY RURAL LIBRARY DISTRICT, doing business as the King County Library System ("KCLS"), a Washington rural county library district, and THE CITY OF SEATTLE, WASHINGTON, a municipal corporation of the State of Washington ("the City").

RECITALS

WHEREAS, KCLS provides library services to the citizens of unincorporated King County, Washington (the "County"), and those cities and towns within King County that have chosen to annex into KCLS; and

WHEREAS, the City, located within the County, has not annexed into KCLS, but provides library services to its citizens; and

WHEREAS, the City has identified the unincorporated North Highline Potential Annexation Area, identified in Exhibit A hereto, as an area all or portions of which might be annexed into the City, subject to the approval of the registered voters in those areas, respectively, as provided by law; and

WHEREAS, any such successful annexation by the City would have the effect of removing the annexed area from the jurisdiction of KCLS, and increasing the area and population served by the City's libraries; and

WHEREAS, KCLS and the City now desire to memorialize their agreements regarding the transfer of library capital assets in the event of any such annexation in order to maintain the past, present and future library capital investments by the citizens of the affected areas in a manner that will ensure their continued access to appropriate library services;

NOW, THEREFORE, in consideration of their mutual agreements set forth herein, KCLS and the City hereby agree as follows:

1. Transfer of Assets. In the event of any successful annexation of any portion of the North Highline Potential Annexation Area by the City, the following shall occur:

(a) KCLS shall pay to the City an amount equal to the product of (i) two million dollars ($2,000,000) multiplied by (ii) a fraction the numerator of which is the assessed value of the property located within the annexed area and the denominator of which is the total assessed value of all property located within the North Highline Potential Annexation Area. The City agrees to use these funds solely for the purpose of library services in the annexed area.

Attachment

BTS CITY CLERK

(b) KCLS shall transfer title to all KCLS library buildings located within the annexed area and the real property on which they are located to the City without further consideration and free of all encumbrances.

2. Timing of Payments and Transfers.

(a) Subject to the provisions of Section 2(b) of this Agreement, the amount due from KCLS to the City, as described in Section 1(a) of this Agreement, shall be due and payable, as follows, at the option of KCLS:

(i) In a single payment due on the June 1 or December 1, whichever comes first, that is at least six months following the effective date of such annexation; or

(ii) In four, equal, semiannual installments, together with interest thereon at the net monthly rate paid by the King County Investment Pool on the unpaid balance from the date of the initial installment (computed on the basis of a 360-day year comprised of twelve 30-day months), on June 1 and December 1 of each year, commencing with the June 1 or December 1, whichever comes first, that is at least six months following the effective date of such annexation.

(b) The transfer of library buildings and real property from KCLS to the City shall occur on the June 1 or December 1, whichever comes first, that is at least six months following the effective date of such annexation.

3. Dispute Resolution. If a dispute arises between KCLS and the City concerning the performance of any provision of this Agreement or the interpretation thereof, and KCLS and the City are unable to resolve their differences through informal discussions, the parties will endeavor to settle the dispute by mediation under such mediation rules as shall be agreeable to the parties. Such mediation will be non-binding but a condition precedent to having the dispute resolved pursuant to litigation.

In the event any action is brought to enforce any provision of this Agreement, the parties agree to be subject to exclusive jurisdiction in the King County Superior Court, and agree that in any such action venue shall lie exclusively in King County.

4. Duration of Agreement. This Agreement shall become effective upon signatures of both parties and, if one or more of the contemplated annexations are approved by the voters of the affected area(s) by December 31, 2015, shall remain in full force and effect until the date of payment of the last amount due to be paid hereunder; provided, that, notwithstanding the foregoing, if no such annexation is approved by the voters of the affected area(s) by December 31, 2015, then this Agreement shall terminate, and shall be of no further force and effect after that date.

CITY OF COK

5. Relationship of the Parties. The parties to this Agreement are independent and nothing in this Agreement is intended to create a partnership, joint venture or other mutual undertaking between the parties.

6. No Assignment. The terms, covenants and conditions set forth in this Agreement shall be deemed personal to the parties hereto and may not be assigned or transferred to any other person.

7. No Third-Party Beneficiaries. This Agreement is solely for the benefit of the parties hereto, and no third party shall be entitled to claim or enforce any rights hereunder except as specifically provided herein.

8. Severability. In the event any part of this Agreement is declared void or invalid, the remaining portions of this Agreement shall not be affected, but shall remain in full force and effect.

9. Modification. The obligations of the parties to this Agreement may not be modified, amended or waived except by written agreement executed by both parties.

10. Notices. All notices, demands or other communications required or permitted to be given pursuant to the provisions of this Agreement shall be in writing and shall be considered as properly given if delivered personally or sent by United States Postal Service first class or overnight express mail or by overnight commercial courier service, postage and other charges prepaid. Notices so sent shall be effective three days after mailing, if mailed by first class mail, and otherwise upon receipt at the address set forth below; *provided, however*, that non-receipt of any communication as the result of any change of address of which the sending party was not notified or as the result of a refusal to accept delivery shall be deemed receipt of such communication, if addressed as follows, or as later designated in writing:

King County Rural Library District
ATTN: Director
King County Rural Library District
900 Newport Way NW
Issaquah, Washington 98027

City of Seattle
ATTN: Director, Department of Finance
600 Fourth Avenue
Post Office Box 94745
Seattle, Washington 98124-4745

11. Execution in Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute but one and the same contract.

12. Entire Agreement. The parties hereto agree that this Agreement constitutes the only agreement between them with respect to the disposition of library capital assets in the event of annexation of all or portions of the North Highline Potential Annexation Area by the City, and that no oral representations or no prior written matter extrinsic to this instrument shall have any force or effect.

DOS CITY CLERK

IN WITNESS WHEREOF, the parties have executed this Agreement effective the date and date first written above.

THE CITY OF SEATTLE

Gregory J. Nickels
Mayor of Seattle

Date: 12/21/07

KING COUNTY RURAL LIBRARY DISTRICT

William H. Ptacek
Director

Date: 1/5/08

APPROVED AS TO FORM:

City Attorney

Date: January 02, 2008

DIS CITY CLERK

First Amendment to the Agreed Order for the Lora Lake Apartments Site

The Washington State Department of Ecology (Ecology) requests your comments on the First Amendment to the Agreed Order for the Lora Lake Apartments Site. The Order required the Port of Seattle (Port) to conduct a Remedial Investigation and Feasibility Study and prepare a Public Participation Plan for Lora Lake Apartments cleanup site. This site is located at 15001 Des Moines Memorial Drive S. in Burien, Washington.

Public Comment Invited

You are invited to review the First Amendment to the Agreed Order. Ecology will accept comments from December 21 until January 31, 2013. See the box at the right for details on where to review documents and submit comments.

Amended Agreed Order

In June 2009, Ecology and the Port entered into the Agreed Order to clean up the site. The Amended Agreed Order adds additional work necessary to expedite cleanup of the site.

The Agreed Order Amendment requires the Port to prepare a draft Cleanup Action Plan for the Site. It is necessary to start preparation now to meet an anticipated cleanup start date of spring 2014. Without the amendment to the Agreed Order, onsite remediation would not begin until 2015.

No public meeting is planned during this comment period, but one will be held if 10 or more people request one. Ecology is available to discuss the site with individuals or to make presentations to small groups upon request.

Comments Accepted

December 21 – January 31, 2013

Submit Comments and Technical Questions to:

David L. South – Site Manager
Washington State Department of Ecology – Toxics Cleanup Program
3190 160th Avenue S.E.
Bellevue, WA 98008
Phone: (425) 649-7200
Email: david.south@ecy.wa.gov

Document Review Locations

Burien Public Library
400 S.W.152nd Street
Burien, WA 98166
Phone: (206) 243-3490

Department of Ecology Northwest Regional Office
3190 160th Avenue S.E.
Bellevue, WA 98008
By appointment only:
Contact Sally Perkins
Email: sally.perkins@ecy.wa.gov
Phone: (425) 649-7190

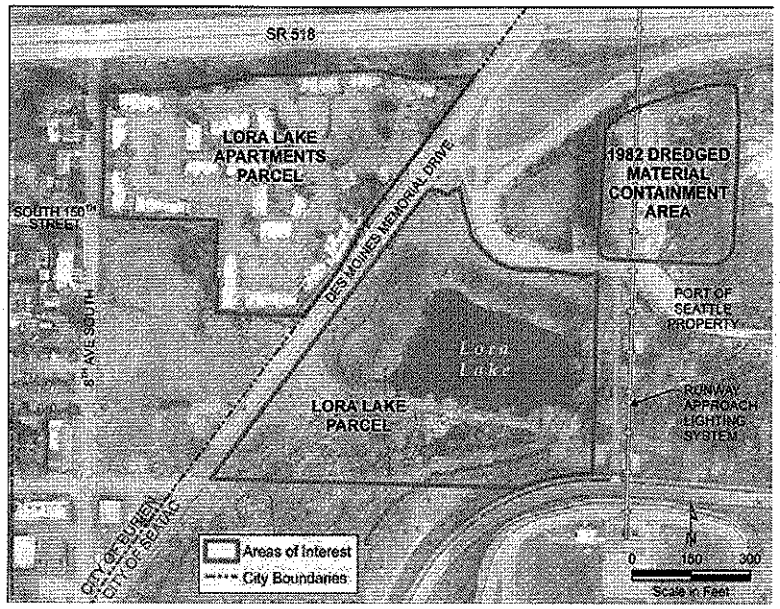
Hours: Tuesday – Thursday
8:00 AM –12:00 PM
1:00 PM – 4:30 PM

Lora Lake Apartment Site Website
https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=2008

Facility Site ID #: 1880040
Cleanup ID#: 2008

Remedial Investigation/ Feasibility Study Status Update

The site is divided into three areas: The Lora Lake Apartments Parcel, the Dredged Material Containment Area and the Lora Lake Parcel (see below for the site map).



The Port completed the Remedial Investigation for all three Parcels, and the Feasibility Study for the Lora Lake Apartments and the Dredged Materials Containment Area Parcels. The Feasibility Study for the Lora Lake Parcel is underway.

Ecology's selected cleanup actions will be presented to the public in a draft Cleanup Action Plan, expected in summer 2013. The cleanup actions will be subject to formal public comment before being finalized.

A partial draft Remedial Investigation / Feasibility Study consisting of the Remedial Investigation Report for all three areas and the Feasibility Study for the Lora Lake Apartments Parcel and the Dredged Material Containment Area currently is available on Ecology's website (https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=2008).

The complete Remedial Investigation/ Feasibility Study Report will include the Feasibility Study for the Lora Lake Parcel. The complete Study will be available on Ecology's website in January 2013. It will be submitted for public comment concurrently with the draft Cleanup Action Plan.

Site Background

This site was an orchard and private residence prior to 1940. During the 1940s and 1950s, the Lora Lake Apartments Parcel was used by Novak Barrel Cleaning Company to clean barrels for reuse. Novak cleaned barrels that had contained chemicals from various industrial facilities. Burien Auto Wrecking operated at the site from approximately 1960 to 1981. A developer purchased the site during the 1980s and built the Lora Lake Apartments complex in 1987. In 1998 the Port bought the site, part of which was required for the Runway Protection Zone, where residences are prohibited. The Runway Protection Zone was required for the Sea-Tac Airport's Third Runway. The portion of the site that was not required for the Runway Protection Zone is to be redeveloped. The above-ground portions of the Lora Lake Apartments have been demolished; building foundations, asphalt roadways and parking areas remain.

Past activities at the Lora Lake Apartments Parcel released hazardous chemicals into the environment. The chemicals included polycyclic aromatic hydrocarbons, petroleum products,

pentachlorophenol, dioxin, tetrachloroethene, trichloroethene, 1,2-dichloroethane, and arsenic. Remedial investigations at the site assessed the concentration and distribution of contamination in soil, sediment, groundwater and storm water.

Lora Lake lies to the east of the Lora Lake Apartments Parcel. Lora Lake sediments were assessed for contaminants. During the investigation it was discovered that sediment dredged from Lora Lake in 1982 was placed on nearby airport land to the north of Lora Lake. This area was designated the Dredged Material Containment Area.

Proposed Cleanup Actions

Sufficient information is available for Ecology to tentatively select excavation of soil on the **Lora Lake Apartments Parcel** with dioxin concentrations exceeding 100 parts per trillion and capping of soil with lesser concentrations on this Parcel.

The Dredged Material Containment Area is proposed to be capped with a gravel or paved surface.

Three cleanup actions are being considered for the **Lora Lake Parcel.** They are:

1. Dredging the dioxin-contaminated sediment;
2. Placing a thin cap over the contaminated sediment to provide a clean sediment layer for bottom-dwelling aquatic creatures;
3. Re-establishing a wetland in the lake area to return it to the habitat that existed prior to creation of the lake by peat mining in the 1940s and 1950s.

What Happens Next?

The Port will finalize the feasibility study for the Lora Lake Parcel and prepare a complete draft Remedial Investigation/Feasibility Study. The Port also will prepare a draft Cleanup Action Plan. These documents will be issued for public review in summer 2013. Ecology will prepare the Final Cleanup Action Plan after considering public comment.

The Port will draft various design documents necessary to implement Ecology's tentatively selected cleanup actions on the Lora Lake Apartments and Dredged Material Containment Area Parcels. Document review cycles and the time necessary for completing a public works bidding process mean preparation of these documents must start now in order to begin cleanup in spring 2014. The documents will be modified as necessary after receipt of public comment on the draft Cleanup Action Plan.

With execution of the proposed amendment to the Agreed Order, it is anticipated that the Lora Lake Apartments Parcel and the Dredged Material Containment Area will be cleaned up in 2014. Without the amendment, remediation of these sites will not occur until 2015. The Lora Lake Parcel cleanup is expected to occur in 2015.

Đóng góp Ý kiến về Sửa đổi Sắc lệnh Đồng thuận về những Căn phòng cho thuê Lora Lake

Thời hạn thâu nhận ý kiến từ 21 tháng 12 đến 31 tháng 1 năm 2013

Bộ Môi Sinh Tiểu bang Washington (từ đây gọi tắt là Ecology) yêu cầu quý vị đóng góp ý kiến liên quan đến sự sửa đổi lần thứ nhất của Sắc lệnh Đồng thuận (hợp đồng pháp lý) để dọn sạch những căn phòng cho thuê Lora Lake (Lore Lake Apartment), tọa lạc tại 15001 Des Moines Memorial Drive ở Burien, Washington. Các hoạt động trước đây tại địa điểm này đã xả ra một số hóa chất độc hại vào môi trường gồm có những chất hydrocarbon thơm đa vòng, các sản phẩm dầu mỏ, pentachlorophenol, dioxin, tetra-chloroethene, trichloroethene, 1,2-dichloroethane và chất thạch tín.

Vào năm 2009, Bộ Môi Sinh và Cảng Seattle (Cảng) đã ký một Sắc lệnh Đồng thuận và giờ đây sẽ được bổ sung vào đó những hoạt động cần thiết hầu xúc tiến cho việc dọn sạch được nhanh chóng hơn.

Sự bổ sung này yêu cầu Cảng soạn thảo một kế hoạch hoạt động để bắt đầu ngay bây giờ cho kịp thời hạn đã được ấn định vào mùa Xuân 2014. Ecology và Cảng tin tưởng các dữ kiện sẵn có và đầy đủ để nhận biết rằng việc dự định là tất yếu thậm chí dù các việc này có sửa đổi sau khi trải qua thủ tục đóng góp ý kiến. Tài liệu này sẽ được soạn ra và ghi nhận trong Sắc lệnh Đồng thuận.

Bài tường trình về sự hoàn thành Cuộc Khảo sát bổ cứu / Nghiên cứu khả thi sẽ được đưa ra trước cộng đồng để tiếp nhận ý kiến cùng lúc với bản thảo kế hoạch hoạt động. Tài liệu sau đây sẽ có trên mạng của Ecology. Đó là: Một phần của bản thảo về Cuộc khảo sát bổ cứu / Nghiên cứu khả thi cho cả ba khu vực; Cuộc Nghiên cứu khả thi cho khu Lora Lake Apartment; và Khu chứa các chất liệu nạo vét.

Ecology không dự tính sẽ có cuộc họp mặt cộng đồng trong thời gian thâu nhận ý kiến về Sắc lệnh Đồng thuận này, nhưng Ecology sẽ tổ chức một buổi họp nếu có 10 người hoặc hơn yêu cầu. Ecology sẽ sẵn sàng thảo luận trên tính cách hoặc cá nhân hoặc trong các nhóm nhỏ để trình bài nếu được yêu cầu.

Để lấy thêm tin tức, xin liên lạc đến Teddy Lê, số (360)407-6948 hoặc email teddy.le@ecy.wa.gov với chủ đề Lora Lake.

Comentarios del público sobre la enmienda de acuerdo para el sitio Apartamentos Lago Lora, Burien, WA

Período de comentario público desde el 21 de diciembre al 31 de enero de 2013

El Departamento de Ecología del Estado de Washington (Ecología) solicita sus comentarios sobre la Primera Enmienda a la Orden Acordada para el sitio de limpieza conocido como los Apartamentos Lago Lora, ubicado en 15001 Calle Memorial de Des Moines Sur, en la cuidad de Burien, Washington. Actividades anteriores en el sitio derramaba productos químicos peligrosos en el medio ambiente, incluyendo los hidrocarburos aromáticos policíclicos, productos derivados del petróleo, pentaclorofenol, dioxinas, tetracloroetileno, tricloroetileno, 1, 2-dicloroetano y el arsénico.

En 2009, Ecología y el Puerto de Seattle firmaron la Orden Acordada para limpiar el sitio. Ecología y el Puerto están enmendando la Orden Acordada para agregar trabajo adicional que es necesario para acelerar la limpieza del sitio.

La Enmienda requiere el Puerto prepare un Plan de Acción de Limpieza Preliminar. Es necesario iniciar la preparación del documento ahora para cumplir con la fecha prevista de limpieza en la primavera 2014. Ecología y el Puerto creen que existe suficiente información para saber que el trabajo propuesto será necesario, de todos modos. Los documentos que serán preparados están listados en la Enmienda de Orden Acordado.

Se presentará el reporte completo sobre la Investigación Correctiva/Estudio de Factibilidad para los comentarios del público al mismo tiempo que se presenta el Plan de Acción de Limpieza Preliminar. Ya está disponible en el sitio Web de Ecología un reporte parcial para el sitio. La reporte parcial contiene la Investigación Correctiva para las tres áreas y tanto como el Estudio de Factibilidad para la Parcela de Apartamentos Lago Lora y la Zona de Contención de Material Dragado.

Ninguna reunión pública está prevista durante el período de comentarios públicos para la Orden Acordada Modificada, excepto si 10 o más personas solicitan una. Ecología está disponible para discutir el sitio con individuos o para hacer presentaciones a grupos pequeños por medio de una solicitud.

Para obtener más información, favor de ponerse en contacto con Greg Bohn al número de teléfono (509) 454-4174 o por correo electrónico a gboh461@ecy.wa.gov. Debe incluir la referencia al sitio de Apartamentos Lago Lora ("Lora Lake Apartments").

DEPARTMENT OF
ECOLOGY
State of Washington
3190 160th Ave. SE
Bellevue, WA 98008

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Lora Lake Apartments Site
King County

Ecology invites comments on Amended Agreed Order

Public Comment Period: December 21 – January 31, 2013

Facility Site ID #: 1880040
Cleanup ID#: 2008

Thời gian thâu nhận ý kiến bắt đầu từ ngày 21 tháng 12 đến ngày 31 tháng 1 năm 2013 về những sửa đổi Sắc Lệnh Đồng Thuận liên quan đến việc dọn sạch ô nhiễm tại địa điểm Lora Lake Apartment. Để lấy thêm tin tức, xin liên lạc đến Teddy Lê, số (360)407-6948 hoặc email teddy.le@ecy.wa.gov với chủ đề Lora Lake.

El período de comentarios públicos es del 21 de diciembre, 2012 hasta el 31 de enero, 2013 para la Orden Acordada Modificada referente al sitio de Apartamentos Lago Lora. Para obtener más información en español, por favor contacte Greg Bohn al 509-454-4174 o por correo electrónico a gboh461@ecy.wa.gov. Debe hacer referencia al sitio de Apartamentos Lago Lora.

If you need this publication in an alternative format, call (425) 649-7117. Persons with hearing loss, call 711 for Washington Relay Service. Persons with speech disability call (877) 833-6341.

WASTE MANAGEMENT

RECEIVED

DEC 03 2012

City of Burien

November 30, 2012

City of Burien
Mr. Mike Martin, City Manager
mikem@burienwa.gov
400 SW 152nd St, Suite 300
Burien, WA 98166

Re: 2013 King County Disposal Adjustment

Mike:

As you likely know, the Metropolitan King County Council has recently approved a new disposal rate for 2013; resulting in a solid waste disposal increases of $109.00 per ton to $120.17 per ton.

Per Section 3.3.4 of our Contract with the City, we have adjusted the disposal component of our rates to reflect this increase. Enclosed with this letter is an updated 2013 rate schedule for solid waste and recycling services provided by Waste Management within the City of Burien, reflecting a disposal fee of $120.17 per ton.

Please review the enclosed rate schedule and let me know if you have any questions or concerns. Waste Management plans to update our billing system to reflect these changes in the later part of December, and the new rates will be effective as of January 1, 2013.

Waste Management appreciates the opportunity to provide quality environmental services to Burien residents and businesses, please do not hesitate to contact either Katie Salinas or myself with any questions regarding this or any other matter.

We look forward to seeing you soon.

Sincerely,

Greg Hale

District Manager

Waste Management, Seattle

CITY OF BURIEN Garbage Service Fees	Rates Effective 6/1/2012			B & O Tax	Rates Effective 1/1/2013			/2013 B & O T
SERVICE CLASS	(Monthly) Collection Fee	(Monthly) Disposal Fee	Total Service Fee	Total Service Fee	(Monthly) Collection Fee	(Monthly) Disposal Fee	Total Service Fee	Total Service Fee
Commercial / Multifamily Uncompacted Containers:								
4 Cubic Yard Uncompacted								
1 Pickup/Week/Container	$ 138.87	$ 109.98	$ 248.85	$ 249.59	$ 138.87	$ 121.41	$ 260.28	$ 261.06
2 Pickups/Week/Container	$ 261.75	$ 219.96	$ 481.71	$ 483.15	$ 261.75	$ 242.83	$ 504.58	$ 505.09
3 Pickups/Week/Container	$ 384.58	$ 329.94	$ 714.52	$ 716.66	$ 384.58	$ 364.25	$ 748.83	$ 751.07
4 Pickups/Week/Container	$ 503.69	$ 439.92	$ 943.61	$ 946.44	$ 503.69	$ 485.67	$ 989.36	$ 992.32
5 Pickups/Week/Container	$ 630.36	$ 549.90	$ 1,180.26	$ 1,183.80	$ 630.36	$ 607.09	$ 1,237.45	$ 1,241.16
Extra Pick-up on scheduled collection day	$ 28.13	$ 25.38	$ 53.51	$ 53.67	$ 28.13	$ 28.01	$ 56.14	$ 56.30
Special Pick-up unscheduled collection day	$ 120.06	$ 25.38	$ 145.44	$ 145.87	$ 120.06	$ 28.01	$ 148.07	$ 148.51
6 Cubic Yard Uncompacted								
1 Pickup/Week/Container	$ 182.19	$ 164.96	$ 347.15	$ 348.19	$ 182.19	$ 182.11	$ 364.30	$ 365.39
2 Pickups/Week/Container	$ 346.04	$ 329.92	$ 675.96	$ 677.98	$ 346.04	$ 364.23	$ 710.27	$ 712.40
3 Pickups/Week/Container	$ 509.88	$ 494.89	$ 1,004.77	$ 1,007.78	$ 509.88	$ 546.36	$ 1,056.24	$ 1,059.40
4 Pickups/Week/Container	$ 668.06	$ 659.85	$ 1,327.91	$ 1,331.89	$ 668.06	$ 728.48	$ 1,396.54	$ 1,400.72
5 Pickups/Week/Container	$ 830.47	$ 824.82	$ 1,655.29	$ 1,660.25	$ 830.47	$ 910.61	$ 1,741.08	$ 1,746.30
Extra Pick-up on scheduled collection day	$ 37.47	$ 38.07	$ 75.54	$ 75.76	$ 37.47	$ 42.02	$ 79.49	$ 79.72
Special Pick-up unscheduled collection day	$ 129.41	$ 38.07	$ 167.48	$ 167.98	$ 129.41	$ 42.02	$ 171.43	$ 171.94
8 Cubic Yard Uncompacted								
1 Pickup/Week/Container	$ 221.29	$ 219.96	$ 441.25	$ 442.57	$ 221.29	$ 242.83	$ 464.12	$ 465.51
2 Pickups/Week/Container	$ 421.44	$ 439.92	$ 861.36	$ 863.94	$ 421.44	$ 485.67	$ 907.11	$ 909.83
3 Pickups/Week/Container	$ 621.58	$ 659.88	$ 1,281.46	$ 1,285.30	$ 621.58	$ 728.51	$ 1,350.09	$ 1,354.14
4 Pickups/Week/Container	$ 821.72	$ 879.84	$ 1,701.56	$ 1,706.66	$ 821.72	$ 971.35	$ 1,793.07	$ 1,798.44
5 Pickups/Week/Container	$ 1,012.38	$ 1,099.80	$ 2,112.18	$ 2,118.51	$ 1,012.38	$ 1,214.19	$ 2,226.57	$ 2,233.24
Extra Pick-up on scheduled collection day	$ 45.74	$ 50.76	$ 96.50	$ 96.78	$ 45.74	$ 56.03	$ 101.77	$ 102.07
Special Pick-up unscheduled collection day	$ 137.67	$ 50.76	$ 188.43	$ 188.99	$ 137.67	$ 56.03	$ 193.70	$ 194.28
Commercial / Multifamily FL Compacted Containers:								
2 Cubic Yard Compactor weekly	$ 140.84	$ 274.93	$ 415.77	$ 417.01	$ 140.84	$ 303.52	$ 444.36	$ 445.69
2 yard Special Pick-up	$ 130.69	$ 63.44	$ 194.33	$ 194.91	$ 130.89	$ 70.03	$ 200.92	$ 201.52
3 Cubic Yard Compactor weekly	$ 204.12	$ 412.41	$ 616.53	$ 618.37	$ 204.12	$ 455.30	$ 659.42	$ 661.39
3 yard Special Pick-up	$ 140.54	$ 95.17	$ 235.71	$ 236.41	$ 140.54	$ 105.06	$ 245.60	$ 246.33
4 Cubic Yard Compactor weekly	$ 261.91	$ 549.90	$ 811.81	$ 814.24	$ 261.91	$ 607.09	$ 869.00	$ 871.60
4 yard Special Pick-up	$ 153.89	$ 126.90	$ 280.79	$ 281.63	$ 153.89	$ 140.09	$ 293.98	$ 294.86
5 Cubic Yard Compactor weekly	$ 355.51	$ 661.00	$ 1,016.51	$ 1,019.55	$ 355.51	$ 729.75	$ 1,085.26	$ 1,088.51
5 yard Special Pick-up	$ 175.48	$ 152.54	$ 328.02	$ 329.00	$ 175.48	$ 168.40	$ 343.88	$ 344.91
6 Cubic Yard Compactor weekly	$ 378.01	$ 824.82	$ 1,202.83	$ 1,206.43	$ 378.01	$ 910.61	$ 1,288.62	$ 1,292.48
6 yard Special Pick-up	$ 180.68	$ 190.34	$ 371.02	$ 372.13	$ 180.68	$ 210.13	$ 390.81	$ 391.98
"Extra" Uncompacted Cubic Yard	$ 14.20	$ 6.34	$ 20.54	$ 20.60	$ 14.20	$ 6.99	$ 21.19	$ 21.25

CITY OF BURIEN
Garbage Service Fees

SERVICE CLASS	Rates Effective 6/1/2012			6/1/2012 B & O Tax			Rates Effective 1/1/2013			1/1/2013 B & O Tax		
	Daily Rental	Monthly Container Rental	Charge per Haul	Daily Rental	Monthly Container Rental	Charge per Haul	Daily Rental	Monthly Container Rental	Charge per Haul	Daily Rental	Monthly Container Rental	Charge per Haul
Drop-box Collection												
Noncompacted Service												
1 10 Cu. Yd. Container		$ 36.50	$ 152.71		$ 36.50	$ 153.16		$ 36.50	$ 152.71		$ 36.50	$ 153.16
1 15 Cu. Yd. Container		$ 42.94	$ 152.71		$ 42.94	$ 153.16		$ 42.94	$ 152.71		$ 42.94	$ 153.16
1 20 Cu. Yd. Container		$ 49.40	$ 152.71		$ 49.40	$ 153.16		$ 49.40	$ 152.71		$ 49.40	$ 153.16
1 25 Cu. Yd. Container		$ 54.76	$ 152.71		$ 54.76	$ 153.16		$ 54.76	$ 152.71		$ 54.76	$ 153.16
1 30 Cu. Yd. Container		$ 60.13	$ 152.71		$ 60.13	$ 153.16		$ 60.13	$ 152.71		$ 60.13	$ 153.16
1 40 Cu. Yd. Container		$ 71.94	$ 152.71		$ 71.94	$ 153.16		$ 71.94	$ 152.71		$ 71.94	$ 153.16
Compacted Service												
1 10 Cu. Yd. Container			$ 181.92			$ 182.46			$ 181.92			$ 182.46
1 15 Cu. Yd. Container			$ 181.92			$ 182.46			$ 181.92			$ 182.46
1 20 Cu. Yd. Container			$ 181.92			$ 182.46			$ 181.92			$ 182.46
1 25 Cu. Yd. Container			$ 181.92			$ 182.46			$ 181.92			$ 182.46
1 30 Cu. Yd. Container			$ 181.92			$ 182.46			$ 181.92			$ 182.46
1 40 Cu. Yd. Container			$ 181.92			$ 182.46			$ 181.92			$ 182.46
Drop-box (Temporary)												
1 10 Cu. Yd. Container	$ 2.14		$ 164.31	$ 2.14		$ 164.80	$ 2.14		$ 164.31	$ 2.14		$ 164.80
1 15 Cu. Yd. Container	$ 2.14		$ 164.31	$ 2.14		$ 164.80	$ 2.14		$ 164.31	$ 2.14		$ 164.80
1 20 Cu. Yd. Container	$ 2.40		$ 164.31	$ 2.40		$ 164.80	$ 2.40		$ 164.31	$ 2.40		$ 164.80
1 25 Cu. Yd. Container	$ 2.68		$ 164.31	$ 2.68		$ 164.80	$ 2.68		$ 164.31	$ 2.68		$ 164.80
1 30 Cu. Yd. Container	$ 2.95		$ 164.31	$ 2.95		$ 164.80	$ 2.95		$ 164.31	$ 2.95		$ 164.80
1 40 Cu. Yd. Container	$ 3.48		$ 164.31	$ 3.48		$ 164.80	$ 3.48		$ 164.31	$ 3.48		$ 164.80

CITY OF BURIEN
Garbage Service Fees

SERVICE CLASS	Rates Effective 6/1/2012	6/1/2012 B & O Tax	Rates Effective 1/1/2013	1/1/2013 B & O Tax
	Total Service Fee	Total Service Fee	Total Service Fee	Total Service Fee
Additional Services				
Mileage Charge for all hauls over 5 miles one way, per mile	$ 3.21	$ 3.21	$ 3.21	$ 3.21
Connect/Disconnect Compactors	$ 16.48	$ 16.52	$ 16.48	$ 16.52
Return Trip	$ 39.06	$ 39.19	$ 39.06	$ 39.19
Solid Drop-box Lid Charge (per month)	$ 25.50	$ 25.57	$ 25.50	$ 25.57
Position Drop-box Lids open after returning empty container to site	$ 17.50	$ 17.55	$ 17.50	$ 17.55
Pressure Washing (per yd.)	$ 2.78	$ 2.78	$ 2.78	$ 2.78
Pickup and re-delivery for container cleaning customer requested	$ 30.01	$ 30.10	$ 30.01	$ 30.10
Stand-By Time (per minute)	$ 1.47	$ 1.47	$ 1.47	$ 1.47
Delivery Fee Permanent & Temporary	$ 59.06	$ 59.23	$ 59.06	$ 59.23
Disposal Surcharge per ton	$ 8.05	$ 8.07	$ 8.05	$ 8.07
Hourly Rates				
Rear/Side Load Packer & Driver	$ 88.92	$ 89.18	$ 88.92	$ 89.18
Front Load Packer & Driver	$ 88.92	$ 89.18	$ 88.92	$ 89.18
Drop Box Truck & Driver	$ 88.92	$ 89.18	$ 88.92	$ 89.18
Additional Labor (per person)	$ 32.21	$ 32.30	$ 32.21	$ 32.30

				$ 95.00	2011 Disposal				$ 109.00	2012 Disposal
				$ 109.00	2012 Disposal				$ 120.17	2013 Disposal
						Disposal Increase	1.50%			
			4.73%				10.25%			
							0.00%			

CITY OF BURIEN Garbage and Yard Debris Service Fees	Rates Effective 6/1/2012			6/1/2012 B & O Tax	Rates Effective 1/1/2013			1/1/2013 B & O Tax
SERVICE CLASS	(Monthly) Collection Fee	(Monthly) Disposal Fee*	(Monthly) Total Fee	0.30% (Monthly) Total Fee	(Monthly) Collection Fee	(Monthly) Disposal Fee*	(Monthly) Total Fee	0.30% (Monthly) Total Fee
Residential Services		*No Change from 1/1/2012						
MSW Monthly Service:								
Monthly Service 20 Gal. Cart	$ 13.17	$ 0.91	$ 14.08	$ 14.12	$ 13.17	$ 1.00	$ 14.17	$ 14.21
Monthly Service 35 Gal. Cart	$ 13.20	$ 1.45	$ 14.65	$ 14.69	$ 13.20	$ 1.60	$ 14.80	$ 14.84
MSW Weekly Service:								
1-10 Gal. Micro-can	$ 13.17	$ 2.29	$ 15.46	$ 15.50	$ 13.17	$ 2.52	$ 15.69	$ 15.73
1-20 Gal. Cart	$ 13.33	$ 3.16	$ 16.49	$ 16.53	$ 13.33	$ 3.48	$ 16.81	$ 16.86
1-35 Gal. Cart	$ 16.70	$ 5.52	$ 22.22	$ 22.28	$ 16.70	$ 6.09	$ 22.79	$ 22.85
2-35 Gal. Carts + 1 Recycle Cart	$ 18.84	$ 11.05	$ 29.89	$ 29.97	$ 18.84	$ 12.19	$ 31.03	$ 31.12
3-35 Gal. Carts + 1 Recycle Cart	$ 20.97	$ 16.58	$ 37.55	$ 37.65	$ 20.97	$ 18.30	$ 39.27	$ 39.38
4-35 Gal. Carts + 1 Recycle Cart	$ 23.11	$ 22.11	$ 45.22	$ 45.35	$ 23.11	$ 24.40	$ 47.51	$ 47.65
1-64 Gal. Cart	$ 21.01	$ 10.10	$ 31.11	$ 31.20	$ 21.01	$ 11.15	$ 32.16	$ 32.25
2-64 Gal. Carts + 1 Recycle Cart	$ 34.14	$ 20.20	$ 54.34	$ 54.50	$ 34.14	$ 22.30	$ 56.44	$ 56.60
3-64 Gal. Carts + 1 Recycle Cart	$ 47.25	$ 30.31	$ 77.56	$ 77.79	$ 47.25	$ 33.46	$ 80.71	$ 80.95
4-64 Gal. Carts + 1 Recycle Cart	$ 60.36	$ 40.41	$ 100.77	$ 101.07	$ 60.36	$ 44.61	$ 104.97	$ 105.28
1-96 Gal. Cart	$ 24.68	$ 15.15	$ 39.83	$ 39.94	$ 24.68	$ 16.72	$ 41.40	$ 41.52
2-96 Gal. Carts + 1 Recycle Cart	$ 41.46	$ 30.30	$ 71.76	$ 71.97	$ 41.46	$ 33.45	$ 74.91	$ 75.13
3-96 Gal. Carts + 1 Recycle Cart	$ 58.24	$ 45.45	$ 103.69	$ 104.00	$ 58.24	$ 50.17	$ 108.41	$ 108.73
4-96 Gal. Carts + 1 Recycle Cart	$ 75.01	$ 60.60	$ 135.61	$ 136.01	$ 75.01	$ 66.90	$ 141.91	$ 142.33
1-32 gallon equivalent "extra"	$ 4.18	$ 1.16	$ 5.34	$ 5.35	$ 4.18	$ 1.28	$ 5.46	$ 5.47
Recycle Service (bundled) EOW service:								
1-35 Gal. Cart	$ -		$ -		$ -		$ -	
1-64 Gal. Cart	$ -		$ -		$ -		$ -	
1-96 Gal. Cart	$ -		$ -		$ -		$ -	
Residential Recycling Rebate set rate			$ -	$ (0.97)			$ -	$ (0.97)
1-Recycling Cart EOW service for non-subscribing garbage customers	$ 9.09		$ 9.09	$ 9.11	$ 9.09		$ 9.09	$ 9.11
Yard Debris Service (Weekly Service)								
1-35 Gal. Cart YDW	$ 9.01		$ 9.01	$ 9.03	$ 9.01		$ 9.01	$ 9.03
1-64 Gal. Cart YDW	$ 9.98		$ 9.98	$ 10.00	$ 9.98		$ 9.98	$ 10.00
1-96 Gal. Cart YDW	$ 10.94		$ 10.94	$ 10.97	$ 10.94		$ 10.94	$ 10.97
32 Gal. Can YDW - Non scheduled collection for non-subscribing customers	$ 5.68		$ 5.68	$ 5.69	$ 5.68		$ 5.68	$ 5.69
64 Gal. Cart YDW - Non scheduled collection for non-subscribing customers	$ 6.87		$ 6.87	$ 6.89	$ 6.87		$ 6.87	$ 6.89
96 Gal. Cart YDW - Non scheduled collection for non-subscribing customers	$ 9.12		$ 9.12	$ 9.14	$ 9.12		$ 9.12	$ 9.14
Additional 96 Gal. YDW Carts	$ 3.11		$ 3.11	$ 3.11	$ 3.11		$ 3.11	$ 3.11
1-32 gallon equivalent "extra" YDW	$ 3.43		$ 3.43	$ 3.44	$ 3.43		$ 3.43	$ 3.44
1-64 gallon equivalent "extra" YDW	$ 4.55		$ 4.55	$ 4.55	$ 4.55		$ 4.55	$ 4.56
1-96 gallon equivalent "extra" YDW	$ 6.87		$ 6.87	$ 6.89	$ 6.87		$ 6.87	$ 6.89
1-35 Gal. Cart YDW weekly service for non-subscribing garbage customers	$ 10.20		$ 10.20	$ 10.23	$ 10.20		$ 10.20	$ 10.23
1-64 Gal. Cart YDW weekly service for non-subscribing garbage customers	$ 11.16		$ 11.16	$ 11.19	$ 11.16		$ 11.16	$ 11.19
1-96 Gal. Cart YDW weekly service for non-subscribing garbage customers	$ 12.12		$ 12.12	$ 12.15	$ 12.12		$ 12.12	$ 12.15
Miscellaneous Fees:								
Return Trip Cans & Carts, per pick-up	$ 6.01		$ 6.01	$ 6.02	$ 6.01		$ 6.01	$ 6.02
Carry-out service per unit, per pick-up, over 5 feet but not over 25 feet	$ 0.23		$ 0.23	$ 0.23	$ 0.23		$ 0.23	$ 0.23
Carry-out service per unit, per pick-up, for ea addl. 25 feet or fraction of 25 feet add	$ 0.14		$ 0.14	$ 0.14	$ 0.14		$ 0.14	$ 0.14
Drive-in Charge - Weekly service, Monthly Rate	$ 4.70		$ 4.70	$ 4.71	$ 4.70		$ 4.70	$ 4.71
Redelivery Fee (Carts)	$ 15.93		$ 15.93	$ 15.97	$ 15.93		$ 15.93	$ 15.97
Over loaded/filled cart/container	$ 4.82		$ 4.82	$ 4.83	$ 4.82		$ 4.82	$ 4.83
Cart Roll-out requested by customer, Per Cart, per month >5'	$ 3.74		$ 3.74	$ 3.75	$ 3.74		$ 3.74	$ 3.75
On-Call Bulky Waste Collection:								
White Goods/Appliances (non-refrigerant)	$ 54.96	$ 8.19	$ 63.15	$ 63.33	$ 54.96	$ 9.04	$ 64.00	$ 64.19
Refrigerator/Freezer	$ 49.86	$ 13.65	$ 63.51	$ 63.70	$ 49.86	$ 15.06	$ 64.92	$ 65.11
Sofas, Chairs	$ 52.41	$ 10.92	$ 63.33	$ 63.51	$ 52.41	$ 12.05	$ 64.46	$ 64.65
Mattress or Box Springs	$ 57.51	$ 5.46	$ 62.97	$ 63.15	$ 57.51	$ 6.02	$ 63.53	$ 63.72
Temporary Container Service:								
Temp. 1 Yard Container	$ 22.52	$ 6.34	$ 28.86	$ 28.94	$ 22.52	$ 6.99	$ 29.51	$ 29.59
Daily Rent	$ 1.17		$ 1.17	$ 1.17	$ 1.17		$ 1.17	$ 1.17
Temp. 1.5 Yard Container	$ 25.15	$ 9.50	$ 34.65	$ 34.75	$ 25.15	$ 10.48	$ 35.63	$ 35.73
Daily Rent	$ 1.17		$ 1.17	$ 1.17	$ 1.17		$ 1.17	$ 1.17
Temp. 2 Yard Container	$ 27.13	$ 12.67	$ 39.80	$ 39.91	$ 27.13	$ 13.98	$ 41.11	$ 41.23
Daily Rent	$ 1.22		$ 1.22	$ 1.22	$ 1.22		$ 1.22	$ 1.22
Temp. 3 Yard Container	$ 33.45	$ 19.02	$ 52.47	$ 52.62	$ 33.45	$ 20.99	$ 54.44	$ 54.60
Daily Rent	$ 1.28		$ 1.28	$ 1.28	$ 1.28		$ 1.28	$ 1.28
Temp. 4 Yard Container	$ 35.91	$ 25.35	$ 61.26	$ 61.44	$ 35.91	$ 27.98	$ 63.89	$ 64.08
Daily Rent	$ 1.34		$ 1.34	$ 1.34	$ 1.34		$ 1.34	$ 1.34
Temp. 6 Yard Container	$ 41.89	$ 38.03	$ 79.92	$ 80.15	$ 41.89	$ 41.98	$ 83.87	$ 84.12
Daily Rent	$ 1.65		$ 1.65	$ 1.65	$ 1.65		$ 1.65	$ 1.65
Delivery Fee all Front Load Temp. containers	$ 59.06		$ 59.06	$ 59.23	$ 59.06		$ 59.06	$ 59.23

CITY OF BURIEN Garbage Service Fees	Rates Effective 6/1/2012			2012 B & O	Rates Effective 1/1/2013			/2013 B & O T
SERVICE CLASS	(Monthly) Collection Fee	(Monthly) Disposal Fee*	(Monthly) Total Fee	Total Service Fee	(Monthly) Collection Fee	(Monthly) Disposal Fee*	(Monthly) Total Fee	Total Service Fee
Commercial / Multifamily Cans & Carts:								
Weekly Service								
1 20 Gal. Cart	$ 12.23	$ 2.31	$ 14.54	$ 14.58	$ 12.23	$ 2.55	$ 14.78	$ 14.82
1 35 Gal. Cart	$ 13.92	$ 4.04	$ 17.96	$ 18.01	$ 13.92	$ 4.46	$ 18.38	$ 18.43
1 64 Gal. Cart	$ 21.48	$ 8.11	$ 29.59	$ 29.67	$ 21.48	$ 8.95	$ 30.43	$ 30.52
1 96 Gal. Cart	$ 26.32	$ 12.15	$ 38.47	$ 38.58	$ 26.32	$ 13.41	$ 39.73	$ 39.84
35 Gal. Cart Special Pick-up (on unscheduled day)	$ 94.88	$ 0.93	$ 95.81	$ 96.09	$ 94.88	$ 1.02	$ 95.90	$ 96.18
64 Gal. Cart Special Pick-up (on unscheduled day)	$ 96.47	$ 1.87	$ 98.34	$ 98.63	$ 96.47	$ 2.06	$ 98.53	$ 98.82
96 Gal. Cart Special Pick-up (on unscheduled day)	$ 97.67	$ 2.80	$ 100.47	$ 100.77	$ 97.67	$ 3.09	$ 100.76	$ 101.06
1-32 gallon equivalent "extra"	$ 4.18	$ 1.16	$ 5.34	$ 5.35	$ 4.18	$ 1.28	$ 5.46	$ 5.47
Miscellaneous Services (per event):								
Return Trip	$ 14.76		$ 14.76	$ 14.80	$ 14.76		$ 14.76	$ 14.80
Carry-Out Service >5' & <25' (per unit, per pick-up)	$ 0.23		$ 0.23	$ 0.23	$ 0.23		$ 0.23	$ 0.23
Carry-Out Service each 25', >25', (per unit, per pick-up)	$ 0.14		$ 0.14	$ 0.14	$ 0.14		$ 0.14	$ 0.14
Drive-ins on driveways >125' & <250' (per service)	$ 0.80		$ 0.80	$ 0.80	$ 0.80		$ 0.80	$ 0.80
Drive-ins on driveways >250' & <1/10 mile (per service)	$ 1.55		$ 1.55	$ 1.55	$ 1.55		$ 1.55	$ 1.55
Drive-ins on driveways >1/10 mile each 1/10 mile (per service)	$ 3.11		$ 3.11	$ 3.11	$ 3.11		$ 3.11	$ 3.11
Connect/Disconnect Compactor (per pickup)	$ 16.48		$ 16.48	$ 16.52	$ 16.48		$ 16.48	$ 16.52
Roll-Out Container	$ 13.01		$ 13.01	$ 13.04	$ 13.01		$ 13.01	$ 13.04
Unlock Container	$ 3.11		$ 3.11	$ 3.11	$ 3.11		$ 3.11	$ 3.11
Gate Opening	$ 3.11		$ 3.11	$ 3.11	$ 3.11		$ 3.11	$ 3.11
Re-Delivery	$ 15.93		$ 15.93	$ 15.97	$ 15.93		$ 15.93	$ 15.97
Steam Cleaning per yard	$ 2.78		$ 2.78	$ 2.78	$ 2.78		$ 2.78	$ 2.78
Steam Cleaning minimum charge	$ 12.88		$ 12.88	$ 12.91	$ 12.88		$ 12.88	$ 12.91
Pickup and re-delivery for container cleaning customer requested	$ 30.01		$ 30.01	$ 30.10	$ 30.01		$ 30.01	$ 30.10
Commercial / Multifamily Uncompacted Containers:								
1 Cubic Yard Uncompacted								
1 Pickup/Week/Container	$ 51.37	$ 27.48	$ 78.85	$ 79.08	$ 51.37	$ 30.33	$ 81.70	$ 81.94
2 Pickups/Week/Container	$ 93.74	$ 54.97	$ 148.71	$ 149.15	$ 93.74	$ 60.68	$ 154.42	$ 154.88
3 Pickups/Week/Container	$ 136.08	$ 82.45	$ 218.53	$ 219.18	$ 136.08	$ 91.02	$ 227.10	$ 227.73
4 Pickups/Week/Container	$ 178.44	$ 109.94	$ 288.38	$ 289.24	$ 178.44	$ 121.37	$ 299.81	$ 300.70
5 Pickups/Week/Container	$ 220.81	$ 137.43	$ 358.24	$ 359.31	$ 220.81	$ 151.72	$ 372.53	$ 373.64
Extra Pick-up on scheduled collection day	$ 9.77	$ 6.34	$ 16.11	$ 16.15	$ 9.77	$ 6.99	$ 16.76	$ 16.81
Special Pick-up unscheduled collection day	$ 101.70	$ 6.34	$ 108.04	$ 108.36	$ 101.70	$ 6.99	$ 108.69	$ 109.01
1.5 Cubic Yard Uncompacted								
1 Pickup/Week/Container	$ 67.19	$ 41.18	$ 108.37	$ 108.69	$ 67.19	$ 45.46	$ 112.65	$ 112.98
2 Pickups/Week/Container	$ 124.71	$ 82.37	$ 207.08	$ 207.70	$ 124.71	$ 90.93	$ 215.64	$ 216.28
3 Pickups/Week/Container	$ 182.25	$ 123.56	$ 305.81	$ 306.72	$ 182.25	$ 136.41	$ 318.66	$ 319.61
4 Pickups/Week/Container	$ 239.58	$ 164.75	$ 404.33	$ 405.54	$ 239.58	$ 181.88	$ 421.46	$ 422.72
5 Pickups/Week/Container	$ 297.05	$ 205.94	$ 502.99	$ 504.49	$ 297.05	$ 227.36	$ 524.41	$ 525.98
Extra Pick-up on scheduled collection day	$ 13.25	$ 9.50	$ 22.75	$ 22.81	$ 13.25	$ 10.48	$ 23.73	$ 23.80
Special Pick-up unscheduled collection day	$ 105.19	$ 9.50	$ 114.69	$ 115.03	$ 105.19	$ 10.48	$ 115.67	$ 116.01
2 Cubic Yard Uncompacted								
1 Pickup/Week/Container	$ 81.73	$ 54.98	$ 136.71	$ 137.12	$ 81.73	$ 60.69	$ 142.42	$ 142.84
2 Pickups/Week/Container	$ 151.55	$ 109.96	$ 261.51	$ 262.29	$ 151.55	$ 121.39	$ 272.94	$ 273.75
3 Pickups/Week/Container	$ 221.37	$ 164.95	$ 386.32	$ 387.47	$ 221.37	$ 182.10	$ 403.47	$ 404.68
4 Pickups/Week/Container	$ 290.04	$ 219.93	$ 509.97	$ 511.49	$ 290.04	$ 242.80	$ 532.84	$ 534.43
5 Pickups/Week/Container	$ 359.57	$ 274.92	$ 634.49	$ 636.39	$ 359.57	$ 303.51	$ 663.08	$ 665.06
Extra Pick-up on scheduled collection day	$ 16.04	$ 12.69	$ 28.73	$ 28.81	$ 16.04	$ 14.00	$ 30.04	$ 30.13
Special Pick-up unscheduled collection day	$ 107.97	$ 12.69	$ 120.66	$ 121.02	$ 107.97	$ 14.00	$ 121.97	$ 122.33
3 Cubic Yard Uncompacted								
1 Pickup/Week/Container	$ 118.47	$ 82.48	$ 200.95	$ 201.55	$ 118.47	$ 91.05	$ 209.52	$ 210.14
2 Pickups/Week/Container	$ 223.19	$ 164.96	$ 388.15	$ 389.31	$ 223.19	$ 182.11	$ 405.30	$ 406.51
3 Pickups/Week/Container	$ 327.92	$ 247.44	$ 575.36	$ 577.08	$ 327.92	$ 273.17	$ 601.09	$ 602.89
4 Pickups/Week/Container	$ 429.79	$ 329.92	$ 759.71	$ 761.98	$ 429.79	$ 364.23	$ 794.02	$ 796.40
5 Pickups/Week/Container	$ 533.80	$ 412.41	$ 946.21	$ 949.04	$ 533.80	$ 455.30	$ 989.10	$ 992.06
Extra Pick-up on scheduled collection day	$ 23.99	$ 19.03	$ 43.02	$ 43.14	$ 23.99	$ 21.00	$ 44.99	$ 45.12
Special Pick-up unscheduled collection day	$ 115.93	$ 19.03	$ 134.96	$ 135.36	$ 115.93	$ 21.00	$ 136.93	$ 137.34

3.3.1 Inflation Adjustment

The Contractor's collection service charges, excluding waste disposal fees, for each level of service shall increase or decrease each year under this Contract by the following formula:

The "Inflation Adjustment Factor" will be based on three indices computed by the United States Department of Labor, Bureau of Labor Statistics. The three indices and their weights are: 1) the second-half annual consumer price index for Urban Wage Earners and Clerical Workers for the Seattle-Tacoma-Bremerton Area, Series ID No. CWURA423SAO, or successor indices, which will have a weight of 42%, 2) the Energy Information Agency annual West Coast Retail Price Series for On-Highway Diesel Fuel, Index No. PADD5, which will have a weight of 8%, and 3) the Employment Compensation Cost Index for Private Industry, in current dollars, December 2005=100, for Trade, Transportation and Utilities, Series ID No. ECU20140000000001 (B,I), which will have a weight of 50%.

The Inflation Adjustment Factor, for the contract year beginning in June 1, 2009, and for each subsequent contract year, will be calculated by taking the weighted average, based on the weights above, of the percentage difference between the three indices' most recent year-end values and the corresponding values for the prior year, and adding the result to 1.0.

This annual Inflation Adjustment Factor will be applied to all rates set forth under the Contract, unless otherwise noted herein.

Adjustments to the Contractor's rates will be made in units of one cent ($0.01). Fractions less than one cent ($0.01) will not be considered when making adjustments.

Rates will be adjusted annually, beginning June 1, 2009. On or by March 15th of each year, starting March 15th 2009, the Contractor shall submit to the City for review and approval a Rate Adjustment Statement calculating the new rates for the next year. Not less than forty-five (45) days prior to June 1st, the Contractor shall, on behalf of the City, provide notice of the rate increase to all ratepayers, consistent with the requirements of RCW 35A.21.152. Such notice is a condition precedent to implementation of the above described rate adjustment.

3.3.2 Disposal Fee Adjustments

Periodic adjustments will also be made to Contractor collection rates to reflect increases or decreases in King County disposal fees for solid waste. In the event of a change in disposal fees, the disposal fee component of those rates shall be adjusted, based on container content weights previously used by the Contractor's WUTC rate model. The Contractor shall provide supporting data on historical and proposed disposal cost components and container weights to the City at least forty-five (45) days before the disposal fee change is scheduled to take effect. Not less than forty-five (45) days prior to the disposal fee adjustment taking effect, the Contractor shall, on behalf of the City, provide notice of the rate increase to all ratepayers, consistent with the requirements of RCW 35A.21.152. Such notice is a condition precedent to implementation of the above described rate adjustment.

3.3.3 Changes in Disposal or Yard Debris Processing Sites and Processing Fees

Should the Contractor be required by the City or other governmental authority to use disposal or Yard Debris processing sites other than those being used at the initiation of this Contract, or should the Contractor's Yard Debris processing fees increase more than the normal escalation of the index detailed in Section 3.3, the Contractor will submit a detailed proposal for the adjustment of the rates to reflect any additional cost or savings to the Contractor.

GENERAL TEAMSTERS LOCAL UNION #174

Affiliated with the INTERNATIONAL BROTHERHOOD OF TEAMSTERS

14675 Interurban Ave. South, Suite 303, Tukwila, WA 98168-4614
phone (206) 441-6060 or (800) 221-9952 • fax (206) 441-4853 • e-mail local174@teamsterslocal174.org

Rick Hicks
Secretary-Treasurer

RECEIVED

DEC 18 2012

City of Burien

December 14, 2012

Mike Martin, City Manager
City of Burien
400 SW 152nd St. Suite 300
Burien, WA 98166

Dear City Manager Martin:

Did you know Waste Management is moving the dispatch responsibilities for the garbage and recycle services for your community out of state? We are writing to notify you of another labor dispute between Waste Management and the Teamsters which could result in a service disruption. Earlier this year, Teamsters Local 174 organized the dispatchers at the Seattle facility. During that organizing campaign, Waste showed the dispatchers a power point presentation informing them that everywhere in the Country dispatchers unionized, the dispatching work was transferred. No surprise, they've done it here.

Rather than negotiate a contract, Waste is moving the work to Portland. Not only are they moving the work of the Seattle unionized dispatchers, they are carrying their vendetta to the rest of the state as well. Not only will employees be losing their jobs in our communities, dispatching work will no longer be performed by local employees who know the community, the geography, and the drivers. It will be performed by employees in another state who can not but help but provide an inferior service.

Let Waste Management know that you do not believe that move is in the best interest of your City. Please get a hold of your Waste Management contact to let them know you do not want to see them move your dispatch services to another state. You can also contact Tim Crosby, Waste Management Puget Sound Labor Relations at (425) 420-1719.

Sincerely,

GENERAL TEAMSTERS LOCAL UNION #174

Rick Hicks
Secretary-Treasurer

cc: WUTC, Solid Waste
Brian Bennett, Mayor

opeiu8

WASTE MANAGEMENT

RECEIVED

DEC 20 2012

City of Burien

WASTE MANAGEMENT

720 4th Ave, Suite 400
Kirkland WA 98033

December 19, 2012

Dear Mike:

It has come to my attention that Teamsters Local 174 is contacting city officials in regards to Waste Management's negotiations with the dispatchers at our Seattle Hauling site. In late spring of this year, this group of 10 employees voted to join Teamsters Local 174. Since that time, Waste Management has worked diligently to bargain in good faith with the union. To that point, we have two additional meetings currently scheduled in January to continue these negotiations.

On a related note, over the last few years, Waste Management has been working both locally and across the country to innovate and optimize our operations. Part of this optimization is the consolidation of our dispatch functions to better utilize technology for routing efficiencies. With this new routing technology, we will be able to help our drivers work smarter, while providing better quality service to our municipal customers. The result of the consolidation is that most of our local dispatch positions (affecting approximately five of the 10 Seattle dispatchers) will be relocated to our Portland office during the summer of 2013. Nationwide, the Company's implementation of centralized dispatch has been on-going for more than two years.

Unfortunately, union leadership has decided to reach out to you with false information and scare tactics regarding the ongoing negotiations and our consolidation plans. I am sorry for the distraction, but rest assured, at our upcoming meetings in January, Waste Management will bargain in good faith.

I will continue to keep you posted as appropriate. Meanwhile, please feel free to call me if you have any questions or concerns; my cell phone is 510.206.8285.

Happy Holidays and I hope you have a safe and healthy new year.

Sincerely,

Mary S Evans

Mary S. Evans
Area Director, Public Sector Services
Waste Management - Pacific Northwest Area
Office: 425.814.7844/Mobile: 510.206.8285
720 4th Avenue, Suite 400, Kirkland, WA 98033
mevans4@wm.com

CITY OF BURIEN MEMORANDUM

DATE: December 4, 2012

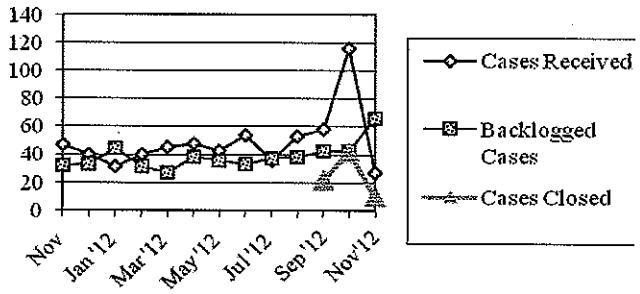
TO: Mike Martin, City Manager

FROM: Cynthia Schaff, Paralegal

RE: 2012 Citizen Action Report

This report reflects the caseload for November and includes all backlog cases open as of November 30, 2012. As of that date, there were 88 open cases. 43 of the open cases are more than five weeks old and are considered backlog. There were 27 cases opened during the month of November, 17 cases initiated by staff/police/fire, and 10 cases initiated by residents. 10 of the cases opened during the month of November were closed within the month.

Citizen Action Case Status



	Nov	Dec	Jan '12	Feb '12	Mar '12	Apr '12	May '12	Jun '12	Jul '12	Aug '12	Sep '12	Oct '12	Nov '12
Cases Closed											22	42	10
Cases Received	47	40	31	40	45	48	43	54	36	53	58	116	27
% Cases Closed/Received											38%	36%	37%
Backlogged Cases	32	33	44	31	27	38	36	33	37	38	43	43	66
Total Open Cases	71	60	67	54	62	63	59	69	60	62	72	125	88
% of Backlog	45%	55%	66%	57%	44%	60%	61%	48%	62%	61%	60%	34%	75%

As usual, please let me know if you have any questions or suggestions for additional improvements to this report.

Cc: David Johansen, Interim Community Development Director
Jim Bibby, Code Compliance Officer
Maiya Andrews, Public Works Director
Michael Lafreniere, Parks Director
Jan Vogee, Building Official
Craig Knutson, City Attorney

Burien
Washington, USA

Summary of Permit Applications Received – November 2012

Type Permit	Count	Valuation
Building	19	$ 711,947
Damage	1	
Demolition	1	
Electrical	52	$ 43,242
Fire Protection	1	$ 10,000
Mechanical	25	$ 44,484
Plumbing	16	$ 330,700
Right of Way	21	
Sign	11	$ 24,922
Totals :	147	$ 1,165,295

Burien
Washington, USA

Summary of Permits Issued– November 2012

Type Permit	Count	Valuation
Building	15	$ 1,227,928
Damage	0	
Demolition	0	
Electrical	51	$ 41,607
Fire Protection	2	$ 3,175
Mechanical	24	$ 34,609
Plumbing	15	$ 328,200
Right of Way	18	
Sign	10	$ 5,502
Totals :	135	$ 1,640,881

CM

Notice of Decision

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

Date	December 7, 2012
Applicant	Han Phan with PBG, LLC
Proposal	Short Plat One Residential Lot Into Two Residential Lots
File No.	PLA 12-1814
Location	283 SW 119th Street, Burien, Washington
Tax Parcel No.	072304-9189
Decision	Preliminary Approval with Conditions
Appeals	The City of Burien has issued the decision described above. Parties of record may appeal this decision to the Hearing Examiner pursuant to Burien Municipal Code Section 2.20.020. The deadline for filing a written Notice of Appeal with the City Clerk is prior to 5:00 p.m. on **December 17, 2012**. Copies of the "Notice of Appeal" document may be obtained at the Department of Community Development. There is a non-refundable filing fee of $296 for the submittal of an appeal. For more information please contact the project planner (see below).
Property Tax Revaluation	Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation. For more information, please contact the King County Assessor's Office at (206) 296-7300.
Project Planner	Charles W. "Chip" Davis, AICP Department of Community Development City of Burien 400 SW 152nd Street (Suite 300) Burien, WA 98166 Phone: (206) 248-5501 E-Mail: chipd@burienwa.gov
Attachments	Conditions of Approval

CONDITIONS OF PRELIMINARY SHORT PLAT APPROVAL

Babarovich Preliminary Short Plat, PLA 12-1814

1. This application is subject to the applicable requirements contained in the Burien Municipal Code (including but not limited to the Zoning Code, Building Code and Fire Code), the 2009 King County Surface Water Design Manual, as amended, the 2009 Stormwater Pollution Prevention Manual, as adopted, Burien Municipal Code, Chapter 13.10 and the 2008 Burien Road Standards. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these documents. Attachment 3, Development Regulations, is provided in this report to familiarize the applicant with some of the additional requirements that may apply to the project. This attachment does not include all of the additional requirements. When a condition of approval below conflicts with a development requirement in Attachment 3, the condition of approval shall be followed.

2. Prior to recording the short plat, the applicant shall:

   a. Modify the final plat map according to the Development Engineer's comments as outlined in the Memorandum dated October 29, 2012.
   b. Submit for Development Review Engineer's review and approval Site Improvement Plans, prepared by a Washington Licensed Engineer, delineating all access, frontage and drainage improvements proposed for the subject parcel as outlined in the Development Engineer's Memorandum dated October 29, 2012 and the Surface Water Management Engineer's Memorandum dated October 17, 2012.
   c. Frontage, access and storm water improvements shall be constructed by the applicant according to plans approved by the Development Review Engineer and accepted by the City as required by the Development Engineer's Memorandum dated October 29, 2012 and the Surface Water Management Engineer's Memorandum dated October 17, 2012.
   d. Provide an approved performance bond or other security method for street and storm drainage improvements in public rights-of-way as required by the Development Review Engineer.
   e. Install utilities approved by the appropriate Utility Districts.
   f. Provide a Declaration of Covenant for private maintenance and operation of on-site drainage facilities for City review and recording against the property.
   g. Include a statement on the final plat map that no trees will be removed as part of the short plat process and that all future construction will be required to meet the City of Burien standards for significant tree preservation in conformance with BMC 19.25.
   h. Pay a fee in lieu of providing 390 square feet of recreation space on the property for one new lot. The fee shall be 1 new lot multiplied by 390 square feet multiplied by the current assessed value per square foot for the property.

Notice of Application

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

Date	December 21, 2012
Applicant	Shane Smith, representing Sprint Spectrum Wireless
Proposal	Replacement of three antennas and addition of three remote radio heads, three lines of cable and two equipment cabinets to an existing personal wireless service facility located at the Washington State Criminal Justice Training Center.
File No.	PLA 12-2419 File is available for viewing at Burien City Hall during regular business hours.
Location	19010 1st Avenue South, Burien, WA
Tax Parcel No.	322304-9017
Current Zoning	Residential Single-Family (RS 7,200)
Application Submitted/Complete	Submitted: December 7, 2012 Complete: December 14, 2012
Other Permits Needed	Building Permit
Other Studies Needed	None
Existing Environmental Info.	State Environmental Policy Act (SEPA) checklist
Environmental Review	For this proposal, the City of Burien is using the "optional Determination of Non Significance (DNS) process" under the State Environmental Policy Act (WAC 197-11-355). The City expects to issue a DNS for the proposal. Individuals who submit timely written comments to the City (as indicated below) will become parties of record and will be notified of any decision and environmental determination made on this project. A copy of any decision and environmental determination made on this project may also be obtained upon request. The decision on the proposal and environmental determination, once made, may be appealed. All documents submitted or requested as part of this application are available for review at City Hall during regular business hours.
Review Process and Public Comment	The decision on this application will be made by the Community Development Director. Prior to the decision, there is an opportunity for the public to submit written comments. **Written comments must be received prior to 5:00 p.m. on January 11, 2013.** Send written comments to the project planner (see below). Please indicate your name and address and refer to the file indicated above. Only people who submitted comments as indicated above may appeal the decision on this application.
Project Planner (for written comments and more information)	Charles W. "Chip" Davis, AICP Department of Community Development City of Burien 400 SW 152nd Street (Suite 300) Burien, WA 98166-3066 Phone: (206) 248-5501 E-Mail: chipd@burienwa.gov
Published in the Seattle Times	Date of Notice: December 21, 2012

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Comprehensive Plan Amendment Request Notice

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

Comprehensive Plan Update

The City of Burien is initiating its annual Comprehensive Plan amendment process for 2013 and this year, the city will be continuing the update process initiated in 2011. In addition, the City is accepting new individual requests to be considered during the 2013 Comprehensive Plan docketing process.

The final Comprehensive Plan Docket will be determined by the City Council in April following a recommendation by the Planning Commission.

Request Submittal Deadline March 1, 2013, 5:00 pm

Individuals and organizations may propose amendments to the Comprehensive Plan. The deadline for submittal of these Comprehensive Plan Amendment requests is 5:00 pm, March 1, 2013. Please note that an amendment to the Comprehensive Plan Land Use Map may also require a Rezone. Application packets are available at City Hall and on the City Web site www.burienwa.gov. A filing fee is required for amendment requests. We also recommend meeting with Planning staff (see contact information below) prior to filing.

Public Meeting March 13, 2013, 7:00 pm

The Burien Planning Commission will hold a public meeting for interested parties to learn about and comment on the preliminary docket of amendment requests on March 13, 2013 at 7:00 pm at the Burien Library/City Hall Multi-Purpose Room. This meeting will be televised live on BCTV Channel 21, and streamed live and archive at www.burienmedia.org.

File Availability

The 2013 Comprehensive Plan Amendment file is available for viewing at Burien City Hall during regular business hours. All Planning Commission and City Council packets are also available online at www.burienwa.gov. To be notified of future meetings related to the Comprehensive Plan, please sign-up for our comprehensive plan e-mail list at http://www.burienwa.gov/list.aspx.

How to Comment

Written comments regarding the Comprehensive Plan preliminary docket may be submitted in person, via mail, e-mail or by facsimile. Oral comments can be provided at the preliminary docket meeting or during the public comment portions of Planning Commission and City Council meetings, at the discretion of the Chair. Additional notice of public hearings on specific amendments will be provided.

Project Planner (for submittal of written comments or for more information)

David Johanson, AICP
Department of Community Development
City of Burien
400 SW 152nd Street, Suite 300
Burien, WA 98166
Phone: (206) 248-5522 E-Mail: davidj@burienwa.gov

Published in the Seattle Times:

Date of Notice: December 30, 2012

cc:
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Web site: www.burienwa.gov
Burien Daily

Burien
Washington, USA
400 SW 152nd, Suite 300, Burien, WA 98166
Phone: (206) 241-4647 • FAX (206) 248-5539
www.burienwa.gov

DATE: **December 31, 2012**
FOR RELEASE: **Immediately**
CONTACT: **Office of Community Development (206) 248-5510**

CANCELLATION

PLANNING COMMISSION
MEETING NOTICE

The City of Burien Planning Commission meeting scheduled for January 9, 2013, has been canceled.

The Planning Commission meetings move to the second and fourth Wednesdays beginning in 2013. The next regularly scheduled meeting of the Planning Commission is on Wednesday, January 23, at 7:00 p.m. at the Burien City Hall, 1st Floor, 400 SW 152nd Street.

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The City of Burien strives to provide alternate communication opportunities. Please contact the City Clerk's office, 206/248-5517, twenty-four hours prior to the meeting for assistance.

cc:

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*** PLEASE PUT ON COMMUNITY CALENDAR BULLETIN BOARD**