
# CITY COUNCIL MEETING AGENDA

## April 1, 2013

**6:30 p.m. - Special Meeting: Conduct King County Landmarks Commission interview**

**7:00 p.m. – Regular Meeting**

**7:15 p.m. – 7:45 pm - Reception Honoring Outgoing Advisory Board Members**

| | | Page # |
|---|---|---|
| **1. CALL TO ORDER 2. PLEDGE OF ALLEGIANCE 3. ROLL CALL** | | |
| **4. OUTGOING ADVISORY BOARD MEMBERS** | Presentation of Certificates of Appreciation to Outgoing Advisory Board Members. | |
| **5. RECESS FOR RECEPTION** | (Approximately 7:15 p.m.) | |
| **6. AGENDA CONFIRMATION** | | |
| **7. PUBLIC COMMENT** | Individuals will please limit their comments to three minutes, and groups to five minutes. | |
| **8. CORRESPONDENCE FOR THE RECORD** | a. Email Dated March 14, 2013, from R. DeLorm. | 3. |
| | b. Email Dated March 15, 2013, from Marie White. | 7. |
| | c. Email Dated March 16, 2013, from Bonnie Moormeier. | 9. |
| | d. Email Dated March 16, 2013, from Jay Black. | 13. |
| | e. Email Dated March 18, 2013 from Douglas W. Sykes. | 15. |
| | f. Response from Chip Davis, Interim Community Development Director, to Emails Dated March 20, 2013, from Jim Branson. | 17. |
| | g. Email Dated March 20, 2013, from John Upthegrove. | 23. |
| | h. Email Dated March 21, 2013, from Jim Branson. | 25. |
| | i. Email Dated March 25, 2013, from Mr. and Mrs. William E. Edwards, Sr. | 29. |
| **9. CONSENT AGENDA** | a. Approval of Vouchers: Numbers 34261 - 34349 in the Amounts of $255,582.07. | 31. |
| | b. Approval of Minutes: Regular Meeting, March 18, 2013; Study Session, March 25, 2013. | 47. |
| | c. Motion to Approve the Submittal of the 2014 Community Development Block Grant (CDBG) Applications for the South 132nd Street Pedestrian/Bicycle Trail, and the ADA Ramps Along SW 116th Street Projects, with the South 132nd Street Pedestrian/Bicycle Trail Being the Higher Priority Project. | |
| | d. Motion to Adopt Ordinance No. 579, Relating to Pet Licensing. | 53. |



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

## Carol Allread

**From:** Public Council Inbox
**Sent:** Friday, March 15, 2013 8:30 AM
**To:** 'RM Delorm'
**Subject:** RE: Re: editorial

Dear Mr. DeLorm,

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

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**From:** RM Delorm [mailto:rmdchd@q.com]
**Sent:** Thursday, March 14, 2013 11:31 AM
**To:** Public Council Inbox
**Subject:** Fw: Re: editorial

To the Burien City Council;

Please include this letter in the next Council Packet.

R. DeLorm

Several Burien Council members have been less than honest about diversity and why they want wards. A**t the Burien City Council meeting of March 4, 2013, a citizen, Chuck Rangel, mentioned tha the Burien City Council was not really interested in the diversity o its membership and was unwilling to admit what corruption spins off of the ward system.**

Chuck Rangel: 1:14 3/4/2013 Diversity; "I remember a couple years ago when there was an open seat, there was not a minority appointed to that open seat...and I am wondering why? I hear something and actions are a little different than what they say..."

Clark, Bennett, Mc Gilton and Robison have claimed that wards are needed to hear the voice of the neighborhoods, give equal representation in the city and to have ethnically diverse council

CFTR: 4/1/13

CC: Nhan Nguyen
Management Analyst

members. However when the opportunity has been there to appoint diverse council members or appoint people from the northeast corner of the city, they haven't done it. They don't walked their talk.

Chuck Rangel mentioned that when Kathy Keene resigned from the Council (2010), the Burien Council had the opportunity to appoint a diverse person and/or a person from the northeast corner of the newly annexed area of Burien. There were 2 applicants from the northeast corner newly annexed area of the city. One applicant exactly matched their current description of what is needed, had experience in local government and had applied. They did not appoint this person. Additionally, there was another applicant resident/small businessman from the northeast corner of the newly annexed area of the city that matched their description of what is needed on the council and they failed to appoint him also. Instead the Council selected Jerry Robison (white male attorney). **Historically, several of the members of this council have been uninterested in diversity of thought and ethnic make up of the Council. It is/was apparent by the appointment of Robison to the Council.**

I believe that the reason that Robison was selected was because he promised to make sure Area Y/White Center was annexed to Burien. Publicly he stated that the only legacy he wants, as a council member, is to make sure Area Y is annexed to Burien. **Robison has publicly stated that he: does not like to listen to citizen comments, is not interested in neighborhoods and their ideas, is opposed to making switches in how government works-quickly, does not like quick decisions that have not been studied for a long time and without consideration of costs, thinks changes should not occur relating to government elections around tax season in April and wants the all Council meetings to end at 9 pm because he has worked hard all day** (See Jerry Robison speaking at the Nov. 26, 2012 Council Study Session-times 15:19 to 15:58 and 20:48 to 21:37). So why is he now rushing to try to change the city into voting wards before the next election, during tax season and without consideration of lengthy study and costs?

Several other council members have also shown a lack of interest in what citizens have to say. Some cover their faces with their hands, study documents unrelated to the speaker or fiddle with their computers during the citizen comment period. Only 9.7% of the citizens in the newly annexed area(Area X) of the city voted to join Burien in 2009. Most citizens in this area were clearly not interested in Burien and still aren't. Even if they were, they would be unwelcome at the Burien Council meetings if they wanted a neighborhood plan or opposed the annexation of Area Y. So why the push now to have their voices heard when voices in other areas of Burien haven't been listened to by the Council? Thousands of Burien citizens asked that the city not pursue annexation but the Council voted for it anyway.

The creation of wards/districts will conveniently allow some council members to keep their jobs and make sure that their friends get drawn into wards where they will run unopposed. It also allows the council to set up a system to get council members they don't like (by their collective group of 4) out of office. Wards are not about the better representation of citizens. They are about making sure some incumbents and their friends get positions in the next election and that popular council members get zoned out of their positions. Brian Bennett/mayor has mentioned at several public meetings how concerned he is that this next election may really change the council membership. His position is up for re-election. He and his other 3 council members are so concerned that they are willing to set up voting wards very quickly without a vote of the citizens. Voting wards are a highly unpopular form of small city government in the U.S.A. because of the political mischief that arises from them.

Tell the City Burien Council that you are opposed to wards/districts in Burien-call 206-248-5508, email-City Council Burien <council@burienwa.gov>, attend the city council retreat on March 16, 2013 or the council meeting on March 18, 2013 to voice your concerns.
R. DeLorm

City Council Burien <council@burienwa.gov>

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**Carol Allread**

**From:** Public Council Inbox
**Sent:** Monday, March 18, 2013 8:26 AM
**To:** 'Marie White'
**Subject:** RE: Opposition to Establishment of Wards or Districts

Dear Ms. White,

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

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**From:** Marie White [mailto:mwaal@aol.com]
**Sent:** Friday, March 15, 2013 2:44 PM
**To:** Public Council Inbox
**Subject:** Opposition to Establishment of Wards or Districts

I live at 12461 - 3rd Avenue Southwest, Burien, Washington, 98148. My neighborhood is North Highline. I have a business at 415 Southwest 152nd Street, Burien, Washington, 98166. As both a citizen and a business owner in the City of Burien, I am submitting this email in strong opposition to dividing our city into wards or districts for purposes of electing council members.

This is a very substantial change in our local form of government. It also looks like a solution in search of a problem because Burien is a small city with broad ethnic diversity throughout aside from a few pockets with lower diversity.

Even assuming that Burien was a segregated city (it is not), I don't see how creating wards or districts will improve the diversity of the council or the representation of the city's minority population. A better way to increase the council's diversity might be to increase participation of minority voters and minority candidates city-wide. Maybe the Council's time would be better spent on a voter-registration drive or an education campaign to encourage our minority citizens in all parts of the city to participate more in their city's governance.

Thank you for your consideration of my opinion.

Marie White
Attorney at Law
415 SW 152nd Street
Burien, WA 98166-2208

CFTR: 4/1/13
CC: Nhan Nguyen, Management Analyst

206-246-1791 Phone
206-246-2080 Fax

## Carol Allread

**From:** Public Council Inbox
**Sent:** Monday, March 18, 2013 8:32 AM
**To:** 'Bonnie Moormeier'
**Subject:** RE: Message to the council

Dear Ms. Moormeier,

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

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**From:** Bonnie Moormeier [mailto:moormeier@comcast.net]
**Sent:** Saturday, March 16, 2013 12:23 PM
**To:** Public Council Inbox
**Subject:** Message to the council

CFTR: 4/1/13
cc: Nhan Nguyen, Management Analyst

Initially, I am opposed to this proposed change to our Burien City Council. Please take the time to conduct a comprehensive study, with citizen representation and input, so we can better understand the reason and advantages to this proposal.

BonnieMoormeier
Sent from my iPad

# Tell the Council

## no wards/districts

# 206 248-5508

council@burlenwa.gov and um

## Carol Allread

**From:** Public Council Inbox
**Sent:** Tuesday, March 19, 2013 11:38 AM
**To:** 'Jay Black'
**Subject:** RE: In regards to the Wards

Dear Mr. Black,

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

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**From:** Jay Black [mailto:bjblk@hotmail.com]
**Sent:** Saturday, March 16, 2013 12:51 PM
**To:** Public Council Inbox
**Subject:** In regards to the Wards

Please.... No "Wards"! You can spin it anyway you want but segregating Burien Residents is not the way to do this.

Thank you, Jay Black

CFTR: 4/1/13
CC: Nhan Nguyen, Management Analyst.

**Carol Allread**

**From:** Public Council Inbox
**Sent:** Tuesday, March 19, 2013 11:41 AM
**To:** 'DW Sykes'
**Subject:** RE: Ordinance 578 "Granting Right-of-Way Fiber Franchise to Zayo Group, LLC"

Dear Mr. Sykes,

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

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**From:** DW Sykes [mailto:sykesdw@hotmail.com]
**Sent:** Monday, March 18, 2013 3:22 PM
**To:** Public Council Inbox
**Subject:** Ordinance 578 "Granting Right-of-Way Fiber Franchise to Zayo Group, LLC"

Greetings,

In regard to Ordinance 578 "Granting Right-of-Way Fiber Franchise to Zayo Group, LLC". I would urge the council to re-examine the Section 19 wording in the proposed ordinance restricting installation and use of fiber facilities to the solely benefit of the City. The first thing I thought of is that KCLS shares a building with the city. By restricting the cable facility use solely to the City, does this make it difficult or cost prohibitive for KCLS to access a fiber feed for the use of library patrons? In the past the council has wisely seen the cost and public benefits of sharing facilities with KCLS, so why not extend that vision to the fiber optic franchise being proposed?

Another item for the council consideration in this franchise agreement would be to coordinate with the HSD 401 school district to include our schools as entities that would be allowed to share in the governmental use of the fiber optic network at low or no cost. I believe if asked, the school district would be very pleased to gain such a high bandwidth conduit to help provide our students with a true education for the future.

As a final thought, I would ask the council if they have considered making provision for the potential for establishing a "Community Fiber Network" in process of granting the franchise to Zayo. Examples of the immense public benefit of wideband fiber optic service are in effect in multiple communities around the nation. For those council members who are internet savvy, a quick starting point is MUNINETWORKS.ORG.

CFTR: 4/1/13

I am asking the council to consider NOT ruling out the potential for later development of a community fiber network even though Washington state has bowed to the communications industry lobbyists who have made it currently almost illegal for communities to develop fiber networks that might compete with industry run networks.

Thank you for your consideration of this matter.

Douglas W. Sykes 15221 28th Ave SW Burien, WA 98166

**Carol Allread**

**From:** Chip Davis
**Sent:** Thursday, March 21, 2013 9:38 AM
**To:** 'Jim Branson'; Public Council Inbox
**Subject:** RE: Tree on private property.

Mr. Branson,

The Tree Removal Permit has been issued and the permit file is available for your review at City Hall. The permit was issued in response to an emergency situation which poses an immediate threat to public health, safety and welfare and poses an imminent risk of damage to property. Arborist evaluations and a Geotechnical Engineering report are included in the permit file in support of the proposed action and all work performed under the approved permit shall comply with the report recommendations. In response to an emergency, work may begin immediately to ensure public safety and avert damage to property.

If you require any further assistance, please let me know.

Charles W. "Chip" Davis, AICP
Interim Community Development Director
City of Burien
(206) 248-5501
chipd@burienwa.gov
www.burienwa.gov

-----Original Message-----
From: Jim Branson [mailto:james.branson.206@gmail.com]
Sent: Wednesday, March 20, 2013 4:20 PM
To: Chip Davis; Public Council Inbox
Subject: Tree on private property.

It is my understanding that you plan to issue a permit tomorrow for a tree on private property near Eagle Landing Park to be cut. You are basing your decision, in part, on permission from the owners of the property. However, you only got permission from one of the hundreds of owners of that property. She expressly stated she was only speaking for herself and no one else.

The odds of someone being hit by that tree falling are less than one in 300,000,000. I would ask that you do not issue a permit to cut that tree until further study and community outreach has been done.

I would also like to know why the City started cutting trees before a permit was issued.

CFTR: 4/1/13

CC: Chip Davis, Interim Community Development Director

## Carol Allread

**From:** Public Council Inbox
**Sent:** Friday, March 22, 2013 4:17 PM
**To:** 'Jim Branson'
**Subject:** RE: Tree on private property.

Dear Mr. Branson,

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: Jim Branson [mailto:james.branson.206@gmail.com]
Sent: Wednesday, March 20, 2013 4:20 PM
To: Chip Davis; Public Council Inbox
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I would also like to know why the City started cutting trees before a permit was issued.

CFTR: 4/1/13
CC: Chip Davis, Interim Community Development Director

**Carol Allread**

**From:** Public Council Inbox
**Sent:** Friday, March 22, 2013 4:16 PM
**To:** 'Jim Branson'
**Subject:** RE: Why the rush to cut the Perch Tree near Eagle Landing Park?

Dear Mr. Branson,

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

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**From:** Jim Branson [mailto:james.branson.206@gmail.com]
**Sent:** Wednesday, March 20, 2013 9:03 PM
**To:** Scott Schaefer; Public Council Inbox
**Subject:** Why the rush to cut the Perch Tree near Eagle Landing Park?

On Thursday, March 21st, the City of Burien Parks Department plans to cut down or significantly modify the Eagle Perch Tree, which is on private property near Eagle Landing Park. The property that the tree is on is owned by hundreds of property owners in Seahurst. Most of them probably don't even know they own a common, undivided interest in this chunk of land just south of the stairs at ELP. The Parks Department did not have a permit when they started cutting trees today, so they applied for a permit, which, I am told, will be approved tomorrow. They are basing their permit on the approval of one property owner of that community property, even though she was clear to state that she was only speaking for herself and not the hundreds of other property owners. I have asked the Parks Department and the Planning Department, and even the City Council for more information about this tree cutting, and I have received either no response or very terse, minimal responses. The only reply I've gotten from all my questions is that a permit will be issued tomorrow based on permission from just one of the hundreds of property owners.

The land below the Perch Tree recently had a landslide. Several people think this is partly due to the City of Burien dumping collected storm water in Eagle Landing Park. This water has been dumped there since before Burien was a city. An obvious and simple solution to this problem is to stop collecting the storm water in the first place, and let it soak into the ground where it lands, elsewhere in the neighborhood. This is an approach the City, and private property owners, have taken in other areas. The storm drain problem has been there for decades and they have ignored it. Why do they need to cut down the Perch Tree tomorrow?

At least 3 portions of trees have fallen on or beside the trail at Eagle Landing Park since it opened in 2005. You can see the trunks of fallen trees beside the trail in places. These trees or portions of trees were large enough to have killed someone if they fell at just the right time at just the right place, but no one was hurt. I was within 60 feet of one of the trees when it fell. Could the Eagle Perch Tree fall and kill or injure someone in the park? Possibly. If you were there at the moment it fell, and you were within 60 feet of the base (which is the closest

CFTR: 4/1/13



C.C.: Chris Davis Interim Community Development Director

part of the stairs to the tree) you would have a one in twelve chance that you could be struck by a branch, if the tree was equally likely to fall in any direction. But you would have to be there at the right time. The tree would be falling for a period of less than thirty seconds, and there are 31 million periods of time that are 30 seconds long each year. 31 million times 12 is 372 million, so you would have a one in 372 million chance of being hit by the Eagle Perch Tree this year if you walked in the park every day. Then again, you would have to be tied to the stairs and unable to move as this giant tree slowly started falling in your direction. Don't let anyone tie you to the stairs if you don't want the Perch Tree to fall on you. The odds of a person in the US being struck and killed by lightning this year are 1 in a million. Your odds of being killed in a car accident are significantly more likely than that. Arborists who climb in and cut trees are ten times more likely to die than people in other industries. If the City of Burien wanted to ensure that no one in any of its parks was ever killed or injured by a tree, they would have to cut down most of the trees in Seahurst Park, and all of the other parks. However, if the City of Burien is really interested in reducing the risk of injury or death, then they won't ask an arborist to climb or cut the Perch Tree. I am not advocating placing people at risk of injury unnecessarily, but the risk of injury or death from the Perch Tree falling on a park user is much, much smaller than any of the other risks in daily life.

The Eagle Perch Tree has been used by the eagles every year for decades. It stands alone above the canopy of the surrounding trees, so the eagles have easy access to its branches. It is within 400 feet or so of the Eagle Nest Tree in Eagle Landing Park. Many fledgling eagles have made the perch tree one of their first stops as they learned to fly. If the tree is really 164 feet tall, as an arborist claims, it is a rare tree in Burien, and it is not one that could be replaced soon. The alder tree that was cut down today was pretty much like all the other alder trees in the park. It was in the last ten years of its life, given the average lifespan of an alder. It was leaning right over a section of the stairs, as it had been for the previous eight years. I pointed out the hazard of that particular tree to the Parks Department 8 years ago, and they chose to do nothing about it until today. Why are they in a hurry to cut down the Perch Tree when it took them 8 years to get around to the ordinary alder tree looming over the stairs?

The Perch Tree is very unlikely to land on a person, and it is unlikely to hit the stairs. If it did hit the stairs, the repair of a metal stair section might cost in the neighborhood of $10,000. If you divide that cost over the 45,000 citizens of Burien or even just the 300-400 owners of the private property it sits on, that is a very small price to pay for the eagles to continue to have their tree. How much is it costing to have the tree cut? Probably more than any damage it could cause.

The Perch Tree used to have a companion. A dead Douglas-fir tree stood next to it for decades. It was just as tall, and it was dead from at least before 1913 until it fell sometime in the late seventies. That dead tree stood there for at least sixty years without falling. When it did fall, no one was hurt. Even if the Perch Tree is compromised by pests, disease, and moving soil, it could still stand for another sixty years or more.

Because the Perch Tree is near the Nest Tree, it is recognized by State and Federal Wildlife officials. The City of Burien would need to get their approval before cutting down or significantly altering this tree.

Why is the City of Burien in such a hurry to cut down this tree?

This is an eagle in the Perch Tree, taking off: http://youtu.be/76_ch12TJ9E

A picture of an eagle in the Perch Tree: http://www.eaglelandingpark.org/images/20111111/IMG_0176as.JPG

Jim Branson

Seahurst

## Carol Allread

**From:** Public Council Inbox
**Sent:** Friday, March 22, 2013 3:53 PM
**To:** 'Cyndi Upthegrove'
**Subject:** RE: resignation

Dear Mr. Upthegrove,

Thank you for writing to the City Council. 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

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**From:** Cyndi Upthegrove [mailto:cyndiu@comcast.net]
**Sent:** Wednesday, March 20, 2013 5:39 PM
**To:** Public Council Inbox
**Subject:** resignation

Please accept my resignation from the City of Burien Planning Commission effective March 31, 2013.
Thank you for allowing me to serve for the past three years. Also, a special thanks to the staff for accommodating my special requirements.
John Upthegrove
1808 SW 156th
Burien, WA 98166

CFTR: 4/1/13

CC: Chip Davis, Interim Community Development Director

**Carol Allread**

**From:** Public Council Inbox
**Sent:** Friday, March 22, 2013 4:15 PM
**To:** 'Jim Branson'
**Subject:** RE: Why did the City cut down the Eagle Perch Tree?

Dear Mr. Branson,

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

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**From:** Jim Branson [mailto:james.branson.206@gmail.com]
**Sent:** Thursday, March 21, 2013 7:25 PM
**To:** Scott Schaefer; Public Council Inbox
**Subject:** Why did the City cut down the Eagle Perch Tree?

This tree was over 150 years old, and it began growing here years before Gottlieb Burian built his home on the lake that later bore his name. It survived the logging of this area, perhaps because it was too small or inconvenient on the day the lumberjacks came. It lived for 150 years, but the City of Burien would not let it live one more day when I asked for more time. I asked the Parks Department, the Planning Department, and the City Council why it needed to be cut down without further review, and I got no answer. Other citizens, who favored the removal of the tree, freely received copies of the arborist's report and the geologist's report. All I got was silence. I have a few more questions for the City Council and staff.

Do you represent me as a citizen? If I have questions about my local government, who will answer them it not my elected representatives? What are you there for, if not to represent Burien citizens?

What was the value of this tree? The Arbor Day Foundation, which Burien often boasts has bestowed this city with the title of Tree City USA, places the value of an ordinary tree at between $1,000 to $10,000. This tree, being one of a kind, 150 years old, used as a perch tree for the eagles, and being the main reason the park was created in the first place, was probably worth much more.

How much did it cost to cut down this tree?

What was the likelihood it could have injured someone if it fell? Isn't it true that the crew that cut down the tree was much more at risk of injury or death than anyone would have been if the tree was left standing?

If citizen safety is such a priority for city staff, why wait eight years to cut the alder looming over the stairs? Why not fix the stairs that have been broken for three years?

CFTR: 4/1/13
CC: Chip Davis, Interim Community Development Director

Why was this work started before a permit was applied for? Can the average citizen expect the instant granting of a permit when he starts off by breaking the rules he knows well?

Why weren't the owners of the property notified that the tree would be cut?

Did the city get permission to cut this tree from State and Federal authorities responsible for eagle habitat preservation?

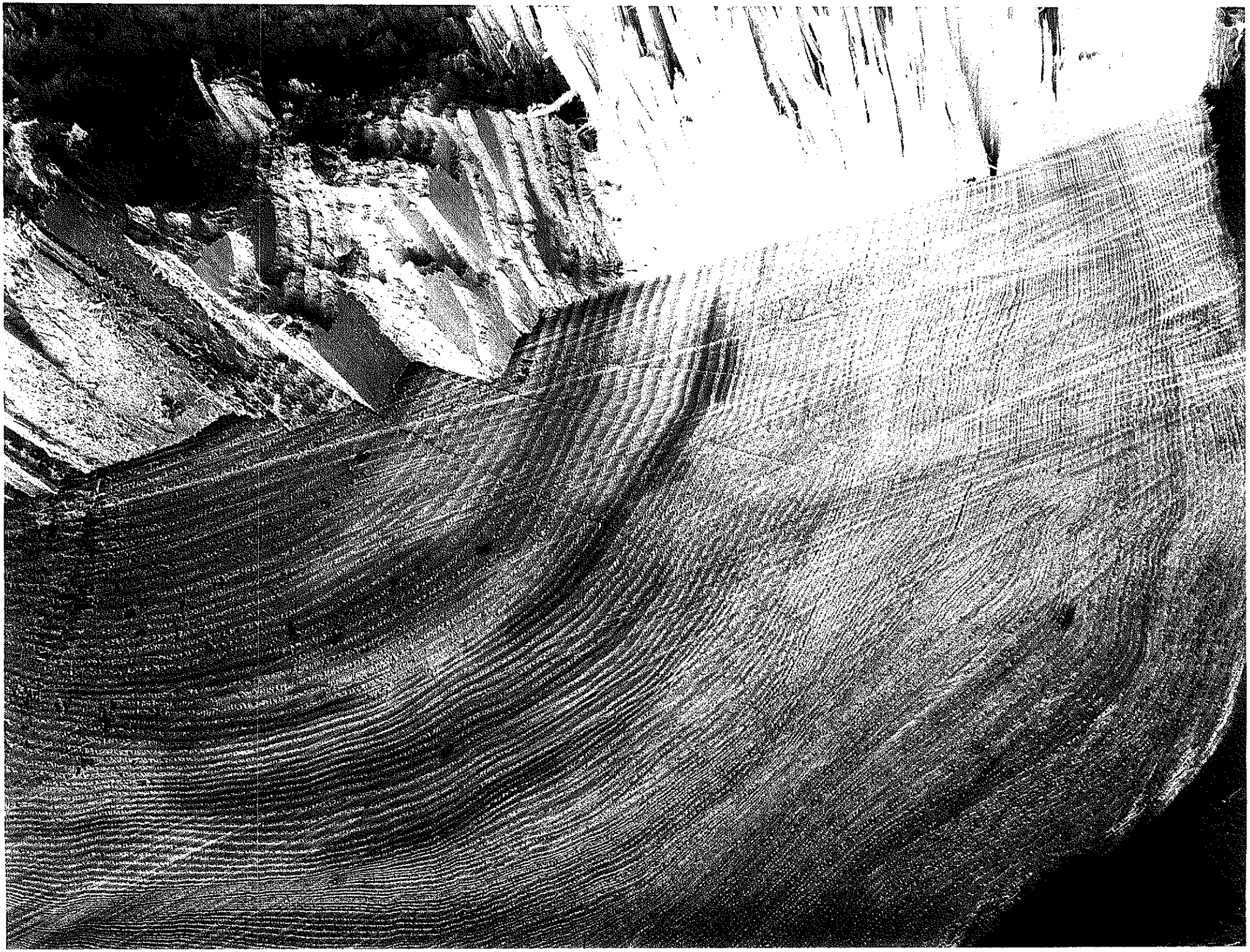
Why did you not get the opinion of a second arborist?

Given the value of the tree, why didn't the city consult an arborist 8 years ago and ask for ways to protect the health of the tree?

I get that city staff does not like it when I question their methods and choices. I try to avoid talking to people I don't like, but when it is my job to get something done, I don't have the luxury of choosing who I can ignore. Most people, during the course of their jobs, don't get to decide they will serve one customer but not another. As paid public employees, does the staff of Burien think they have the right to freely give public information to people who agree with them and restrict access to information for people who disagree with them?

Why did this tree have to die?

Jim Branson
Seahurst



**Carol Allread**

**From:** Public Council Inbox
**Sent:** Tuesday, March 26, 2013 8:40 AM
**To:** 'Bill Edwards, sr.'
**Subject:** RE: PROPOSAL TO PARTITION CITY TO WARDS FOR ELECTION PURPOSES

Dear Mr. and Mrs. Edwards,

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

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**From:** Bill Edwards, sr. [mailto:BEdwardssr@msn.com]
**Sent:** Monday, March 25, 2013 11:56 AM
**To:** Public Council Inbox
**Subject:** PROPOSAL TO PARTITION CITY TO WARDS FOR ELECTION PURPOSES

We are writing to comment on the article in the Highline Times, concerning redistricting the city into wards for election purposes. If this is the intent of the council, we feel it is totally wrong. The establishment of wards for a city, while having long been an accepted principal in some locales, has led to massive fraud, waste of taxpayers money, and less choice for the voters.

Hence, we emphatically request that this idea be dropped, now. We need some changes to our city government, specifically having a strong mayor form of council, rather than an un-elected city manager. The strong mayor form of council gives some real accountability to the system, which the city manager has no accountability to the citizens.

We feel it is time for our city government to listen to the citizens needs, and suggestions, rather than just stumbling along pursuing their own agendas,

Respectfully,

Mr. & Mrs. William E. Edwards, Sr.
Tel: (206)248-5135

CFTR 4/1/13

cc: Nhan Nguyen, Management Analyst

# COMPUTER CHECK REGISTER

CHECK REGISTER APPROVAL

WE, THE MEMBERS OF THE CITY COUNCIL OF BURIEN, WASHINGTON, HAVING RECEIVED DEPARTMENT CERTIFICATION THAT MERCHANDISE AND/OR SERVICES HAVE BEEN RECEIVED OR RENDERED, DO HEREBY APPROVE FOR PAYMENT ON **This 1st day of April 2013** the FOLLOWING:

CHECK NOs. **34261– 34349**

IN THE AMOUNTS OF **$255,582.07**

WITH VOIDED CHECK NOS. **0**

# Accounts Payable
## Checks for Approval

Burien
Washington, USA

User: cathyr
Printed: 03/28/2013 - 7:10 AM

| Check Number | Check Date | Fund Name | Account Name | Vendor Name | | Amount |
|---|---|---|---|---|---|---|
| 34261 | 04/01/2013 | General Fund | Office And Operating Supplies | ACE Hardware | | 14.21 |
| 34261 | 04/01/2013 | General Fund | Office and Operating Supplies | ACE Hardware | | 15.32 |
| 34261 | 04/01/2013 | General Fund | Office and Operating Supplies | ACE Hardware | | 32.80 |
| 34261 | 04/01/2013 | General Fund | Office and Operating Supplies | ACE Hardware | | 1.47 |
| 34261 | 04/01/2013 | General Fund | Office and Operating Supplies | ACE Hardware | | 33.56 |
| 34261 | 04/01/2013 | General Fund | Office and Operating Supplies | ACE Hardware | | 13.12 |
| 34261 | 04/01/2013 | General Fund | Office And Operating Supplies | ACE Hardware | | 22.96 |
| 34261 | 04/01/2013 | General Fund | Office and Operating Supplies | ACE Hardware | | 20.78 |
| 34261 | 04/01/2013 | Street Fund | Office And Operating Supplies | ACE Hardware | | 34.79 |
| | | | | | Check Total: | 189.01 |
| 34262 | 04/01/2013 | General Fund | Repairs And Maintenance | Tyco Integrated Security LLC | | 88.88 |
| | | | | | Check Total: | 88.88 |
| 34263 | 04/01/2013 | General Fund | Operating Rentals And Leases | Airgas USA LLC | | 26.50 |
| | | | | | Check Total: | 26.50 |
| 34264 | 04/01/2013 | General Fund | Office and Operating Supplies | Al Books Custom Welding | | 132.49 |
| | | | | | Check Total: | 132.49 |
| 34265 | 04/01/2013 | General Fund | Professional Services | Alliance 2020 Inc | | 115.00 |
| | | | | | Check Total: | 115.00 |
| 34266 | 04/01/2013 | General Fund | Office and Operating Supplies | Amerigas - Kent | | 89.79 |
| 34266 | 04/01/2013 | General Fund | Office and Operating Supplies | Amerigas - Kent | | 237.21 |

| Check Number | Check Date | Fund Name | Account Name | Vendor Name | | Amount |
|---|---|---|---|---|---|---|
| | | | | | Check Total: | 327.00 |
| 34267 | 04/01/2013 | Surface Water Management Fund | Dues/Memberships | American Public Works Associat | | 75.80 |
| 34267 | 04/01/2013 | Surface Water Management Fund | Dues/Memberships | American Public Works Associat | | 75.80 |
| | | | | | Check Total: | 151.60 |
| 34268 | 04/01/2013 | General Fund | Telephone | AT&T Mobility | | 20.28 |
| | | | | | Check Total: | 20.28 |
| 34269 | 04/01/2013 | General Fund | Professional Services | Kenneth Barger | | 45.00 |
| | | | | | Check Total: | 45.00 |
| 34270 | 04/01/2013 | General Fund | Telephone | JACK BLOCK, JR. | | 55.48 |
| | | | | | Check Total: | 55.48 |
| 34271 | 04/01/2013 | General Fund | Professional Services | Kristin Everson | | 500.00 |
| | | | | | Check Total: | 500.00 |
| 34272 | 04/01/2013 | Surface Water Management Fund | Office And Operating Supplies | Burien Bark LLC | | 69.97 |
| 34272 | 04/01/2013 | Street Fund | Office And Operating Supplies | Burien Bark LLC | | 164.25 |
| 34272 | 04/01/2013 | Street Fund | Office And Operating Supplies | Burien Bark LLC | | 82.78 |
| 34272 | 04/01/2013 | Street Fund | Office And Operating Supplies | Burien Bark LLC | | 137.97 |
| | | | | | Check Total: | 454.97 |
| 34273 | 04/01/2013 | General Fund | Telephone | ROSE CLARK | | 53.62 |
| | | | | | Check Total: | 53.62 |
| 34274 | 04/01/2013 | General Fund | Software Subscription Costs | Active Network Inc | | 6,457.99 |
| | | | | | Check Total: | 6,457.99 |
| 34275 | 04/01/2013 | General Fund | Nuisance and Abatement Costs | CleanScapes Inc | | 329.24 |

| Check Number | Check Date | Fund Name | Account Name | Vendor Name | | Amount |
|---|---|---|---|---|---|---|
| | | | | | Check Total: | 329.24 |
| 34276 | 04/01/2013 | General Fund | Telephone | CenturyLink | | 60.82 |
| 34276 | 04/01/2013 | General Fund | Telephone | CenturyLink | | 102.96 |
| 34276 | 04/01/2013 | General Fund | Telephone | CenturyLink | | 45.43 |
| 34276 | 04/01/2013 | General Fund | Telephone | CenturyLink | | 51.40 |
| 34276 | 04/01/2013 | General Fund | Telephone | CenturyLink | | 45.43 |
| 34276 | 04/01/2013 | General Fund | Telephone | CenturyLink | | 45.43 |
| 34276 | 04/01/2013 | Street Fund | Telephone | CenturyLink | | 49.66 |
| 34276 | 04/01/2013 | Surface Water Management Fund | Telephone | CenturyLink | | 49.66 |
| 34276 | 04/01/2013 | General Fund | Telephone | CenturyLink | | 44.25 |
| 34276 | 04/01/2013 | General Fund | Telephone | CenturyLink | | 68.76 |
| | | | | | Check Total: | 563.80 |
| 34277 | 04/01/2013 | General Fund | Burien Marketing Strategy | Cardmember Service | | 229.40 |
| 34277 | 04/01/2013 | General Fund | Dues/Memberships/Subscriptions | Cardmember Service | | 193.00 |
| 34277 | 04/01/2013 | General Fund | Miscellaneous | Cardmember Service | | 242.04 |
| 34277 | 04/01/2013 | General Fund | Celebration | Cardmember Service | | 268.40 |
| 34277 | 04/01/2013 | General Fund | Professional Services | Cardmember Service | | 87.60 |
| 34277 | 04/01/2013 | General Fund | Miscellaneous | Cardmember Service | | 15.00 |
| 34277 | 04/01/2013 | General Fund | Burien Marketing Strategy | Cardmember Service | | 7.98 |
| 34277 | 04/01/2013 | General Fund | Dues/Memberships | Cardmember Service | | 330.00 |
| 34277 | 04/01/2013 | General Fund | Professional Services | Cardmember Service | | 1.00 |
| 34277 | 04/01/2013 | General Fund | Meals | Cardmember Service | | 33.51 |
| 34277 | 04/01/2013 | General Fund | Registration Training & Worksh | Cardmember Service | | 195.00 |
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 10.10 |
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 74.76 |
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 24.98 |
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 241.77 |
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 135.96 |
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 77.77 |
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 300.00 |
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 208.96 |
| 34277 | 04/01/2013 | General Fund | Admission and Entrance Fees | Cardmember Service | | 616.00 |
| 34277 | 04/01/2013 | General Fund | Recreation Guide | Cardmember Service | | 925.00 |
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 311.76 |
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 59.32 |
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 204.12 |
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 42.09 |
| 34277 | 04/01/2013 | General Fund | Senior Trips | Cardmember Service | | 120.00 |
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 38.83 |
| 34277 | 04/01/2013 | General Fund | Other Travel | Cardmember Service | | 15.39 |
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 42.44 |

| Check Number | Check Date | Fund Name | Account Name | Vendor Name | | Amount |
|---|---|---|---|---|---|---|
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 57.96 |
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 17.50 |
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 180.25 |
| 34277 | 04/01/2013 | General Fund | 0ffice And Operating Supplies | Cardmember Service | | 35.53 |
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 18.95 |
| 34277 | 04/01/2013 | General Fund | 0ffice And Operating Supplies | Cardmember Service | | 1.31 |
| 34277 | 04/01/2013 | General Fund | Registration - Trainng/Workshp | Cardmember Service | | 25.00 |
| 34277 | 04/01/2013 | General Fund | Registration - Trainng/Workshp | Cardmember Service | | 547.00 |
| 34277 | 04/01/2013 | General Fund | Registration - Trainng/Workshp | Cardmember Service | | 348.00 |
| 34277 | 04/01/2013 | General Fund | Registration - Trainng/Workshp | Cardmember Service | | 199.00 |
| 34277 | 04/01/2013 | General Fund | Registration - Trainng/Workshp | Cardmember Service | | 348.00 |
| 34277 | 04/01/2013 | General Fund | Registration Training & Worksh | Cardmember Service | | 199.00 |
| 34277 | 04/01/2013 | General Fund | Registration - Trainng/Workshp | Cardmember Service | | 149.00 |
| 34277 | 04/01/2013 | General Fund | Registration - Trainng/Workshp | Cardmember Service | | 298.00 |
| 34277 | 04/01/2013 | Street Fund | Registration - Trainng/Workshp | Cardmember Service | | 223.50 |
| 34277 | 04/01/2013 | Surface Water Management Fund | Registration - Trainng/Workshp | Cardmember Service | | 74.50 |
| 34277 | 04/01/2013 | General Fund | Other Travel | Cardmember Service | | 4.50 |
| 34277 | 04/01/2013 | General Fund | Operating Rentals and Leases | Cardmember Service | | 49.28 |
| 34277 | 04/01/2013 | General Fund | Professional Services | Cardmember Service | | 29.58 |
| 34277 | 04/01/2013 | General Fund | Office and Operating Supplies | Cardmember Service | | 891.19 |
| 34277 | 04/01/2013 | General Fund | 0ffice And Operating Supplies | Cardmember Service | | 156.81 |
| 34277 | 04/01/2013 | General Fund | Repairs And Maintenance | Cardmember Service | | 60.26 |
| 34277 | 04/01/2013 | General Fund | Repair and Maintenance | Cardmember Service | | 100.00 |
| 34277 | 04/01/2013 | General Fund | Registration - Trainng/Workshp | Cardmember Service | | 1,050.00 |
| 34277 | 04/01/2013 | General Fund | Registration - Trainng/Workshp | Cardmember Service | | 150.00 |
| 34277 | 04/01/2013 | General Fund | Subscriptions/Publications | Cardmember Service | | 59.95 |
| 34277 | 04/01/2013 | General Fund | Registration - Trainng/Workshp | Cardmember Service | | 495.00 |
| 34277 | 04/01/2013 | General Fund | Publications | Cardmember Service | | 93.96 |
| | | | | | Check Total: | 10,915.21 |
| 34278 | 04/01/2013 | General Fund | Code Supplement | Code Publishing Co. | | 137.97 |
| | | | | | Check Total: | 137.97 |
| 34279 | 04/01/2013 | Transportation CIP | Construction | Columbia Bank | | 876.16 |
| | | | | | Check Total: | 876.16 |
| 34280 | 04/01/2013 | General Fund | Online Video Streaming | COMCAST | | 45.21 |
| 34280 | 04/01/2013 | General Fund | Utilities | COMCAST | | 67.62 |
| 34280 | 04/01/2013 | General Fund | Utilities | COMCAST | | 72.57 |
| 34280 | 04/01/2013 | General Fund | Utilities | COMCAST | | 72.57 |
| 34280 | 04/01/2013 | Street Fund | Telephone | COMCAST | | 36.29 |

| Check Number | Check Date | Fund Name | Account Name | Vendor Name | | Amount |
|---|---|---|---|---|---|---|
| 34280 | 04/01/2013 | Surface Water Management Fund | Telephone | COMCAST | | 36.28 |
| | | | | | Check Total: | 330.54 |
| 34281 | 04/01/2013 | General Fund | Miscellaneous | DANILO CRUZ | | 86.87 |
| | | | | | Check Total: | 86.87 |
| 34282 | 04/01/2013 | General Fund | Office And Operating Supplies | Crystal Springs | | 112.95 |
| | | | | | Check Total: | 112.95 |
| 34283 | 04/01/2013 | General Fund | Human Svc-Family/Youth | City of Covington | | 7,500.00 |
| | | | | | Check Total: | 7,500.00 |
| 34284 | 04/01/2013 | General Fund | Rental Housing License Fee | City of Kent | | 870.00 |
| | | | | | Check Total: | 870.00 |
| 34285 | 04/01/2013 | Street Fund | Utilities - Traffic Signals | City of Seattle | | 20.27 |
| 34285 | 04/01/2013 | General Fund | Utilities | City of Seattle | | 96.67 |
| 34285 | 04/01/2013 | General Fund | Utilities | City of Seattle | | 13.80 |
| 34285 | 04/01/2013 | Street Fund | Utilities - Traffic Signals | City of Seattle | | 87.18 |
| 34285 | 04/01/2013 | Street Fund | Utilities - Traffic Signals | City of Seattle | | 95.67 |
| 34285 | 04/01/2013 | Street Fund | Utilities - Traffic Signals | City of Seattle | | 119.59 |
| 34285 | 04/01/2013 | Street Fund | Utilities - Traffic Signals | City of Seattle | | 121.18 |
| 34285 | 04/01/2013 | General Fund | Utilities | City of Seattle | | 16.22 |
| 34285 | 04/01/2013 | Street Fund | Utilities-Street Lighting | City of Seattle | | 45.92 |
| 34285 | 04/01/2013 | Street Fund | Utilities-Street Lighting | City of Seattle | | 19.92 |
| 34285 | 04/01/2013 | Street Fund | Utilities-Street Lighting | City of Seattle | | 10.62 |
| 34285 | 04/01/2013 | Street Fund | Utilities - Traffic Signals | City of Seattle | | 430.99 |
| 34285 | 04/01/2013 | Street Fund | Utilities-Street Lighting | City of Seattle | | 12.39 |
| 34285 | 04/01/2013 | Street Fund | Utilities-Street Lighting | City of Seattle | | 4,919.70 |
| 34285 | 04/01/2013 | Street Fund | Utilities - Traffic Signals | City of Seattle | | 247.93 |
| | | | | | Check Total: | 6,258.05 |
| 34286 | 04/01/2013 | Street Fund | Operating Rentals And Leases | City of SeaTac | | 287.50 |
| 34286 | 04/01/2013 | Surface Water Management Fund | Operating Rentals And Leases | City of SeaTac | | 287.50 |
| | | | | | Check Total: | 575.00 |

| Check Number | Check Date | Fund Name | Account Name | Vendor Name | | Amount |
|---|---|---|---|---|---|---|
| 34287 | 04/01/2013 | General Fund | Advertising | Daily Journal of Commerce | | 117.60 |
| | | | | | Check Total: | 117.60 |
| 34288 | 04/01/2013 | General Fund | Office and Operating Supplies | Dunn Lumber Co. | | 254.50 |
| 34288 | 04/01/2013 | General Fund | Office and Operating Supplies | Dunn Lumber Co. | | 21.64 |
| | | | | | Check Total: | 276.14 |
| 34289 | 04/01/2013 | Street Fund | Repairs & Maint. - Fleet | Elidrew, LLC | | 6.84 |
| 34289 | 04/01/2013 | Surface Water Management Fund | Repairs & Maint. - Fleet | Elidrew, LLC | | 6.85 |
| 34289 | 04/01/2013 | General Fund | Professional Services | Elidrew, LLC | | 11.83 |
| 34289 | 04/01/2013 | Street Fund | Repairs & Maint. - Fleet | Elidrew, LLC | | 5.91 |
| 34289 | 04/01/2013 | Surface Water Management Fund | Repairs & Maint. - Fleet | Elidrew, LLC | | 5.92 |
| 34289 | 04/01/2013 | General Fund | Repairs & Maint. - Fleet | Elidrew, LLC | | 11.83 |
| 34289 | 04/01/2013 | General Fund | Repair/Maint-Vehicle | Elidrew, LLC | | 11.83 |
| | | | | | Check Total: | 61.01 |
| 34290 | 04/01/2013 | General Fund | Telephone | Robert Edgar | | 71.95 |
| | | | | | Check Total: | 71.95 |
| 34291 | 04/01/2013 | Surface Water Management Fund | NPDES Phase II | Environmental Science Center | | 2,051.00 |
| | | | | | Check Total: | 2,051.00 |
| 34292 | 04/01/2013 | Street Fund | Office And Operating Supplies | Furney's Nursery Inc | | 398.58 |
| | | | | | Check Total: | 398.58 |
| 34293 | 04/01/2013 | General Fund | Office and Operating Supplies | Grainger | | 192.79 |
| | | | | | Check Total: | 192.79 |
| 34294 | 04/01/2013 | Street Fund | Operating Rentals And Leases | Greenbaum Burien-Phillips R Es | | 522.00 |
| 34294 | 04/01/2013 | Surface Water Management Fund | Operating Rentals And Leases | Greenbaum Burien-Phillips R Es | | 522.00 |
| | | | | | Check Total: | 1,044.00 |
| 34295 | 04/01/2013 | General Fund | Parks Building Security | Guardian Security | | 65.00 |

| Check Number | Check Date | Fund Name | Account Name | Vendor Name | | Amount |
|---|---|---|---|---|---|---|
| | | | | | Check Total: | 65.00 |
| 34296 | 04/01/2013 | General Fund | Professional Services | Heartland LLC | | 2,715.00 |
| | | | | | Check Total: | 2,715.00 |
| 34297 | 04/01/2013 | General Fund | Operating Rentals and Leases | Head-quarters | | 81.50 |
| | | | | | Check Total: | 81.50 |
| 34298 | 04/01/2013 | Street Fund | Office And Operating Supplies | ICON Materials | | 338.08 |
| | | | | | Check Total: | 338.08 |
| 34299 | 04/01/2013 | General Fund | Office And Operating Supplies | RICOH USA Inc | | 660.59 |
| | | | | | Check Total: | 660.59 |
| 34300 | 04/01/2013 | General Fund | Miscellaneous | Iron Mountain | | 569.40 |
| 34300 | 04/01/2013 | General Fund | Miscellaneous | Iron Mountain | | 163.50 |
| 34300 | 04/01/2013 | General Fund | Miscellaneous | Iron Mountain | | 861.03 |
| | | | | | Check Total: | 1,593.93 |
| 34301 | 04/01/2013 | General Fund | Telephone | LUCY KRAKOWIAK | | 54.99 |
| | | | | | Check Total: | 54.99 |
| 34302 | 04/01/2013 | Street Fund | Office And Operating Supplies | King County Fleet Adm. | | 291.83 |
| | | | | | Check Total: | 291.83 |
| 34303 | 04/01/2013 | General Fund | Drug Seizure Proceeds KCSO | King County Sheriff's Office | | 5,558.24 |
| | | | | | Check Total: | 5,558.24 |
| 34304 | 04/01/2013 | Street Fund | Street Maint. Contract-kc | KING COUNTY FINANCE | | 1,373.51 |
| 34304 | 04/01/2013 | Surface Water Management Fund | SWM Maint Fees Billed by KCRD | KING COUNTY FINANCE | | 19,716.37 |
| 34304 | 04/01/2013 | Street Fund | Traffic Signal/Control.Mainten | KING COUNTY FINANCE | | 4,572.21 |
| 34304 | 04/01/2013 | Street Fund | Traffic Signal/Control.Mainten | KING COUNTY FINANCE | | 2,711.84 |
| 34304 | 04/01/2013 | Surface Water Management Fund | SWM Maint Fees Billed by KCRD | KING COUNTY FINANCE | | 1,708.65 |
| 34304 | 04/01/2013 | Street Fund | Traffic Signal/Control.Mainten | KING COUNTY FINANCE | | 5,481.08 |

| Check Number | Check Date | Fund Name | Account Name | Vendor Name | | Amount |
|---|---|---|---|---|---|---|
| 34304 | 04/01/2013 | Street Fund | Traffic Signal/Control.Mainten | KING COUNTY FINANCE | | 10,113.97 |
| 34304 | 04/01/2013 | Transportation CIP | Construction | KING COUNTY FINANCE | | 590.34 |
| 34304 | 04/01/2013 | Street Fund | Traffic Signal/Control.Mainten | KING COUNTY FINANCE | | 1,260.51 |
| 34304 | 04/01/2013 | Surface Water Management Fund | SWM Maint Fees Billed by KCRD | KING COUNTY FINANCE | | 14,173.68 |
| 34304 | 04/01/2013 | Street Fund | Traffic Signal/Control.Mainten | KING COUNTY FINANCE | | 8,413.96 |
| 34304 | 04/01/2013 | Surface Water Management Fund | SWM Maint Fees Billed by KCRD | KING COUNTY FINANCE | | 2,377.62 |
| 34304 | 04/01/2013 | Street Fund | Traffic Signal/Control.Mainten | KING COUNTY FINANCE | | 1,236.22 |
| 34304 | 04/01/2013 | Surface Water Management Fund | SWM Maint Fees Billed by KCRD | KING COUNTY FINANCE | | 5,955.06 |
| 34304 | 04/01/2013 | Street Fund | Traffic Signal/Control.Mainten | KING COUNTY FINANCE | | 4,780.68 |
| | | | | | Check Total: | 84,465.70 |
| 34305 | 04/01/2013 | General Fund | Drug Seizure Proceeds KCSO | KC Sheriff Sgt R Crenshaw | | 1,765.00 |
| | | | | | Check Total: | 1,765.00 |
| 34306 | 04/01/2013 | Street Fund | Office And Operating Supplies | King County Solid Waste Div. | | 309.26 |
| | | | | | Check Total: | 309.26 |
| 34307 | 04/01/2013 | General Fund | Prof. Svcs-Instructors | Lori Leberer | | 90.00 |
| | | | | | Check Total: | 90.00 |
| 34308 | 04/01/2013 | Street Fund | Repairs & Maint. - Fleet | Les Schwab | | 22.45 |
| 34308 | 04/01/2013 | Surface Water Management Fund | Repairs & Maint. - Fleet | Les Schwab | | 22.45 |
| | | | | | Check Total: | 44.90 |
| 34309 | 04/01/2013 | Street Fund | Office And Operating Supplies | Masons Supply Company | | 420.44 |
| 34309 | 04/01/2013 | Surface Water Management Fund | Office And Operating Supplies | Masons Supply Company | | 420.44 |
| | | | | | Check Total: | 840.88 |
| 34310 | 04/01/2013 | General Fund | Federal Lobbying Services | McBee Strategic Consulting LLC | | 6,000.00 |
| | | | | | Check Total: | 6,000.00 |
| 34311 | 04/01/2013 | Surface Water Management Fund | Office And Operating Supplies | McLendon Hardware Inc | | 73.58 |
| 34311 | 04/01/2013 | Street Fund | Office And Operating Supplies | McLendon Hardware Inc | | 73.58 |
| 34311 | 04/01/2013 | Street Fund | Office And Operating Supplies | McLendon Hardware Inc | | 19.49 |

| Check Number | Check Date | Fund Name | Account Name | Vendor Name | | Amount |
|---|---|---|---|---|---|---|
| | | | | | Check Total: | 166.65 |
| 34312 | 04/01/2013 | Street Fund | Office And Operating Supplies | Miller Paint Company Inc | | 101.71 |
| 34312 | 04/01/2013 | General Fund | Nuisance and Abatement Costs | Miller Paint Company Inc | | 36.24 |
| 34312 | 04/01/2013 | General Fund | Nuisance and Abatement Costs | Miller Paint Company Inc | | 34.07 |
| | | | | | Check Total: | 172.02 |
| 34313 | 04/01/2013 | General Fund | Miscellaneous | Nhan Nguyen | | 28.36 |
| | | | | | Check Total: | 28.36 |
| 34314 | 04/01/2013 | General Fund | City Hall Custodial | National Maintenance Cont. | | 1,032.29 |
| | | | | | Check Total: | 1,032.29 |
| 34315 | 04/01/2013 | General Fund | Recreation Guide | Northwest Publishing Center | | 6,627.93 |
| | | | | | Check Total: | 6,627.93 |
| 34316 | 04/01/2013 | Street Fund | Registration - Trainng/Workshp | NUCA of Washington | | 315.00 |
| 34316 | 04/01/2013 | Surface Water Management Fund | Registration - Trainng/Workshp | NUCA of Washington | | 315.00 |
| | | | | | Check Total: | 630.00 |
| 34317 | 04/01/2013 | Street Fund | Repairs & Maint. - Fleet | O'Reilly Auto Parts | | 4.91 |
| 34317 | 04/01/2013 | Surface Water Management Fund | Repairs & Maint. - Fleet | O'Reilly Auto Parts | | 4.92 |
| 34317 | 04/01/2013 | Street Fund | Repairs & Maint. - Fleet | O'Reilly Auto Parts | | 31.55 |
| 34317 | 04/01/2013 | Street Fund | Repairs & Maint. - Fleet | O'Reilly Auto Parts | | 24.08 |
| 34317 | 04/01/2013 | Surface Water Management Fund | Repairs & Maint. - Fleet | O'Reilly Auto Parts | | 24.08 |
| 34317 | 04/01/2013 | Surface Water Management Fund | Repairs & Maint. - Fleet | O'Reilly Auto Parts | | 30.98 |
| 34317 | 04/01/2013 | Street Fund | Repairs & Maint. - Fleet | O'Reilly Auto Parts | | 30.98 |
| 34317 | 04/01/2013 | Street Fund | Repairs & Maint. - Fleet | O'Reilly Auto Parts | | 10.80 |
| 34317 | 04/01/2013 | Surface Water Management Fund | Repairs & Maint. - Fleet | O'Reilly Auto Parts | | 10.80 |
| 34317 | 04/01/2013 | Street Fund | Repairs & Maint. - Fleet | O'Reilly Auto Parts | | 9.85 |
| 34317 | 04/01/2013 | Surface Water Management Fund | Repairs & Maint. - Fleet | O'Reilly Auto Parts | | 9.85 |
| 34317 | 04/01/2013 | Street Fund | Repairs & Maint. - Fleet | O'Reilly Auto Parts | | 7.65 |
| 34317 | 04/01/2013 | Street Fund | Repairs & Maint. - Fleet | O'Reilly Auto Parts | | 10.17 |
| 34317 | 04/01/2013 | Surface Water Management Fund | Repairs & Maint. - Fleet | O'Reilly Auto Parts | | 10.18 |
| | | | | | Check Total: | 220.80 |

| Check Number | Check Date | Fund Name | Account Name | Vendor Name | | Amount |
|---|---|---|---|---|---|---|
| 34318 | 04/01/2013 | General Fund | Operating Rentals And Leases | Park Place Professional Bldg | | 490.00 |
| | | | | | Check Total: | 490.00 |
| 34319 | 04/01/2013 | Transportation CIP | Construction Inspection | Perteet Inc. | | 8,573.45 |
| | | | | | Check Total: | 8,573.45 |
| 34320 | 04/01/2013 | General Fund | Office and Operating Supplies | Petty Cash Custodian | | 9.84 |
| 34320 | 04/01/2013 | General Fund | Office And Operating Supplies | Petty Cash Custodian | | 21.89 |
| 34320 | 04/01/2013 | General Fund | Office and Operating Supplies | Petty Cash Custodian | | 19.33 |
| 34320 | 04/01/2013 | General Fund | Office And Operating Supplies | Petty Cash Custodian | | 18.59 |
| 34320 | 04/01/2013 | General Fund | Office And Operating Supplies | Petty Cash Custodian | | 3.27 |
| 34320 | 04/01/2013 | General Fund | Office And Operating Supplies | Petty Cash Custodian | | 10.94 |
| 34320 | 04/01/2013 | General Fund | Office And Operating Supplies | Petty Cash Custodian | | 3.29 |
| 34320 | 04/01/2013 | General Fund | Office and Operating Supplies | Petty Cash Custodian | | 5.68 |
| 34320 | 04/01/2013 | General Fund | Admission and Entrance Fees | Petty Cash Custodian | | 5.00 |
| 34320 | 04/01/2013 | General Fund | Office And Operating Supplies | Petty Cash Custodian | | 10.95 |
| 34320 | 04/01/2013 | General Fund | Other Travel | Petty Cash Custodian | | 17.08 |
| 34320 | 04/01/2013 | General Fund | Other Travel | Petty Cash Custodian | | 10.17 |
| 34320 | 04/01/2013 | General Fund | Other Travel | Petty Cash Custodian | | 19.14 |
| 34320 | 04/01/2013 | General Fund | Other Travel | Petty Cash Custodian | | 16.62 |
| 34320 | 04/01/2013 | General Fund | Other Travel | Petty Cash Custodian | | 14.36 |
| 34320 | 04/01/2013 | General Fund | Office and Operating Supplies | Petty Cash Custodian | | 21.87 |
| | | | | | Check Total: | 208.02 |
| 34321 | 04/01/2013 | General Fund | Office/Operating Supplies | Pitney Bowes Inc. | | 274.39 |
| | | | | | Check Total: | 274.39 |
| 34322 | 04/01/2013 | General Fund | Office Supplies | Pacific Lamp & Supply Company | | 279.84 |
| | | | | | Check Total: | 279.84 |
| 34323 | 04/01/2013 | General Fund | Operating Rentals And Leases | PRG Investment Company, LLC | | 2,000.00 |
| | | | | | Check Total: | 2,000.00 |
| 34324 | 04/01/2013 | General Fund | Bldg Security | Protection One Alarm Monitorin | | 47.38 |
| | | | | | Check Total: | 47.38 |

| Check Number | Check Date | Fund Name | Account Name | Vendor Name | | Amount |
|---|---|---|---|---|---|---|
| 34325 | 04/01/2013 | General Fund | Engrg Review - Reimbrsbl | John Babarovich | | 137.00 |
| | | | | | Check Total: | 137.00 |
| 34326 | 04/01/2013 | Street Fund | Business Licenses | Northwest Center | | 75.00 |
| | | | | | Check Total: | 75.00 |
| 34327 | 04/01/2013 | General Fund | Electrical Permit | Sonja Berg | | 60.00 |
| | | | | | Check Total: | 60.00 |
| 34328 | 04/01/2013 | General Fund | Seahurst Seawall Monitoring | Shannon & Wilson, Inc. | | 1,852.00 |
| | | | | | Check Total: | 1,852.00 |
| 34329 | 04/01/2013 | General Fund | Jail Contracts | SCORE | | 38,365.92 |
| 34329 | 04/01/2013 | General Fund | Jail Contracts | SCORE | | 75.00 |
| 34329 | 04/01/2013 | General Fund | Jail Contracts | SCORE | | 35.92 |
| | | | | | Check Total: | 38,476.84 |
| 34330 | 04/01/2013 | General Fund | Office And Operating Supplies | Seatown Locksmith | | 35.04 |
| | | | | | Check Total: | 35.04 |
| 34331 | 04/01/2013 | Surface Water Management Fund | Fuel/Gas/Gasoline Consumption | Shell Fleet Plus | | 262.77 |
| 34331 | 04/01/2013 | General Fund | Fuel/Gas Consumption | Shell Fleet Plus | | 54.00 |
| 34331 | 04/01/2013 | General Fund | Citizens Patrol/ Crime Prevent | Shell Fleet Plus | | 25.35 |
| 34331 | 04/01/2013 | General Fund | Fuel/Gas/Gasoline Consumption | Shell Fleet Plus | | 49.40 |
| 34331 | 04/01/2013 | General Fund | Fuel/Gas/Gasoline Consumption | Shell Fleet Plus | | 247.61 |
| 34331 | 04/01/2013 | General Fund | Fuel/Gas/Gasoline Consumption | Shell Fleet Plus | | 168.47 |
| 34331 | 04/01/2013 | Street Fund | Fuel/Gas/Gasoline Consumption | Shell Fleet Plus | | 262.77 |
| | | | | | Check Total: | 1,070.37 |
| 34332 | 04/01/2013 | General Fund | Nuisance and Abatement Costs | Sherwin-Williams Co. | | 28.46 |
| | | | | | Check Total: | 28.46 |
| 34333 | 04/01/2013 | General Fund | Utilities - Fire Hydrants | Seattle Public Utilities | | 15,006.45 |

| Check Number | Check Date | Fund Name | Account Name | Vendor Name | | Amount |
|---|---|---|---|---|---|---|
| | | | | | Check Total: | 15,006.45 |
| 34334 | 04/01/2013 | General Fund | Registration & Training | SWKC Chamber of Commerce | | 22.00 |
| 34334 | 04/01/2013 | General Fund | Registration - Trainng/Workshp | SWKC Chamber of Commerce | | 22.00 |
| | | | | | Check Total: | 44.00 |
| 34335 | 04/01/2013 | General Fund | Prof. Svcs-Instructors | Sallie Tierney | | 65.85 |
| | | | | | Check Total: | 65.85 |
| 34336 | 04/01/2013 | Transportation CIP | Construction | Transportation Systems Inc. | | 16,647.13 |
| | | | | | Check Total: | 16,647.13 |
| 34337 | 04/01/2013 | General Fund | Celebration | U Frame It | | 200.21 |
| | | | | | Check Total: | 200.21 |
| 34338 | 04/01/2013 | General Fund | Operating Rentals and Leases | United Site Services | | 155.00 |
| | | | | | Check Total: | 155.00 |
| 34339 | 04/01/2013 | General Fund | Operating Rentals & Leases | Valley View Sewer District | | 1,030.00 |
| 34339 | 04/01/2013 | General Fund | Utilities | Valley View Sewer District | | 51.30 |
| | | | | | Check Total: | 1,081.30 |
| 34340 | 04/01/2013 | Surface Water Management Fund | Telephone | Verizon Wireless | | 472.04 |
| 34340 | 04/01/2013 | General Fund | Telephone | Verizon Wireless | | 247.62 |
| 34340 | 04/01/2013 | General Fund | Telephone | Verizon Wireless | | 89.65 |
| 34340 | 04/01/2013 | General Fund | Telephone | Verizon Wireless | | 89.65 |
| 34340 | 04/01/2013 | General Fund | Telephone | Verizon Wireless | | 248.20 |
| 34340 | 04/01/2013 | General Fund | Telephone | Verizon Wireless | | 314.00 |
| 34340 | 04/01/2013 | Street Fund | Telephone | Verizon Wireless | | 405.65 |
| | | | | | Check Total: | 1,866.81 |
| 34341 | 04/01/2013 | General Fund | Lodging | JANET VOGEE | | 330.57 |
| 34341 | 04/01/2013 | General Fund | Mileage | JANET VOGEE | | 116.39 |

| Check Number | Check Date | Fund Name | Account Name | Vendor Name | | Amount |
|---|---|---|---|---|---|---|
| | | | | | Check Total: | 446.96 |
| 34342 | 04/01/2013 | General Fund | Jail Contracts | WASPC-Regional Cities EHM | | 696.00 |
| | | | | | Check Total: | 696.00 |
| 34343 | 04/01/2013 | Surface Water Management Fund | Repairs & Maint. - Fleet | Washington Tractor | | 1,566.61 |
| 34343 | 04/01/2013 | Street Fund | Repairs & Maint. - Fleet | Washington Tractor | | 1,566.62 |
| | | | | | Check Total: | 3,133.23 |
| 34344 | 04/01/2013 | General Fund | Repairs and Maintenance | White Center Glass&Upholstery | | 343.83 |
| | | | | | Check Total: | 343.83 |
| 34345 | 04/01/2013 | General Fund | Utilities | King Co Water Dist 49 | | 215.30 |
| 34345 | 04/01/2013 | Street Fund | Landscape Maint - Utilities | King Co Water Dist 49 | | 86.00 |
| 34345 | 04/01/2013 | Street Fund | Landscape Maint - Utilities | King Co Water Dist 49 | | 132.00 |
| 34345 | 04/01/2013 | Street Fund | Landscape Maint - Utilities | King Co Water Dist 49 | | 65.00 |
| 34345 | 04/01/2013 | Street Fund | Landscape Maint - Utilities | King Co Water Dist 49 | | 65.00 |
| 34345 | 04/01/2013 | Street Fund | Landscape Maint - Utilities | King Co Water Dist 49 | | 65.00 |
| | | | | | Check Total: | 628.30 |
| 34346 | 04/01/2013 | General Fund | Subscriptions/Publications | West Payment Center | | 425.20 |
| | | | | | Check Total: | 425.20 |
| 34347 | 04/01/2013 | Street Fund | Operating Rentals And Leases | Wilken Properties, LLC | | 2,783.16 |
| 34347 | 04/01/2013 | Surface Water Management Fund | Operating Rentals And Leases | Wilken Properties, LLC | | 2,783.17 |
| | | | | | Check Total: | 5,566.33 |
| 34348 | 04/01/2013 | General Fund | Office And Operating Supplies | Walter E Nelson Co | | 298.41 |
| 34348 | 04/01/2013 | General Fund | Office and Operating Supplies | Walter E Nelson Co | | 149.21 |
| 34348 | 04/01/2013 | General Fund | Office Supplies | Walter E Nelson Co | | 49.74 |
| | | | | | Check Total: | 497.36 |
| 34349 | 04/01/2013 | Transportation CIP | Construction Engineering | Washington State D.O.T. | | 30.69 |

| Check Number | Check Date | Fund Name | Account Name | Vendor Name | Amount |
|---|---|---|---|---|---|
| | | | | Check Total: | 30.69 |
| | | | | Report Total: | 255,582.07 |

DRAFT


# CITY COUNCIL REGULAR MEETING MINUTES

**March 18, 2013**

**5:45 p.m. - Special Meeting: Executive Session to discuss potential litigation and to receive and evaluate complaints or charges brought against a public officer or employee**
**6:15 p.m. – Special Meeting: Conduct Arts Commission interviews**
**7:00 p.m. – Regular Meeting**

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

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

## SPECIAL MEETING

Mayor Bennett called the Special Meetings of the Burien City Council to order at 5:45 p.m. for the purpose of holding an Executive Session to discuss potential litigation per RCW 42.30.110(1)(i) and receive and evaluate complaints or charges brought against a public officer or employee per RCW 42.30.110(1)(f) and at 6:15 p.m. for the purpose of conducting Arts Commission interviews.

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

Administrative staff present: Mike Martin, City Manager and Craig Knutson, City Attorney were present. Michael Lafreniere, Parks and Recreation Director was present for Arts Commission interviews.

No action was taken.

The Special Meeting adjourned to the Regular Meeting at 6:45 p.m.

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

**AGENDA CONFIRMATION**

**Direction/Action**

**Motion** was made by Deputy Mayor Krakowiak, seconded by Councilmember McGilton and passed unanimously to affirm the March 18, 2013, Agenda.

Mayor Bennett read a letter into the record regarding an incident involving a St. Francis of Assisi School student.

**PUBLIC COMMENT**

Dick West, 11006 Roseberg Avenue South, Burien
Goodspaceguy, 10219 Ninth Avenue South, Seattle
Marga Newcomb, 209 SW 132nd Street, Burien
Roger DeLorm, 13254 2nd Avenue SW, Burien
Pat LeMoine, 10127 Myers Way South, Seattle
Linda Plein, 1600 SW 156th Street, Burien
Douglas Sykes, 15221 28th Avenue SW, Burien
Phillip Levine, 430 South 124th Street, Burien
Quinton Thompson, 179 South 182nd Street, Burien
Chestine Edgar, 1811 SW 152nd Street, Burien

**CORRESPONDENCE FOR THE RECORD**

a. Email Dated February 27, 2013, from Kathi Butler.
b. Email Dated February 27, 2013, from Dick West.
c. Email Dated February 27, 2013, from John Rizzardi.
d. Email Dated February 27, 2013, from John and Linda Poitras.
e. Email Dated February 28, 2013, from Robert Howell.
f. Email Dated February 28, 2013, from Linda Plein.
g. Email Dated February 28, 2013, from Brian Stapleton.
h. Email Dated February 28, 2013, from P Leilani Berry.
i. Email Dated February 28, 2013, from Stan Milkowski.
j. Email Dated March 1, 2013, from C. Edgar.
k. Email Dated March 1, 2013, from Astha Tada.
l. Email Dated March 2, 2013, from Mary Oemcke.
m. Email Dated March 4, 2013, from Carol Vernon.
n. Letter Dated March 4, 2013, from Debi Wagner.

**CONSENT AGENDA**

a. Approval of Vouchers: Numbers 34139 - 34260 in the Amounts of $285,398.17.
b. Approval of Minutes: Regular Council Meeting, March 4, 2013.
c. Motion to Adopt Ordinance 578, Granting Right-of-Way Fiber Franchise to Zayo Group, LLC.
d. Motion to Authorize the City Manager to Execute an Agreement with King County Solid Waste, in Substantially the Same Form as in the Attached Interlocal Agreement as Long as any Minor Revisions are Acceptable to the City Attorney.

**Direction/Action**

**Motion** was made by Deputy Mayor Krakowiak, seconded by Councilmember McGilton, and passed unanimously to approve the March 18, 2013, Consent Agenda.

**BUSINESS AGENDA**

**Motion to Approve Appointments to the Arts Commission.**

**Direction/Action**

**Motion** was made by Deputy Mayor Krakowiak, seconded by Councilmember McGilton, and passed unanimously to appoint to the Arts Commission Sybil Davis to Position 1, Katja Kloepfer to Position 2, Alex Stoller to Position 6 and Catherine Wendland to Position 9 to full terms that will begin on April 1, 2013, and end on March 31, 2017.

**Discussion and Potential Adoption of 2014 Community Development Block Grant (CDBG) Project Application.**

**Direction/Action**

Councilmembers authorized the submittal of the 2014 Community Development Block Grant (CDBG) Project Applications for the South 132nd Street Pedestrian and Bicycle Trail from 9th to 10th Avenue South (1st priority) and ADA Ramps along SW 116th Street, near Shorewood Elementary School Projects on the April 1, 2013, Consent Agenda for approval.

**Discussion Regarding North Burien Zoning Map Amendments, 2012 Comprehensive Plan Text and Map Amendments.**

**Direction/Action**

Council reached consensus to retain the Planning Commission and staff proposed language regarding Question Numbers 3 and 6 from the 2012 Comprehensive Plan/Zoning Amendments City Council Comment Summary Working Draft dated January 1, 2013.

Councilmembers agreed with the staff recommendation regarding City Council Comment Summary Item No. 6 which would amend Policy RE 1.6 in the proposed Shoreline Master Program (SMP).

Councilmembers reached consensus on Number 8 to remove the language "attempt too."

Councilmembers will continue the discussion regarding the proposed changes to Policy PI 1.6 where the language is proposed to include the phase "will not result in a net loss to the community" instead of the current language which includes the phrase "will result in a net benefit for the community."

Councilmembers reached consensus to go with staff recommendations on Comment Numbers 1, 3, and 12 and to keep current zoning on Numbers 4 and 11 from the 2012 Comprehensive Plan/Zoning Amendments Public Hearing Comment Summary Working Draft January 28, 2013.

Councilmembers reached consensus to retain the existing land use designations on all but the north 6 parcels in the area denoted as B-3 on Attachment 4. The north 6 parcels will be changed to Moderate Density Residential Neighborhood and be zoned RS-7,200.

**Follow-up**

Staff will provide more information the proposed Zoning and Comprehensive Plan Boundary Map Item C1.

**Review of Revisions to the City Council Policies and Procedures.**
This item was rescheduled to a later date.

**Respond to Council's Questions from the February 25 Council Meeting and Present New Information on Filing Deadline with King County Election Office.**
This item was rescheduled to a later date.

**Discussion on Censure.**
**Direction/Action**
Motion was made by Councilmember Robison, seconded by Councilmember Clark, to Censure Councilmember Block for Poor Judgment in Posting Inappropriate Images. **Motion** passed 4-0. Abstained, Councilmembers Block, Jr., Edgar and Krakowiak.

**Review of Council Proposed Agenda Schedule.**
**Follow-up**
Staff will schedule discussions on issuing I pads to Councilmembers and the 2013 Work Plan. Staff will also reschedule the Shoreline Master Program (SMP) at an earlier meeting.

**City Business.**
**Follow-up**
Staff will provide information on refinancing of the Bonds for 1st Avenue Phase I and 2 in a future City Managers Report and provide a list of Service Districts that were notified regarding the Westmark Clearing and Grading permit.

**COUNCIL REPORTS.**
No reports were given.

**ADJOURNMENT**
**Direction/Action**
**MOTION** was made by Deputy Mayor Krakowiak, seconded by Councilmember McGilton and passed unanimously to adjourn the meeting at 9:36 p.m.

_____
Brian Bennett, Mayor

_____
Kathy Wetherbee, Department Assistant

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# CITY COUNCIL STUDY SESSION MINUTES

**March 25, 2013**

**7:00 pm**

## CALL TO ORDER

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

## PLEDGE OF ALLEGIANCE

Mayor Bennett led the Pledge of Allegiance.

## ROLL CALL

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

## DISCUSSION ITEMS

### Discussion & Update on Potential Off-Leash Dog Area

**Follow-up**

Staff will provide more options for off-leash dog park locations with fewer impacts to neighborhoods and potential areas in the south end of the City, and schedule recommendations to the Council in June.

The following people spoke:
Ed Dacy
Goodspaceguy
Rob Johnson
Ray Helms
Kellie Bassen
Homeowner by Salmon Creek Park

### Review of CARES Operational Evaluation

**Follow-up**

Staff will schedule a discussion on the Community Animal Resource Education Society (CARES) contract in April to address the audit recommendations.

The following people spoke:
Goodspaceguy
Debi Wagner
Marianne Hudson
Pat Lemoine

### Discussion on Amending BMC Title 6, Relating to Pet Licensing Fees for Disabled Persons

**Direction/Action**

Councilmembers agreed to place Ordinance No. 579 on the April 1, 2013 Consent Agenda as amended to add the word "altered" after "Senior citizen" and "Disabled person."

**Discussion on City Council Election by Districts**

**Direction/Action**

Councilmembers requested deferring the discussion until June after State Legislature discussions have concluded.

The following people spoke:
Goodspaceguy
Jim Clingan

**ADJOURNMENT**

**Direction/Action**

**MOTION** was made by Deputy Mayor Krakowiak, seconded by Councilmember McGilton and passed unanimously to adjourn the meeting at 9:13 p.m.

_____
Brian Bennett, Mayor

_____
Monica Lusk, City Clerk

# CITY OF BURIEN, WASHINGTON

## ORDINANCE NO. 579

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**AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, AMENDING TITLE 6 OF THE BURIEN MUNICIPAL CODE RELATING TO ANIMAL CONTROL LICENSING BY REDUCING PET LICENSE FEES FOR DISABLED PERSONS.**

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WHEREAS, Burien Municipal Code 6.05.200 provides reduced pet license fees to senior citizens but not to disabled persons(s);

WHEREAS, the Burien City Council desires to amend BMC 6.05.200 to include reduced pet license fees for disabled persons;

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

Section 1. Amendment to BMC 6.05.200. Section 6.05.200 of the Burien Municipal Code is hereby amended to read as follows:

**6.05.200 General provisions and licensing – Adopted by reference.**

(1) The following sections of Chapter 11.04 KCC, as now in effect, and as may be subsequently amended, are adopted by reference, except that, unless the context indicates otherwise, the word "county" and the words "King County" shall refer to the city, references to violations of the county code or county ordinances shall be deemed to be references to violations of city ordinances, and references to "animal care and control authority or section" shall be deemed to be references to the city's finance department for the purposes of the licensing responsibilities of Chapter 11.04 KCC and shall be deemed to be references to the city's animal control entity and personnel for the purposes of the enforcement and inspection responsibilities of Chapter 11.04 KCC, and except that the pet license fees in KCC 11.04.035A.1, 2, and 3 shall be $50 Unaltered, ~~$15~~ $20 Altered, $0 Juvenile, $15 Senior citizen altered dog or cat, and $15 Disabled person altered dog or cat; provided that pet licenses issued to seniors and disabled persons are good for the lifetime of the pet:

KCC
11.04.010 Purpose.
11.04.020 Definitions.
11.04.030 Dog and cat licenses required.
11.04.033 Animal shelter, kennel, grooming service, cattery and pet shop – General licenses – Requirements.
11.04.035 Dog and cat license fees and penalties.
11.04.040 Animal shelter, kennel and pet shop license – Required.
11.04.050 Animal shelter and kennel license – Information required.

11.04.060 Hobby kennel license – Required.
11.04.070 Animal shelters, kennels and pet shops – Reporting required.
11.04.080 Animal shelters, kennels and pet shops – Inspections.
11.04.090 Animal shelters, kennels and pet shops – Conditions.
11.04.100 Animal shelters, kennels and pet shops – Conditions.
11.04.110 Animal shelters, kennels and pet shops – Outdoor facilities.
11.04.120 Grooming parlors – License required.
11.04.130 Grooming parlors – Conditions.
11.04.140 Animal shelters, hobby kennels, kennels, pet shops, grooming parlors, guard dog purveyors, guard dog trainers and guard dog owners – Additional conditions.
11.04.150 Licenses, registrations – Revocation, suspension or refusal to renew.
11.04.160 Licenses, registrations – Revocation or refusal waiting period.

(2) Pet Shop License Exemption for Feed Stores for Seasonal Sales. Feed stores which sell live chickens, ducks, or rabbits on a seasonal or other temporary basis are exempt from obtaining a pet shop license under KCC 11.04.040. [Ord. 227 § 1, 1998; Ord. 11 § 2, 1993]

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This ordinance shall take effect five days after publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ____DAY OF _____, 2013, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS ____DAY OF _____, 2013.

CITY OF BURIEN

_____
Brian Bennett, Mayor

AUTHENTICATED:

_____
Monica Lusk, City Clerk

Approved as to form:

_____

Craig D. Knutson, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No. 579
Date of Publication:

**CITY OF BURIEN**
**AGENDA BILL**

| | | |
|---|---|---|
| **Agenda Subject:** Motion to Approve Appointment to the King County Landmarks Commission | | **Meeting Date:** April 1, 2013 |
| **Department:** Community Development<br>**Contact:** Chip Davis<br>**Telephone:** (206) 248-5501 | **Attachments:** | **Fund Source:** N/A<br>**Activity Cost:** N/A<br>**Amount Budgeted:** N/A<br>**Unencumbered Budget Authority:** N/A |
| **Adopted Work Plan Priority:** Yes No X | **Work Plan Item Description:** | |

**PURPOSE/REQUIRED ACTION:**

The purpose of this agenda item is for Council to make an appointment to the King County Landmarks Commission.

**Background (*Include prior Council Action and Discussions*):**

A call for volunteers to serve as Burien's special member on the King County Landmarks Commission was placed in the Highline Times and on the City's website. Four applications were received to fill the one position. One applicant has since withdrawn for health reasons, one for personal reasons, and a third could not attend Monday night interviews with Council.

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

1. Appoint an applicant to fill the one vacancy for a three-year term that will expire on March 31, 2016.
2. Do not appoint any of the applicants and re-advertise.

**Administrative Recommendation:** Per Council direction.

**Suggested Motions:**

1. Move to appoint _____ to serve as Burien's special member on the King County Landmarks Commission to a full term beginning on April 1, 2013, and ending on March 31, 2016.

Submitted by: Chip Davis, Interim Community Development Director
**Administration** _____ **City Manager** _____

| | |
|---|---|
| **Today's Date:** March 28, 2013 | **File Code:** R:/CC/Agenda Bills 2013/040113cd-2 landmarksappt |

**CITY OF BURIEN**
**AGENDA BILL**

| | | |
|---|---|---|
| **Agenda Subject:** Motion to Approve Burien City Council Appointments for 2013 | | **Meeting Date:** April 1, 2013 |
| **Department:** City Manager<br>**Contact:** Mike Martin, City Manager<br>**Telephone:** (206) 248-5508 | **Attachments:**<br>1. Adopted 2012 City Representation List<br>2. Proposed 2013 City Representation List | **Fund Source:** N/A<br>**Activity Cost:** N/A<br>**Amount Budgeted:** N/A<br>**Unencumbered Budget Authority:** N/A |
| **Adopted Initiative:**<br>Yes No X | **Initiative Description:** N/A | |

**PURPOSE/REQUIRED ACTION:**

The purpose of this agenda item is for the City Council to take formal action to appoint Councilmembers to serve on various boards and committees in 2013.

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

Each year the City Council must appoint members to represent Burien on various boards and committees. The list of appointments that the Council made for 2012 is provided in Attachment 1.

At the City Council's annual retreat held on March 16, 2013, the Council discussed appointments for 20132 and developed a list of proposed appointments which is found in Attachment 2.

If the Council decides to defer action on these appointments to the next meeting, the Council may ask the 2012 representatives to continue serving in their positions until the new members are chosen.

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

1. Approve the appointments as presented.
2. Discuss other possible appointments and defer action to a future meeting.

**Administrative Recommendation:** Approve the appointments as determined at the Council retreat and listed in Attachment 2.

**Advisory Board Recommendation:** N/A

**Suggested Motion:** Move to approve the 2013 Council appointments as listed in Attachment 2.

Submitted by: Mike Martin
**Administration** **City Manager** MM

| | |
|---|---|
| **Today's Date:** March 27, 2013 | **File Code:** R:\CC\Agenda Bill 2013\040113cm-1 CouncilRepresentation.docx |

# CITY OF BURIEN REPRESENTATION TO LOCAL AND REGIONAL GOVERNMENTAL ORGANIZATIONS 2012

| ORGANIZATION | CITY OF BURIEN REPRESENTATIVE |
|---|---|
| Des Moines Memorial Drive (DMMD) Advisory Committee | Member: Rose Clark |
| Highline Forum | Member: Rose Clark<br>Alternate: Jack Block, Jr. |
| KC Metropolitan Solid Waste Management Advisory Committee (MSWMAC) | Member: Joan McGilton<br>Alternate: Public Works Dir. |
| South Correctional Entity (SCORE) | Member: Jerry Robison<br>Alternate: City Mgr. Mike Martin |
| South County Area Transportation Board (SCATBd) | Member: Jack Block, Jr.<br>Alternate: Rose Clark |
| Southwest King County Economic Development Executive Committee | Member: Rose Clark<br>Alternate: Brian Bennett |
| Suburban Cities Association (SCA) Public Issues Committee | Member: Jerry Robison<br>Alternate: Bob Edgar |
| Water Resource Inventory Area (WRIA) 9 (Central Puget Sound Watershed Forum) | Member: Joan McGilton<br>Alternate: Lucy Krakowiak |

NOTE: The Burien Teen Leadership Council is not operational.

**<u>NOTE</u>: THE BOARDS AND COMMITTEES BELOW HAVE CITY OF BURIEN REPRESENTATION AS SPECIFIED.**

| ORGANIZATION | CITY OF BURIEN REPRESENTATIVE |
|---|---|
| **SCA APPOINTMENTS** | |
| King County Council Regional Transit Committee (RTC) | Councilmember Joan McGilton (2011 SCA Caucus Chair) |
| Joint Recommendations Committee for CDBG (JRC) | Councilmember Jerry Robison |
| KC Solid Waste Advisory Committee (SWAC) | County Executive Appointment: Councilmember Joan McGilton |
| **OTHER REGIONAL APPOINTMENTS** | |
| KC Library System Board of Trustees | Councilmember Lucy Krakowiak |

# CITY OF BURIEN REPRESENTATION TO LOCAL AND REGIONAL GOVERNMENTAL ORGANIZATIONS 2013

| ORGANIZATION | CITY OF BURIEN REPRESENTATIVE |
|---|---|
| Des Moines Memorial Drive (DMMD) Advisory Committee | Member: Rose Clark |
| Highline Forum | Member: Rose Clark<br>Alternate: Jack Block, Jr. |
| KC Metropolitan Solid Waste Management Advisory Committee (MSWMAC) | Member: Joan McGilton<br>Alternate: Jack Block, Jr. |
| South Correctional Entity (SCORE) | Member: Jerry Robison<br>Alternate: City Mgr. Mike Martin |
| South County Area Transportation Board (SCATBd) | Member: Joan McGilton<br>Alternate: Rose Clark |
| Southwest King County Economic Development Executive Committee | Member: Rose Clark<br>Alternate: Brian Bennett |
| Suburban Cities Association (SCA) Public Issues Committee | Member: Jerry Robison<br>Alternate: Bob Edgar |
| Water Resource Inventory Area (WRIA) 9 (Central Puget Sound Watershed Forum) | Member: Joan McGilton<br>Alternate: Rose Clark |

NOTE: The Burien Teen Leadership Council is not operational.

**<u>NOTE</u>: THE BOARDS AND COMMITTEES BELOW HAVE CITY OF BURIEN REPRESENTATION AS SPECIFIED.**

| ORGANIZATION | CITY OF BURIEN REPRESENTATIVE |
|---|---|
| **SCA APPOINTMENTS** | |
| King County Council Regional Transit Committee (RTC) | Councilmember Joan McGilton |
| Joint Recommendations Committee for CDBG (JRC) | Councilmember Jerry Robison |
| KC Solid Waste Advisory Committee (SWAC) | County Executive Appointment: Councilmember Joan McGilton |
| **OTHER REGIONAL APPOINTMENTS** | |
| KC Library System Board of Trustees | Councilmember Lucy Krakowiak |

**CITY OF BURIEN**
**AGENDA BILL**

| | | |
|---|---|---|
| **Agenda Subject:** Review of Revisions to the City Council Policies and Procedures | | **Meeting Date:** April 1, 2013 |
| **Department:** City Manager | **Attachments:**<br>1. Council Policies and Procedures – Draft with Track Changes.<br>2. 2013 Council Meeting Guidelines<br>3. Matrix of Revisions | **Fund Source:** N/A<br>**Activity Cost:** N/A<br>**Amount Budgeted:** N/A<br>**Unencumbered Budget Authority:** N/A |
| **Contact:** Nhan Nguyen, Management Analyst<br>**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 final version of the document and place it on the Consent Agenda of the next Council meeting.

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

At the November 26, 2012 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. At the January 7 and February 4 Council meetings, Council commented on staff's responses to Council's requests. Council directed staff to respond to these comments and bring back the updated matrix to the April 1 Council meeting.

The 2013 City of Burien Council Meeting Guidelines contains all the revisions as requested by Council and is attached.

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

1. Approve the revisions to the City Council Policies and Procedures and direct staff to put the revised Policies and Procedures on the Consent Agenda at the April 15 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 April 15 Consent Agenda.

**Advisory Board Recommendation:** N/A

**Suggested Motion**: N/A

Submitted by: Nhan Nguyen
**Administration** NN **City Manager** MM

| | |
|---|---|
| **Today's Date**: March 26, 2013 | **File Code**: R/CC/AgendaBill2013/040113cm-2 Revisions to City Council Policies and Procedures |

ATTACHMENT 1

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**CITY OF BURIEN, WASHINGTON**

**CITY COUNCIL ~~POLICIES AND PROCEDURES~~**
**MEETING GUIDELINES**

**~~200520~~132**

~~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 35A.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~~study ~~s~~session 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 ~~2.5~~ Types of Meetings**

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~~(1)~~ ~~R~~

A. Regular: used to conduct all ordinary and routine business of the city.

B. ~~(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.

C. ~~(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.~~

D. ~~(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)E. 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 inper RCW-42.30.110.

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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 certainThe 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**

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The Mayor calls the meeting to order.

**Pledge of Allegiance**

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

**Roll Call**

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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**

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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. Attendees who are unable to do so by themselves may ask City Clerk for assistance to read their comments.

**Correspondence for the Record**

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~~Correspondence addressed to the Council will normally be included in "Correspondence for the Record" for a future City Council meeting. Correspondence that is abusive or otherwise inappropriate, or sent anonymously, will not be included in the Record.~~ Correspondence that discloses personal information will be edited out before included in the Record. Correspondence that contains profanity or abusive in nature would be submitted to the Mayor who would decide whether it should be included in the Record. Correspondence that is sent anonymously will not be included in the Record.

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**Consent Agenda**

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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**

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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 hearings, 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.

The City Manager may provide written report to the City Council under "City Manager's Report."

**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.

**City Manager Report**

**Council Business ~~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~~."

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~~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**

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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~~ **Breaks**

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

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## 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.

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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, 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 knows it is of particular importance to an absent Councilmember.

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

**3.5~~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.

**3.6~~7~~** Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.

**3.7~~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.

**3.8~~9~~** The Council may use the "Recommended Motion" language on the agenda bill ~~Recommended Motion language~~ for making a motion.

**3.~~910~~** ~~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, shall~~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.

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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.

**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

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**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 shall~~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:

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

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

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

D.(4.) Observe and enforce all policies and proceduresthe Council Meeting Guidelines adopted by the Council.

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

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

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

H.(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.

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

J.(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.

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

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

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

N.(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.

O.~~(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.

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

Q.~~(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.

A.(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.

B.(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.

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

D.(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
9.2 REPORTING DISCRIMINATION OR HARASSMENT

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

B. If the incident involves an elected official or official appointed by the City Council such as an advisory board member, the incident should be reported as soon as possible to the Mayor.

C. (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.

D. (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.

E. (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

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with a need to know. Any special concerns about confidentiality will be addressed at the time they are raised.

F. If the incident involves the Mayor, then the Mayor's responsibilities described in B. C. D above will be performed by the City Attorney.

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(5.G.) 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.

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

I.(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 3 COUNCIL RELATIONS WITH STAFF**

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

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

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

D.(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.

E.(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.

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

G.~~(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~~

H.~~(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.

I.~~(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

11.1~~(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.

11.2~~(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)~~

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

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

11.5~~(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

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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

"Periodically, the City Attorney will provide a report to the City Council on new litigation and ongoing litigation in the Council Executive Session.

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.

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~~*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 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.~~

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~~*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.~~

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**~~B. Resource Planning and Allocation Policies~~**

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~~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.~~

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~~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.~~

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~~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.~~

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

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~~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~~

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provide for operating services and maintenance or enhancement of fixed assets needed to support City services.

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

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~~and competitive purchasing. Procurement authority will be delegated consistent with Council policy and written procedures approved by the City Manager.~~

~~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.~~

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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 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.

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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 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).*

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## 16.3 PROCUREMENT POLICIES

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*Approved April 3, 2000*
*Amended October 2, 2000*

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### Chapter 1. Purpose, Scope, and General Policies

#### 1.01 Purpose

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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.

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#### 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.

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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.

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

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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.

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### 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)~~

**~~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.~~

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~~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.~~

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~~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.~~

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~~5. Bid and performance bonds will be required.~~

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~~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)~~

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## ~~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.~~

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~~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.~~

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### ~~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.

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.

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**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.

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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.

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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)

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5. Exchanges. The City may by agreement exchange supplies, materials, services, property or equipment with other public agencies. (RCW 39.33)

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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.

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7. Insurance and Bonds. The City Manager may waive any bidding requirement.

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**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.

## ~~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.~~

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~~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.~~

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## ~~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.

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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.

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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.

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If the meal is not included as part of the cost of registration, the expense is eligible for reimbursement.

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E. Service Awards Ceremonies

Expenditures for reasonable refreshments served and awards given are eligible for reimbursement.

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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.

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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.

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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~~

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~~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.~~

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~~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.~~

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~~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.~~

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~~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~~

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~~

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~~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:~~

~~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.~~

## ~~17.7 TRAVEL ADVANCES~~

~~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.~~

~~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.~~

~~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 178. PUBLIC RECORDS

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178.1 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.

## SECTION 189. 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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**Process for evaluating the Burien City Manager**

1. The Mayor, Councilmembers and City Manager will determine the evaluation criteria and format for the city manager evaluation process.
2. City Manager sends Council Members blank evaluation forms with completed self evaluation. (by second Monday in November).
3. Council Members complete individual evaluations then convey them by the first Monday in December to the Human Resources Manager for compilation.
4. The HR manager will create a single evaluation then return it to all Council Members and City Manager no later than the second Monday in December. The

document will consolidate all scores and verbatim comments, and identify them by author.

5. Council and the City Manager will meet in executive session the third Monday in December to discuss the evaluation.

**SECTION 19~~20~~. MAYOR/DEPUTY MAYOR SELECTION PROCESS**

19~~20~~.1 The Mayor and Deputy Mayor shall be elected from the ranks of the Councilmembers according to the Council/Manager form of government.

19~~20~~.2 The Mayor shall be elected to a two-year term according to RCW-35A.13.030.

19~~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.~~

19~~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).

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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).

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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

~~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 2022. APPOINTMENTS TO COMMITTEES AND REGIONAL ORGANIZATIONS

Council may appoint Councilmember(s) to ad-hoc committees during a regular Council meeting. 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.

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2022.1 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.~~

2022.23 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).

20.322.4 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.

22.519.4 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.

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22.619.5 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.

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## SECTION 213. PROCEDURE FOR FILLING COUNCIL VACANCIES

21.1(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.

21.2(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.

21.3(3.) The City Council shall review and make any revisions they wish to the Council Vacancy Application form (Exhibit BA).

21.4(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.

21.5(5.) The City Clerk shall receive all applications for the specified period of time.

21.6(6.) The City Council shall submit questions for an interview process to the City Clerk.

21.7(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 shall will prepare the final list of interview questions as agreed upon by the Council.

21.8(8.) The City Clerk shall prepare a notice of the meeting to interview candidates.

21.9(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.

21.10(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.

21.11(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.

21.12~~(12.)~~ Upon appointment, the City Clerk ~~writes~~ shall send a letter to the Department of Elections notifying ~~them~~ it of the new appointment.

21.13~~(13.)~~ The vacancy that was filled by appointment must be filled by election to that position in the next regularly scheduled municipal election.

21.14~~(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.~~

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~~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 225. MISCELLANEOUS

225.1 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 236. SUSPENSION AND AMENDMENT OF ~~RULES~~GUIDELINES

**236.1** 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~~22.2 ..... These ~~rules~~ guidelines may be amended, or new rules adopted, by a majority vote of the Council.

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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 March 18, 2013~~, 2012~~ by Resolution No.....~~;~~

**EXHIBIT A**

## RCW 35A.13.010
## City officers — Size of council.

The councilmembers shall be the only elective officers of a code city electing to adopt the council-manager plan of government authorized by this chapter, except where statutes provide for an elective municipal judge. The council shall appoint an officer whose title shall be "city manager" who shall be the chief executive officer and head of the administrative branch of the city government. The city manager shall be responsible to the council for the proper administration of all affairs of the code city. The council of a noncharter code city having less than twenty-five hundred inhabitants shall consist of five members; when there are twenty-five hundred or more inhabitants the council shall consist of seven members: PROVIDED, That if the population of a city after having become a code city decreases from twenty-five hundred or more to less than twenty-five hundred, it shall continue to have a seven-member council. If, after a city has become a council-manager code city its population increases to twenty-five hundred or more inhabitants, the number of council offices in such city may increase from five to seven members upon the affirmative vote of a majority of the existing council to increase the number of council offices in the city. When the population of a council-manager code city having five council offices increases to five thousand or more inhabitants, the number of council offices in the city shall increase from five to seven members. In the event of an increase in the number of council offices, the city council shall, by majority vote, pursuant to RCW 35A.13.020, appoint two persons to serve in these offices until the next municipal general election, at which election one person shall be elected for a two-year term and one person shall be elected for a four-year term. The number of inhabitants shall be determined by the most recent official state or federal census or determination by the state office of financial management. A charter adopted under the provisions of this title, incorporating the council-manager plan of government set forth in this chapter may provide for an uneven number of councilmembers not exceeding eleven.

A noncharter code city of less than five thousand inhabitants which has elected the council-manager plan of government and which has seven council offices may establish a five-member council in accordance with the following procedure. At least six months prior to a municipal general election, the city council shall adopt an ordinance providing for reduction in the number of council offices to five. The ordinance shall specify which two council offices, the terms of which expire at the next general election, are to be terminated. The ordinance shall provide for the renumbering of council positions and shall also provide for a two-year extension of the term of office of a retained council office, if necessary, in order to comply with RCW 35A.12.040.

However, a noncharter code city that has retained its old council-manager plan of government, as provided in RCW 35A.02.130, is subject to the laws applicable to that old plan of government.

For the purposes of determining population under this section, cities may include or exclude the population of any state correctional facility located within the city.

[2011 c 14 § 2; 2009 c 549 § 3016; 1994 c 223 § 35; 1994 c 81 § 72; 1987 c 3 § 16; 1985 c 106 § 2; 1983 c 128 § 2; 1979 ex.s. c 18 § 24; 1979 c 151 § 34; 1967 ex.s. c 119 § 35A.13.010.]

### Notes:

**Severability -- 1987 c 3:** See note following RCW 3.70.010.

**Severability -- 1979 ex.s. c 18:** See note following RCW 35A.01.070.

Population determinations, office of financial management: Chapter 43.62 RCW.

## RCW 35A.13.020
## Election of councilmembers — Eligibility — Terms — Vacancies — Forfeiture of office — Council chair.

In council-manager code cities, eligibility for election to the council, the manner of electing councilmembers, the numbering of council positions, the terms of councilmembers, the occurrence and the filling of vacancies, the grounds for forfeiture of office, and appointment of a mayor pro tempore or deputy mayor or

councilmember pro tempore shall be governed by the corresponding provisions of RCW 35A.12.030, 35A.12.040, 35A.12.050, 35A.12.060, and 35A.12.065 relating to the council of a code city organized under the mayor-council plan, except that in council-manager cities where all council positions are at-large positions, the city council may, pursuant to RCW 35A.13.033, provide that the person elected to council position one shall be the council chair and shall carry out the duties prescribed by RCW 35A.13.030.

[2009 c 549 § 3017; 1994 c 223 § 36; 1975 1st ex.s. c 155 § 1; 1967 ex.s. c 119 §35A.13.020 .]

## RCW 35A.13.030

## Mayor — Election — Chair to be mayor — Duties.

Biennially at the first meeting of the new council the members thereof shall choose a chair from among their number unless the chair is elected pursuant to RCW 35A.13.033. The chair of the council shall have the title of mayor and shall preside at meetings of the council. In addition to the powers conferred upon him or her as mayor, he or she shall continue to have all the rights, privileges, and immunities of a member of the council. The mayor shall be recognized as the head of the city for ceremonial purposes and by the governor for purposes of military law. He or she shall have no regular administrative duties, but in time of public danger or emergency, if so authorized by ordinance, shall take command of the police, maintain law, and enforce order.

[2009 c 549 § 3018; 1975 1st ex.s. c 155 § 2; 1967 ex.s. c 119 § 35A.13.030

## RCW 35A.13.033

## Election on proposition to designate person elected to position one as chair — Subsequent holders of position one to be chair.

The city council of a council-manager city may by resolution place before the voters of the city, a proposition to designate the person elected to council position one as the chair of the council with the powers and duties set forth in RCW 35A.13.030. If a majority of those voting on the proposition cast a positive vote, then at all subsequent general elections at which position one is on the ballot, the person who is elected to position one shall become the chair upon taking office.

[2009 c 549 § 3019; 1975 1st ex.s. c 155 § 3.]

## RCW 35A.13.035

## Mayor pro tempore or deputy mayor.

Biennially at the first meeting of a new council, or periodically, the members thereof, by majority vote, may designate one of their number as mayor pro tempore or deputy mayor for such period as the council may specify, to serve in the absence or temporary disability of the mayor; or, in lieu thereof, the council may, as the need may arise, appoint any qualified person to serve as mayor pro tempore in the absence or temporary disability of the mayor. In the event of the extended excused absence or disability of a councilmember, the remaining members by majority vote may appoint a councilmember pro tempore to serve during the absence or disability.

[2009 c 549 § 3020; 1969 ex.s. c 81 § 1.]

### Notes:

**Effective date -- 1969 ex.s. c 81:** "This 1969 amendatory act shall take effect July 1, 1969." [1969 ex.s. c 81 § 7.]

## RCW 35A.13.040

## Compensation of councilmembers — Expenses.

The salaries of the councilmembers, including the mayor, shall be fixed by ordinance and may be revised from time to time by ordinance, but any increase or reduction in the compensation attaching to an office

shall not become effective until the expiration of the term then being served by the incumbent: PROVIDED, That compensation of councilmembers may not be increased or diminished after their election nor may the compensation of the mayor be increased or diminished after the mayor has been chosen by the council.

Until councilmembers of a newly organized council-manager code city may lawfully be paid as provided by salary ordinance, such councilmembers shall be entitled to compensation in the same manner and in the same amount as councilmembers of such city prior to the adoption of this council-manager plan.

Until a salary ordinance can be passed and become effective as to elective officers of a newly incorporated code city, the first councilmembers shall be entitled to compensation as follows: In cities having less than five thousand inhabitants -- twenty dollars per meeting for not more than two meetings per month; in cities having more than five thousand but less than fifteen thousand inhabitants -- a salary of one hundred and fifty dollars per calendar month; in cities having more than fifteen thousand inhabitants -- a salary of four hundred dollars per calendar month. A councilmember who is occupying the position of mayor, in addition to his or her salary as a councilmember, shall be entitled, while serving as mayor, to an additional amount per calendar month, or portion thereof, equal to twenty-five percent of the councilmember salary: PROVIDED, That such interim compensation shall remain in effect only until a salary ordinance is passed and becomes effective as to such officers, and the compensation provided herein shall not be construed as fixing the usual compensation of such officers. Councilmembers shall receive reimbursement for their actual and necessary expenses incurred in the performance of the duties of their office, or the council by ordinance may provide for a per diem allowance. Procedure for approval of claims for expenses shall be as provided by ordinance.

[2009 c 549 § 3021; 1979 ex.s. c 18 § 25; 1967 ex.s. c 119 § 35A.13.040.]

**Notes:**

**Severability -- 1979 ex.s. c 18:** See note following RCW 35A.01.070.

## RCW 35A.13.050
## City manager — Qualifications.

The city manager need not be a resident at the time of his or her appointment, but shall reside in the code city after his or her appointment unless such residence is waived by the council. He or she shall be chosen by the council solely on the basis of his or her executive and administrative qualifications with special reference to his or her actual experience in, or his or her knowledge of, accepted practice in respect to the duties of his or her office. No person elected to membership on the council shall be eligible for appointment as city manager until one year has elapsed following the expiration of the term for which he or she was elected.

[2009 c 549 § 3022; 1967 ex.s. c 119 §35A.13.050 .]

## RCW 35A.13.060
## City manager may serve two or more cities.

Whether the city manager shall devote his or her full time to the affairs of one code city shall be determined by the council. A city manager may serve two or more cities in that capacity at the same time.

[2009 c 549 § 3023; 1967 ex.s. c 119 § 35A.13.060.]

## RCW 35A.13.070
## City manager — Bond and oath.

Before entering upon the duties of his or her office the city manager shall take an oath or affirmation for the faithful performance of his or her duties and shall execute and file with the clerk of the council a bond in favor of the code city in such sum as may be fixed by the council. The premium on such bond shall be paid by the city.

[2009 c 549 § 3024; 1967 ex.s. c 119 § 35A.13.070.]

## RCW 35A.13.080
## City manager — Powers and duties.

The powers and duties of the city manager shall be:

(1) To have general supervision over the administrative affairs of the code city;

(2) To appoint and remove at any time all department heads, officers, and employees of the code city, except members of the council, and subject to the provisions of any applicable law, rule, or regulation relating to civil service: PROVIDED, That the council may provide for the appointment by the mayor, subject to confirmation by the council, of a city planning commission, and other advisory citizens' committees, commissions, and boards advisory to the city council: PROVIDED FURTHER, That if the municipal judge of the code city is appointed, such appointment shall be made by the city manager subject to confirmation by the council, for a four year term. The council may cause an audit to be made of any department or office of the code city government and may select the persons to make it, without the advice or consent of the city manager;

(3) To attend all meetings of the council at which his or her attendance may be required by that body;

(4) To see that all laws and ordinances are faithfully executed, subject to the authority which the council may grant the mayor to maintain law and order in times of emergency;

(5) To recommend for adoption by the council such measures as he or she may deem necessary or expedient;

(6) To prepare and submit to the council such reports as may be required by that body or as he or she may deem it advisable to submit;

(7) To keep the council fully advised of the financial condition of the code city and its future needs;

(8) To prepare and submit to the council a proposed budget for the fiscal year, as required by chapter 35A.33 RCW, and to be responsible for its administration upon adoption;

(9) To perform such other duties as the council may determine by ordinance or resolution.

[2009 c 549 § 3025; 1987 c 3 § 17; 1967 ex.s. c 119 § 35A.13.080.]

### Notes:

**Severability -- 1987 c 3:** See note following RCW 3.70.010.

## RCW 35A.13.090
## Creation of departments, offices, and employment — Compensation.

On recommendation of the city manager or upon its own action, the council may create such departments, offices, and employments as it may find necessary or advisable and may determine the powers and duties of each department or office. Compensation of appointive officers and employees may be fixed by ordinance after recommendations are made by the city manager. The appointive officers shall include a city clerk and a chief of police or other law enforcement officer. Pursuant to recommendation of the city manager, the council shall make provision for obtaining legal counsel for the city, either by appointment of a city attorney on a full time or part time basis, or by any reasonable contractual arrangement for such professional services.

[1967 ex.s. c 119 § 35A.13.090.]

## RCW 35A.13.100

## City manager — Department heads — Authority.

The city manager may authorize the head of a department or office responsible to him or her to appoint and remove subordinates in such department or office. Any officer or employee who may be appointed by the city manager, or by the head of a department or office, except one who holds his or her position subject to civil service, may be removed by the manager or other such appointing officer at any time subject to any applicable law, rule, or regulation relating to civil service. Subject to the provisions of RCW 35A.13.080 and any applicable civil service provisions, the decision of the manager or other appointing officer, shall be final and there shall be no appeal therefrom to any other office, body, or court whatsoever.

[2009 c 549 § 3026; 1967 ex.s. c 119 § 35A.13.100.]

## RCW 35A.13.110

## City manager — Appointment of subordinates — Qualifications — Terms.

Appointments made by or under the authority of the city manager shall be on the basis of ability and training or experience of the appointees in the duties which they are to perform, and shall be in compliance with provisions of any merit system applicable to such city. Residence within the code city shall not be a requirement. All such appointments shall be without definite term.

[1967 ex.s. c 119 § 35A.13.110.]

## RCW 35A.13.120

## City manager — Interference by councilmembers.

Neither the council, nor any of its committees or members, shall direct the appointment of any person to, or his or her removal from, office by the city manager or any of his or her subordinates. Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the manager and neither the council nor any committee or member thereof shall give orders to any subordinate of the city manager, either publicly or privately. The provisions of this section do not prohibit the council, while in open session, from fully and freely discussing with the city manager anything pertaining to appointments and removals of city officers and employees and city affairs.

[2009 c 549 § 3027; 1967 ex.s. c 119 § 35A.13.120.]

## RCW 35A.13.130

## City manager — Removal — Resolution and notice.

The city manager shall be appointed for an indefinite term and may be removed by a majority vote of the council. At least thirty days before the effective date of his or her removal, the city manager must be furnished with a formal statement in the form of a resolution passed by a majority vote of the city council stating the council's intention to remove him or her and the reasons therefor. Upon passage of the resolution stating the council's intention to remove the manager, the council by a similar vote may suspend him or her from duty, but his or her pay shall continue until his or her removal becomes effective.

[2009 c 549 § 3028; 1967 ex.s. c 119 § 35A.13.130.]

## RCW 35A.13.140

## City manager — Removal — Reply and hearing.

The city manager may, within thirty days from the date of service upon him or her of a copy thereof, reply in writing to the resolution stating the council's intention to remove him or her. In the event no reply is timely filed, the resolution shall upon the thirty-first day from the date of such service, constitute the final resolution

removing the manager and his or her services shall terminate upon that day. If a reply shall be timely filed with the city clerk, the council shall fix a time for a public hearing upon the question of the manager's removal and a final resolution removing the manager shall not be adopted until a public hearing has been had. The action of the council in removing the manager shall be final.

[2009 c 549 § 3029; 1967 ex.s. c 119 § 35A.13.140.]

## RCW 35A.13.150
## City manager — Substitute.

The council may designate a qualified administrative officer of the city or town to perform the duties of manager:

(1) Upon the adoption of the council-manager plan, pending the selection and appointment of a manager; or

(2) Upon the termination of the services of a manager, pending the selection and appointment of a new manager; or

(3) During the absence, disability, or suspension of the manager.

[1967 ex.s. c 119 § 35A.13.150.]

## RCW 35A.13.160
## Oath and bond of officers.

All provisions of RCW 35A.12.080 relating to oaths and bonds of officers, shall be applicable to code cities organized under this council-manager plan.

[1967 ex.s. c 119 § 35A.13.160.]

## RCW 35A.13.170
## Council meetings — Quorum — Rules — Voting.

All provisions of RCW 35A.12.110, as now or hereafter amended, and 35A.12.120, relating to council meetings, a quorum for transaction of business, rules and voting at council meetings, shall be applicable to code cities organized under this council-manager plan.

[1979 ex.s. c 18 § 26; 1967 ex.s. c 119 § 35A.13.170.]

## Notes:

**Severability -- 1979 ex.s. c 18:** See note following RCW 35A.01.070.

## RCW 35A.13.180
## Adoption of codes by reference.

Ordinances of cities organized under this chapter may adopt codes by reference as provided in RCW 35A.12.140.

[1967 ex.s. c 119 § 35A.13.180.]

## RCW 35A.13.190
## Ordinances — Style — Requisites — Veto.

The enacting clause of all ordinances shall be as follows: "The city council of the city of . . . . . do ordain as follows:" No ordinance shall contain more than one subject and that must be clearly expressed in its title.

No ordinance or any section or subsection thereof shall be revised or amended unless the new ordinance sets forth the revised ordinance or the amended section or subsection at full length.

No ordinance shall take effect until five days after the date of its publication unless otherwise provided by statute or charter, except that an ordinance passed by a majority plus one of the whole membership of the council, designated therein as a public emergency ordinance necessary for the protection of public health, public safety, public property or the public peace, may be made effective upon adoption, but such ordinance may not levy taxes, grant, renew, or extend a franchise, or authorize the borrowing of money.

[1967 ex.s. c 119 § 35A.13.190.]

## RCW 35A.13.200
## Authentication, recording and publication of ordinances.

Ordinances of code cities organized under this chapter shall be authenticated, recorded and published as provided in RCW 35A.12.150 and 35A.12.160.

[1967 ex.s. c 119 § 35A.13.200.]

## RCW 35A.13.210
## Audit and allowance of demands against city.

RCW 35A.12.170 shall apply to the audit and allowance of demands against the city.

[1967 ex.s. c 119 § 35A.13.210

## RCW 35A.13.220
## Optional division of city into wards.

A code city organized under this chapter may be divided into wards as provided in RCW 35A.12.180.

[1967 ex.s. c 119 § 35A.13.220.]

## RCW 35A.13.230
## Powers of council.

The council of any code city organized under the council-manager plan provided in this chapter shall have the powers and authority granted to legislative bodies of cities governed by this title as more particularly described in chapter 35A.11 RCW, except insofar as such power and authority is vested in the city manager.

[1967 ex.s. c 119 § 35A.13.230.]

**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 OF BURIEN, WASHINGTON

## CITY COUNCIL
## MEETING GUIDELINES

**2013**

## TABLE OF CONTENTS

## SECTION 1. AUTHORITY

**1.1** The Burien City Council hereby establishes the following Council Meeting Guidelines. These 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 Guidelines. Council-Manager Plan of Government, RCW 35A.13, is attached as Exhibit A.

## SECTION 2. COUNCIL MEETINGS

**2.1** 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. (Resolution No. 3 and amended by Resolution Nos. 19, 35, 71, 97, 101, and 290)

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 (except as noted in 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. City Council workshops will be held quarterly, at a location designated by the City Council.

G. During the months of June, July, and August, Council meetings will be held on the first and third Mondays of the month. The Study session 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** Public comment and public hearing sign-up sheets will be available at each Regular Council meeting for the use of 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.

**2.5** TYPES OF MEETINGS

A. Regular: used to conduct all ordinary and routine business of the city.

B. 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.

C. Special: any Council meeting other than a Regular 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.

D. 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.

E. 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, per RCW42.30.110.

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. 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.

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

**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. Attendees who are unable to do so by themselves may ask City Clerk for assistance to read their comments.

**Correspondence for the Record**
Correspondence that discloses personal information will be edited out before included in the Record. Correspondence that contains profanity or abusive in nature would be submitted to the Mayor who would decide whether it should be included in the Record. Correspondence that is sent anonymously will not be included in the Record.

**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 discussed at a previous City Council 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 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. 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. For legislative public hearings, Council's decision will occur at the next regular meeting.

### 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.

The City Manager may provide written report to the City Council under "City Manager's Report."

### 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.

## City Manager Report

### Council Business

Councilmembers may report on meetings and activities in which they have participated and represented the City. Councilmembers may also provide written reports to the "City Manager's Report."

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

**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 thesame manner as other motions.

Breaks
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**
**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 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**

## 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, 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 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. 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 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 and requests of Councilmembers.

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

**3.5** 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.

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

**3.7** Agendas with supporting materials will be provided to the City Council at 5 pm the Thursday prior to the meeting. 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.

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

## 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 facilitate the discussion 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** To the extent not otherwise governed by these Guidelines, Council discussion 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, shall 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** 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 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.

**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.

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

In the event of a conflict, these Council 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, the City Manager, or the City Attorney.

**7.2** Ordinances shall 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 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:

A. Be the official spokesperson for the City

B. Act as the official head of the City for all ceremonial purposes.

C. Sign documents as appropriate on behalf of the Council.

D. Observe and enforce the Council Meeting Guidelines.

E. Act as presiding officer at all meetings of the Council.

F. Preserve order and decorum in the Council Chambers.

G. Decide all questions on order, in accordance with the Guidelines, subject to appeal by any Councilmember.

H. 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.

I. Endeavor to facilitate the discussion in a timely manner.

J. 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.

K. Appoint Councilmembers to serve on ad-hoc committees if necessary.

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

M. In the absence of the Mayor, the Deputy Mayor shall carry out the above responsibilities.

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

O. 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.

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

Q. 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

A. 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.

B. 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.

C. Sexual harassment is a form of unlawful discrimination.

D. 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

A. If the incident involves a city employee, the incident should be reported as soon as possible to the City Manager.

B. If the incident involves an elected official or official appointed by the City Council such as an advisory board member, the incident should be reported as soon as possible to the Mayor.

C. 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.

D. 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.

E. 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.

F. If the incident involves the Mayor, then the Mayor's responsibilities described in (B), (C) & (D) above will be performed by the City Attorney.

G. 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.

H. The City will not permit retaliation against anyone who makes a complaint or who cooperates in an investigation.

I. 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

A. There will be mutual respect from both City staff and Councilmembers of their respective roles and responsibilities.

B. City staff shall acknowledge the Council as policy makers, and the Councilmembers shall acknowledge City staff as administering the Council's policies.

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

D. 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.

E. 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.

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

G. 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.

H. 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.

I. 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.

**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

**11.1** 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.

**11.2** 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

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

**11.4** Councilmembers will not attend special district meetings as liaison.

**11.5** 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.

## 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. 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.

### 12.4 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 and the Mayor.

## 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.

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.

## 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

Periodically, the City Attorney will provide a report to the City Council on new litigation and ongoing litigation in the Council Executive Session.

## SECTION 17. PUBLIC RECORDS

**17.1** 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.

## SECTION 18. CITY MANAGER EVALUATION PROCESS

PROCESS FOR EVALUATING THE CITY MANAGER

A. The Mayor, Councilmembers and City Manager will determine the evaluation criteria and format for the city manager evaluation process.
B. City Manager sends Council Members blank evaluation forms with completed self evaluation. (by second Monday in November).
C. Council Members complete individual evaluations then convey them by the first Monday in December to the Human Resources Manager for compilation.
D. The HR manager will create a single evaluation then return it to all Council Members and City Manager no later than the second Monday in December. The document will consolidate all scores and verbatim comments, and identify them by author.
E. Council and the City Manager will meet in executive session the third Monday in December to discuss the evaluation.

## SECTION 19. MAYOR/DEPUTY MAYOR SELECTION PROCESS

**19.1** The Mayor and Deputy Mayor shall be elected from the ranks of the Councilmembers according to the Council/Manager form of government.

**19.2** The Mayor shall be elected to a two-year term according to RCW35A.13.030.

**19.3** The Deputy Mayor shall be elected to a one-year term at the first Regular Council meeting in January.

**19.4** The City Clerk or designee shall conduct the election for Mayor. The Mayor shall then conduct the election for Deputy Mayor.

## SECTION 20. APPOINTMENTS TO COMMITTEES AND REGIONAL ORGANIZATIONS

Council may appoint Councilmember(s) to ad-hoc committees during a regular Council meeting. 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.

**20.1** Any Councilmember may express an interest in a particular subject and interest in serving on a particular regional body.

**20.2** 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).

**20.3** 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.

**20.4** 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.

**20.5** 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 21. PROCEDURE FOR FILLING COUNCIL VACANCIES

**21.1** 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.

**21.2** 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.

**21.3** The City Council shall review and make any revisions they wish to the Council Vacancy Application form (Exhibit B).

**21.4** 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.

**21.5** The City Clerk shall receive all applications for the specified period of time.

**21.6** The City Council shall submit questions for an interview process to the City Clerk.

**21.7** 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 shall prepare the final list of interview questions as agreed upon by the Council.

**21.8** The City Clerk shall prepare a notice of the meeting to interview candidates.

**21.9** 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.

**21.10** 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.

**21.11** The City Attorney will prepare the Oath of Office and swear in the newly appointed Councilmember at the same or next scheduled Council meeting.

**21.12** Upon appointment, the City Clerk shall send a letter to the Department of Elections notifying it of the new appointment.

**21.13** The vacancy that was filled by appointment must be filled by election to that position in the next regularly scheduled municipal election.

**21.14** 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 22. MISCELLANEOUS

**22.1** 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.

## SECTION 23. SUSPENSION AND AMENDMENT OF GUIDELINES

**23.1** Any provision of these guidelines not governed by state law or ordinance, may be temporarily suspended by a majority vote of the Council.

**23.2** These 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 March 18, 2013 by Resolution…

**Exhibit A**

RCW 35A.13.010
City officers — Size of council.

The councilmembers shall be the only elective officers of a code city electing to adopt the council-manager plan of government authorized by this chapter, except where statutes provide for an elective municipal judge. The council shall appoint an officer whose title shall be "city manager" who shall be the chief executive officer and head of the administrative branch of the city government. The city manager shall be responsible to the council for the proper administration of all affairs of the code city. The council of a noncharter code city having less than twenty-five hundred inhabitants shall consist of five members; when there are twenty-five hundred or more inhabitants the council shall consist of seven members: PROVIDED, That if the population of a city after having become a code city decreases from twenty-five hundred or more to less than twenty-five hundred, it shall continue to have a seven-member council. If, after a city has become a council-manager code city its population increases to twenty-five hundred or more inhabitants, the number of council offices in such city may increase from five to seven members upon the affirmative vote of a majority of the existing council to increase the number of council offices in the city. When the population of a council-manager code city having five council offices increases to five thousand or more inhabitants, the number of council offices in the city shall increase from five to seven members. In the event of an increase in the number of council offices, the city council shall, by majority vote, pursuant to RCW 35A.13.020, appoint two persons to serve in these offices until the next municipal general election, at which election one person shall be elected for a two-year term and one person shall be elected for a four-year term. The number of inhabitants shall be determined by the most recent official state or federal census or determination by the state office of financial management. A charter adopted under the provisions of this title, incorporating the council-manager plan of government set forth in this chapter may provide for an uneven number of councilmembers not exceeding eleven.

A noncharter code city of less than five thousand inhabitants which has elected the council-manager plan of government and which has seven council offices may establish a five-member council in accordance with the following procedure. At least six months prior to a municipal general election, the city council shall adopt an ordinance providing for reduction in the number of council offices to five. The ordinance shall specify which two council offices, the terms of which expire at the next general election, are to be terminated. The ordinance shall provide for the renumbering of council positions and shall also provide for a two-year extension of the term of office of a retained council office, if necessary, in order to comply with RCW 35A.12.040.

However, a noncharter code city that has retained its old council-manager plan of government, as provided in RCW 35A.02.130, is subject to the laws applicable to that old plan of government.

For the purposes of determining population under this section, cities may include or exclude the population of any state correctional facility located within the city.

[2011 c 14 § 2; 2009 c 549 § 3016; 1994 c 223 § 35; 1994 c 81 § 72; 1987 c 3 § 16; 1985 c 106 § 2; 1983 c 128 § 2; 1979 ex.s. c 18 § 24; 1979 c 151 § 34; 1967 ex.s. c 119 § 35A.13.010.]

Notes:

**Severability -- 1987 c 3:** See note following RCW 3.70.010.

**Severability -- 1979 ex.s. c 18:** See note following RCW 35A.01.070.

Population determinations, office of financial management: Chapter 43.62 RCW.

RCW 35A.13.020

Election of councilmembers — Eligibility — Terms — Vacancies — Forfeiture of office — Council chair.

In council-manager code cities, eligibility for election to the council, the manner of electing councilmembers, the numbering of council positions, the terms of councilmembers, the occurrence and the filling of vacancies, the grounds for forfeiture of office, and appointment of a mayor pro tempore or deputy mayor or councilmember pro tempore shall be governed by the corresponding provisions of RCW 35A.12.030, 35A.12.040, 35A.12.050, 35A.12.060, and 35A.12.065 relating to the council of a code city organized under the mayor-council plan, except that in council-manager cities where all council positions are at-large positions, the city council may, pursuant to RCW 35A.13.033, provide that the person elected to council position one shall be the council chair and shall carry out the duties prescribed by RCW 35A.13.030.

[2009 c 549 § 3017; 1994 c 223 § 36; 1975 1st ex.s. c 155 § 1; 1967 ex.s. c 119 §35A.13.020 .]

RCW 35A.13.030

Mayor — Election — Chair to be mayor — Duties.

Biennially at the first meeting of the new council the members thereof shall choose a chair from among their number unless the chair is elected pursuant to RCW 35A.13.033. The chair of the council shall have the title of mayor and shall preside at meetings of the council. In addition to the powers conferred upon him or her as mayor, he or she shall continue to have all the rights, privileges, and immunities of a member of the council. The mayor shall be recognized as the head of the city for ceremonial purposes and by the governor for purposes of military law. He or she shall have no regular administrative duties, but in time of public danger or emergency, if so authorized by ordinance, shall take command of the police, maintain law, and enforce order.

[2009 c 549 § 3018; 1975 1st ex.s. c 155 § 2; 1967 ex.s. c 119 § 35A.13.030

RCW 35A.13.033

Election on proposition to designate person elected to position one as chair — Subsequent holders of position one to be chair.

The city council of a council-manager city may by resolution place before the voters of the city, a proposition to designate the person elected to council position one as the chair of the council with the powers and duties set forth in RCW 35A.13.030. If a majority of those voting on the proposition cast a positive vote, then at all subsequent general elections at which position one is on the ballot, the person who is elected to position one shall become the chair upon taking office.

[2009 c 549 § 3019; 1975 1st ex.s. c 155 § 3.]

RCW 35A.13.035
Mayor pro tempore or deputy mayor.

Biennially at the first meeting of a new council, or periodically, the members thereof, by majority vote, may designate one of their number as mayor pro tempore or deputy mayor for such period as the council may specify, to serve in the absence or temporary disability of the mayor; or, in lieu thereof, the council may, as the need may arise, appoint any qualified person to serve as mayor pro tempore in the absence or temporary disability of the mayor. In the event of the extended excused absence or disability of a councilmember, the remaining members by majority vote may appoint a councilmember pro tempore to serve during the absence or disability.

[2009 c 549 § 3020; 1969 ex.s. c 81 § 1.]
Notes:

**Effective date -- 1969 ex.s. c 81:** "This 1969 amendatory act shall take effect July 1, 1969." [1969 ex.s. c 81 § 7.]

RCW 35A.13.040
Compensation of councilmembers — Expenses.

The salaries of the councilmembers, including the mayor, shall be fixed by ordinance and may be revised from time to time by ordinance, but any increase or reduction in the compensation attaching to an office shall not become effective until the expiration of the term then being served by the incumbent: PROVIDED, That compensation of councilmembers may not be increased or diminished after their election nor may the compensation of the mayor be increased or diminished after the mayor has been chosen by the council.

Until councilmembers of a newly organized council-manager code city may lawfully be paid as provided by salary ordinance, such councilmembers shall be entitled to compensation in the same manner and in the same amount as councilmembers of such city prior to the adoption of this council-manager plan.

Until a salary ordinance can be passed and become effective as to elective officers of a newly incorporated code city, the first councilmembers shall be entitled to compensation as follows: In cities having less than five thousand inhabitants -- twenty dollars per meeting for not more than two meetings per month; in cities having more than five

thousand but less than fifteen thousand inhabitants -- a salary of one hundred and fifty dollars per calendar month; in cities having more than fifteen thousand inhabitants -- a salary of four hundred dollars per calendar month. A councilmember who is occupying the position of mayor, in addition to his or her salary as a councilmember, shall be entitled, while serving as mayor, to an additional amount per calendar month, or portion thereof, equal to twenty-five percent of the councilmember salary: PROVIDED, That such interim compensation shall remain in effect only until a salary ordinance is passed and becomes effective as to such officers, and the compensation provided herein shall not be construed as fixing the usual compensation of such officers. Councilmembers shall receive reimbursement for their actual and necessary expenses incurred in the performance of the duties of their office, or the council by ordinance may provide for a per diem allowance. Procedure for approval of claims for expenses shall be as provided by ordinance.

[2009 c 549 § 3021; 1979 ex.s. c 18 § 25; 1967 ex.s. c 119 § 35A.13.040.]
Notes:

**Severability -- 1979 ex.s. c 18:** See note following RCW 35A.01.070.

RCW 35A.13.050
City manager — Qualifications.

The city manager need not be a resident at the time of his or her appointment, but shall reside in the code city after his or her appointment unless such residence is waived by the council. He or she shall be chosen by the council solely on the basis of his or her executive and administrative qualifications with special reference to his or her actual experience in, or his or her knowledge of, accepted practice in respect to the duties of his or her office. No person elected to membership on the council shall be eligible for appointment as city manager until one year has elapsed following the expiration of the term for which he or she was elected.

[2009 c 549 § 3022; 1967 ex.s. c 119 §35A.13.050 .]

RCW 35A.13.060
City manager may serve two or more cities.

Whether the city manager shall devote his or her full time to the affairs of one code city shall be determined by the council. A city manager may serve two or more cities in that capacity at the same time.

[2009 c 549 § 3023; 1967 ex.s. c 119 § 35A.13.060.]

RCW 35A.13.070
City manager — Bond and oath.

Before entering upon the duties of his or her office the city manager shall take an oath or affirmation for the faithful performance of his or her duties and shall execute and file with the clerk of the council a bond in favor of the code city in such sum as may be fixed by the council. The premium on such bond shall be paid by the city.

[2009 c 549 § 3024; 1967 ex.s. c 119 § 35A.13.070.]

RCW 35A.13.080
City manager — Powers and duties.

The powers and duties of the city manager shall be:

(1) To have general supervision over the administrative affairs of the code city;

(2) To appoint and remove at any time all department heads, officers, and employees of the code city, except members of the council, and subject to the provisions of any applicable law, rule, or regulation relating to civil service: PROVIDED, That the council may provide for the appointment by the mayor, subject to confirmation by the council, of a city planning commission, and other advisory citizens' committees, commissions, and boards advisory to the city council: PROVIDED FURTHER, That if the municipal judge of the code city is appointed, such appointment shall be made by the city manager subject to confirmation by the council, for a four year term. The council may cause an audit to be made of any department or office of the code city government and may select the persons to make it, without the advice or consent of the city manager;

(3) To attend all meetings of the council at which his or her attendance may be required by that body;

(4) To see that all laws and ordinances are faithfully executed, subject to the authority which the council may grant the mayor to maintain law and order in times of emergency;

(5) To recommend for adoption by the council such measures as he or she may deem necessary or expedient;

(6) To prepare and submit to the council such reports as may be required by that body or as he or she may deem it advisable to submit;

(7) To keep the council fully advised of the financial condition of the code city and its future needs;

(8) To prepare and submit to the council a proposed budget for the fiscal year, as required by chapter 35A.33 RCW, and to be responsible for its administration upon adoption;

(9) To perform such other duties as the council may determine by ordinance or resolution.

[2009 c 549 § 3025; 1987 c 3 § 17; 1967 ex.s. c 119 § 35A.13.080.]
Notes:
**Severability -- 1987 c 3:** See note following RCW 3.70.010.

RCW 35A.13.090
Creation of departments, offices, and employment — Compensation.

On recommendation of the city manager or upon its own action, the council may create such departments, offices, and employments as it may find necessary or advisable and may determine the powers and duties of each department or office. Compensation of appointive officers and employees may be fixed by ordinance after recommendations are made by the city manager. The appointive officers shall include a city clerk and a chief of police or other law enforcement officer. Pursuant to recommendation of the city manager, the council shall make provision for obtaining legal counsel for the city, either by appointment of a city attorney on a full time or part time basis, or by any reasonable contractual arrangement for such professional services.

[1967 ex.s. c 119 § 35A.13.090.]

RCW 35A.13.100
City manager — Department heads — Authority.

The city manager may authorize the head of a department or office responsible to him or her to appoint and remove subordinates in such department or office. Any officer or employee who may be appointed by the city manager, or by the head of a department or office, except one who holds his or her position subject to civil service, may be removed by the manager or other such appointing officer at any time subject to any applicable law, rule, or regulation relating to civil service. Subject to the provisions of RCW 35A.13.080 and any applicable civil service provisions, the decision of the manager or other appointing officer, shall be final and there shall be no appeal therefrom to any other office, body, or court whatsoever.

[2009 c 549 § 3026; 1967 ex.s. c 119 § 35A.13.100.]

RCW 35A.13.110
City manager — Appointment of subordinates — Qualifications — Terms.

Appointments made by or under the authority of the city manager shall be on the basis of ability and training or experience of the appointees in the duties which they are to perform, and shall be in compliance with provisions of any merit system applicable to such city. Residence within the code city shall not be a requirement. All such appointments shall be without definite term.

[1967 ex.s. c 119 § 35A.13.110.]

RCW 35A.13.120
City manager — Interference by councilmembers.

Neither the council, nor any of its committees or members, shall direct the appointment of any person to, or his or her removal from, office by the city manager or any of his or her subordinates. Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the manager and neither the council nor any committee or member thereof shall give orders to any subordinate of the city manager, either publicly or privately. The provisions of this section do not prohibit the council,

while in open session, from fully and freely discussing with the city manager anything pertaining to appointments and removals of city officers and employees and city affairs.

[2009 c 549 § 3027; 1967 ex.s. c 119 § 35A.13.120.]

RCW 35A.13.130
City manager — Removal — Resolution and notice.

The city manager shall be appointed for an indefinite term and may be removed by a majority vote of the council. At least thirty days before the effective date of his or her removal, the city manager must be furnished with a formal statement in the form of a resolution passed by a majority vote of the city council stating the council's intention to remove him or her and the reasons therefor. Upon passage of the resolution stating the council's intention to remove the manager, the council by a similar vote may suspend him or her from duty, but his or her pay shall continue until his or her removal becomes effective.

[2009 c 549 § 3028; 1967 ex.s. c 119 § 35A.13.130.]

RCW 35A.13.140
City manager — Removal — Reply and hearing.

The city manager may, within thirty days from the date of service upon him or her of a copy thereof, reply in writing to the resolution stating the council's intention to remove him or her. In the event no reply is timely filed, the resolution shall upon the thirty-first day from the date of such service, constitute the final resolution removing the manager and his or her services shall terminate upon that day. If a reply shall be timely filed with the city clerk, the council shall fix a time for a public hearing upon the question of the manager's removal and a final resolution removing the manager shall not be adopted until a public hearing has been had. The action of the council in removing the manager shall be final.

[2009 c 549 § 3029; 1967 ex.s. c 119 § 35A.13.140.]

RCW 35A.13.150
City manager — Substitute.

The council may designate a qualified administrative officer of the city or town to perform the duties of manager:

(1) Upon the adoption of the council-manager plan, pending the selection and appointment of a manager; or

(2) Upon the termination of the services of a manager, pending the selection and appointment of a new manager; or

(3) During the absence, disability, or suspension of the manager.

[1967 ex.s. c 119 § 35A.13.150.]

RCW 35A.13.160
Oath and bond of officers.

All provisions of RCW 35A.12.080 relating to oaths and bonds of officers, shall be applicable to code cities organized under this council-manager plan.

[1967 ex.s. c 119 § 35A.13.160.]

RCW 35A.13.170
Council meetings — Quorum — Rules — Voting.

All provisions of RCW 35A.12.110, as now or hereafter amended, and 35A.12.120, relating to council meetings, a quorum for transaction of business, rules and voting at council meetings, shall be applicable to code cities organized under this council-manager plan.

[1979 ex.s. c 18 § 26; 1967 ex.s. c 119 § 35A.13.170.]

Notes:
**Severability -- 1979 ex.s. c 18:** See note following RCW 35A.01.070.

RCW 35A.13.180
Adoption of codes by reference.

Ordinances of cities organized under this chapter may adopt codes by reference as provided in RCW 35A.12.140.

[1967 ex.s. c 119 § 35A.13.180.]

RCW 35A.13.190
Ordinances — Style — Requisites — Veto.

The enacting clause of all ordinances shall be as follows: "The city council of the city of . . . . . do ordain as follows:" No ordinance shall contain more than one subject and that must be clearly expressed in its title.

No ordinance or any section or subsection thereof shall be revised or amended unless the new ordinance sets forth the revised ordinance or the amended section or subsection at full length.

No ordinance shall take effect until five days after the date of its publication unless otherwise provided by statute or charter, except that an ordinance passed by a majority plus one of the whole membership of the council, designated therein as a public emergency ordinance necessary for the protection of public health, public safety, public property or the public peace, may be made effective upon adoption, but such ordinance

may not levy taxes, grant, renew, or extend a franchise, or authorize the borrowing of money.

[1967 ex.s. c 119 § 35A.13.190.]

RCW 35A.13.200
Authentication, recording and publication of ordinances.

Ordinances of code cities organized under this chapter shall be authenticated, recorded and published as provided in RCW 35A.12.150 and 35A.12.160.

[1967 ex.s. c 119 § 35A.13.200.]

RCW 35A.13.210
Audit and allowance of demands against city.

RCW 35A.12.170 shall apply to the audit and allowance of demands against the city.

[1967 ex.s. c 119 § 35A.13.210

RCW 35A.13.220
Optional division of city into wards.

A code city organized under this chapter may be divided into wards as provided in RCW 35A.12.180.

[1967 ex.s. c 119 § 35A.13.220.]

RCW 35A.13.230
Powers of council.

The council of any code city organized under the council-manager plan provided in this chapter shall have the powers and authority granted to legislative bodies of cities governed by this title as more particularly described in chapter 35A.11 RCW, except insofar as such power and authority is vested in the city manager.

[1967 ex.s. c 119 § 35A.13.230.]

**Exhibit B**


## 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, Burien Washington 98166, by 5 p.m. 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**

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<br>CITY COUNCIL COMMENT SUMMARY<br>WORKING DRAFT 11/28/2012 | | | | |
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| **COUNCIL MEMBER** | **#** | **REFERENCE Section** | **CURRENT** | **REQUESTS** | **COUNCIL CONSENT (Y/N)** |
| **Staff** | 1 | Section 9.1 & 9.2 Anti Harassment Policy & Reporting Discrimination or Harassment | 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.<br><br>BE and LK would like to keep 9.1 and 9.2. BE suggested several additions to the sections to specifically address incidents relating to Councilmembers. Staff agrees with BE's additions:<br><br>9.2 B. If the incident involves an elected official or official appointed by the City Council such as an advisory member, the incident should be reported as soon as possible to the Mayor.<br><br>9.2 F. If the incident involves the Mayor, then the Mayor's responsibilities described in (B), (C) and (D) above will be performed by the City Attorney | No |
| **Staff** | 2 | Section 18 City Manager Evaluation Process | This section was removed from Council Policies and Procedures. | LK and BE suggested wrapping up the City Manager's evaluation process in December so the incumbent Councilmembers, during election year, may participate.<br><br>Staff has no recommendation. | No |





ATTACHMENT 3

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| | | | | Staff rewrites the City Manager's Evaluation process as follows:<br><br>**Process for evaluating the Burien City Manager**<br>1. The Mayor, Councilmembers and City Manager will determine the evaluation criteria and format for the city manager evaluation process.<br>2. City Manager sends Council Members blank evaluation forms with completed self evaluation. (by second Monday in November).<br>3. Council Members complete individual evaluations then convey them by the first Monday in December to the Human Resources Manager for compilation.<br>4. The HR manager will create a single evaluation then return it to all Council Members and City Manager no later than the second Monday in December. The document will consolidate all scores and verbatim comments, and identify them by author.<br>5. Council and the City Manager will meet in executive session the third Monday in December to discuss the evaluation. | |
| **COUNCIL MEMBER** | **#** | **REFERENCE Section** | **CURRENT** | **REQUESTS** | **COUNCIL CONSENT (Y/N)** |
| **LK** | 3 | 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 | LK asked staff to provide Resolution 3, 19, 35, 71, 97, 101, and 290.<br><br>Staff provided resolutions. | Done |

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| | | | appropriate. (Resolution No. 3 and amended by Resolution Nos. 3, 19, 35, 71, 97, 101, and 290). | | |
| **BE** | 4 | 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?"<br><br>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. | Done |
| **LK** | 5 | 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).<br><br>Staff provided resolution. | Done |
| **LK** | 6 | 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.<br><br>Staff provided RCW. | Done |
| **BE** | 7 | 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:<br><br>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.<br><br>Staff: No recommendation. | Done |

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| **LK** | 8 | 2.6 Public Hearings and Discussion | <u>Public Hearings and Discussion</u><br>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:<br><u>Public Hearings and Discussion</u><br>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. For legislative public hearing, Council's decision will occur at the next regular meeting. | Done |
| **LK** | 9 | 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:<br><br>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.<br><br>Note: The proposed change would not prevent ordinances and resolutions from being included.<br><br>Staff: No recommendation. | Done |
| **LK** | 10 | 2.6 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. | LK would like the City Clerk to assist in reading public comments. Staff agrees. This section is now read:<br><br>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. Attendees who are unable to do so by themselves may ask City Clerk for | Done |

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| | | | | assistance to read their comments. | |
| **BE** | 11 | 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:**<br><br>**Correspondence addressed to the Council will normally be included in "Correspondence for the Record" for ~~a future~~ the next regularly scheduled City Council meeting** | **Done** |
| **LK/JB/GR/BE** | 12 | 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).**<br>**Staff recommends:**<br>Correspondence that discloses personal information will be edited out before included in the Record. Correspondence that contains profanity or abusive in nature would be submitted to the Mayor who would decide whether it should be included in the Record. Correspondence that is sent anonymously will not be included in the Record. | **Done** |
| **LK** | 13 | 2.6 Council Reports | **Council Reports**<br>**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."** | **LK would like to take out "City Business" item under "Business Agenda" in the City Council Meeting Agenda and replace it with an item titled "City Manager Report." LK also would like to rename "Council Reports" to "Council Business."**<br><br>**Staff agrees.** | **Done** |
| **LK** | 14 | 2.7 Order of Study Session Agenda | **Call to Order**<br>**Pledge of Allegiance**<br>**Roll Call** | **Add "Correspondence for the Record" to read:**<br><br>**Call to Order**<br>**Pledge of Allegiance** | **Done** |

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| | | | Discussion Items | Roll Call<br>Correspondence for the Record<br>Discussion Items | |
| **BE** | 15 | 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:<br><br>The proposed agenda schedule will be reviewed during the last regular Council meeting of each month. | Done |
| **BE/GR** | 16 | 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:<br><br>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. | Done |
| **LK/BE/GR** | 17 | 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.<br><br>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."<br><br>BE asked staff to look at paragraphs that have both words "will" and "shall" to ensure proper usage.<br><br>Staff agreed and replaced "will" with "shall" in section 5.1, section 7.2 and section 23.7. | Done |

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| **LK** | 18 | 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. | Done |
| **LK** | 19 | 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:<br><br>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. | Done |
| **BE** | 20 | 8.10 Presiding Officer of the Council | Format: (1.), (2.) and so on. | Remove the period after the number to read:<br><br>(1), (2) and so on. | Done |
| **Council** | 21 | Section 9.3 Council Relations with Staff | This section was retained in the Council Policies and Procedures. | Council discussed how many Councilmember's approvals are needed when asking staff to work on issues that require significant resources.<br><br>Staff recommends that Council majority is required for significant issues as written in section 9.3.9:<br><br>"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." | Done |
| **BE** | 22 | 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. | BE expressed concern that these two sections might duplicate each other and asked staff to remove section 9.8. Section 9.8 is deleted.<br><br>~~9.8 The City Clerk shall not open mail addressed to individual Councilmembers~~<br>Staff agrees. | Done |

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| | | | 9.8 The City Clerk shall not open mail addressed to individual Councilmembers. | | |
| **BE** | 23 | 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?" (sic) and asked staff to include in the pink sheet (distributed in the first page of the City Council meeting package) the Council's committee assignment list (as assigned for the year during Council Retreat).<br><br>Staff agrees. | Done |
| **BE** | 24 | 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:<br><br><u>12.1 TYPES</u><br><br>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.<br><br>Staff agrees. | Done |
| **BE** | 25 | 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 the full Council in the Council agenda packet prior to publication so that Councilmembers may be made aware of the impending publication. | 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":<br><br>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 | Done |

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| | | | | 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.<br><br>Staff: No recommendation. | |
| **BE** | 26 | 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 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). | BE requested the referenced RCW to be identified. This section is revised to read:<br><br>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). | Done |
| **BE/LK** | 27 | 16.1 Litigation Policies and Reporting | This section was removed from the Council Policies and Procedures. | 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.<br><br>BE & LK would like this section be rewritten to ask the City Attorney to periodically provide a report on litigation issues.<br><br>Staff recommends the section be rewritten as follows:<br><br>"Periodically, the City Attorney will provide a report to the City Council on new litigation and ongoing litigation in the Council Executive Session. | Done |

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| **RC** | 28 | 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."<br><br>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. | Done |
| **Staff** | 29 | 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. | Done |
| **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:<br><br>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 |
| **Staff** | 31 | 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. | Done |
| **BE** | 32 | 22 Appointments to Regional Organizations | SECTION 22. APPOINTMENTS TO REGIONAL ORGANIZATIONS<br><br>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 | BE would like to see procedure for appointments to ad-hoc committees.<br><br>Staff recommends Council to discuss how this procedure be created. Staff will use Council's directions to draft the procedure.<br><br>Council directed Staff to write one or two sentences to state that Council may appoint Councilmembers to ad-hoc committee during regular Council meetings. Staff | Done |

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| | | | make direct appointment to a regional committee when asked to do so by that body. | recommends rewriting this section as follows:<br><br>SECTION 22. APPOINTMENTS TO COMMITTEES AND REGIONAL ORGANIZATIONS<br><br>City Council may appoint Councilmember(s) to ad-hoc committee during a regular Council meeting. **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.** | |
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| **Staff** | 33 | 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. | Done |

**CITY OF BURIEN**
**AGENDA BILL**

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| **Agenda Subject:** Motion to Adopt Ordinance 573 amending North Burien Zoning and adopting 2012 Comprehensive Plan Text and Map Amendments. | | **Meeting Date:** April 1, 2013 |
| **Department:** Community Development<br>**Contact:** David Johanson AICP, Senior Planner<br>**Telephone:** (206) 248-5522 | **Attachments:**<br>1) Ordinance 573<br>2) Policy PI 1.5 comparison matrix. | **Fund Source:** N/A<br>**Activity Cost:** N/A<br>**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.

The City Council discussed the proposed amendments on November 5th, November 19th, January 7th and March 18th. In addition the Council conducted a public hearing on January 28th. At those meetings there were a number of council comments and requests regarding the proposed updates to the plan and the area-wide zoning amendments.

At your March 18th the City Council reached consensus on almost all of the outstanding issues and those consensus items have been incorporated into Ordinance 573 (Attachment 1). There are two outstanding issues that the Council requested to discuss further. The first being a zoning boundary question map reference No. C-1. Staff has confirmed that the proposal properly amends the maps to align the land use boundaries with the parcel lines as originally stated in the packet materials. The last item pertained to language for proposed Policy PI 1.5 and if it should be changed to include the phrase "will not result in a net loss to the community" or "will result in a net benefit to the community". Staff has included the relevant sections from the City Council comment matrix for reference (Attachment 2).

Proposed Ordinance 573 is included as attachment 1.

**FUTURE ACTIONS**
None.

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

**Administrative Recommendation**: Adopt Ordinance 573.

**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**: Move to adopt Ordinance 573 amending North Burien Zoning and adopting 2012 Comprehensive Plan Text and Map Amendments.

Submitted by: David Johanson, Senior Planner, AICP
**Administration** _____ **City Manager** _____

| | |
|---|---|
| **Today's Date**: March 27, 2013 | **File Code:** R:\PL\Comprehensive Plan\2012 Comp Plan Amendments\City Council\031813cd-1 CompPlanAmend 2012.docx |

# CITY OF BURIEN, WASHINGTON

## ORDINANCE NO. 573

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**AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, RELATING TO 2012 COMPREHENSIVE PLAN AND ZONING MAP AMENDMENTS, AMENDING THE COMPREHENSIVE PLAN TEXT, ADOPTING FINDINGS, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.**

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WHEREAS, the City Council adopted the Comprehensive Plan of the City of Burien on November 17, 1997, as required by the Growth Management Act ("GMA") of 1990, as amended, and also adopted the Comprehensive Plan pursuant to RCW Chapter 35A.63; and

WHEREAS, the City Council adopted Resolution No. 336 on July 2, 2012, which established the docket of possible Comprehensive Plan amendments to be considered as part of the City's annual amendment package; and

WHEREAS, the City conducted two public open house informative sessions in the north Burien area; and

WHEREAS, public notice was provided and the City of Burien Planning Commission conducted public hearings on March 13, 2012 pertaining to proposed area wide amendments to the Zoning and Comprehensive Plan Maps, and on September 11, 2012 pertaining to proposed amendments to the Comprehensive Plan text, tables and figures; and

WHEREAS, the City Council has received recommendations from the Planning Commission regarding the proposed amendments; and

WHEREAS, the City Council held public meetings on November 5, 2012, November 19, 2012, January 7, 2013, March 18, 2013 and April 1, 2013 to discuss the proposed amendments; and

WHEREAS, public notice was provided and the City of Burien City Council conducted a public hearing on January 28, 2013 pertaining to proposed text amendments, area wide amendments to the Zoning and Comprehensive Plan Maps, and

WHEREAS, the City of Burien has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Code; and

ATTACHMENT 1

WHEREAS, the City of Burien provided the proposed Comprehensive Plan amendments to the Washington State Department of Commerce on September 20, 2012 and did not receive any comments by the 60-day comment deadline of November 18, 2012; and

WHEREAS, based on careful consideration of the facts and law, including without limitation, the King County Countywide Planning Polices, public testimony and the records and files on file with the office of the City Clerk including the following:

- Planning Commission meeting minutes of May 10, 2011, July 12, 2011, September 13, 2011, September 27, 2011, October 25, 2011, November 8, 2011, December 13, 2011, January 10, 2012, March 13, 2012, April 24, 2012, May 8, 2012, June 12, 2012, June 26, 2012,September 11, 2012, September 25, 2012 and October 11, 2012,

- Planning Commission meeting packets of May 10, 2011, September 13, 2011, October 25, 2011, November 8, 2011, December 13, 2011, January 10, 2012, March 13, 2012, April 24, 2012, May 8, 2012, June 12, 2012, June 26, 2012,September 11, 2012, September 25, 2012 and October 11, 2012,

- Planning Commission public comments received on March 13, 2012, May 8, 2012, June 12, 2012, June 26, 2012, September 11, 2012, September 25, 2012, and October 9, 2012, and

- City Council findings (attached Exhibit B)
  2012 Comprehensive Plan Amendments,

the City Council finds that approval of text amendments to the City of Burien Comprehensive Plan attached hereto as Exhibit A and amendments to the Comprehensive Plan and Zoning Maps attached hereto as Exhibit C comply with the requirements of the Washington State Growth Management Act and the City of Burien Zoning Code;

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

Section 1: Amendment to the Comprehensive Plan Text. The City Council hereby adopts the amendments to the Burien Comprehensive Plan Text, attached as Exhibit A, and further adopts the findings in support of said amendments, attached as Exhibit B, which Exhibits A and B are incorporated by this reference as if fully set forth herein.

Section 2: Area wide amendments to the Comprehensive Plan Map and Zoning Map. The City Council hereby adopts the amendments to the Burien Comprehensive Plan Map and Zoning Map, attached as Exhibit C, and further adopts the findings in support of said amendments, attached as Exhibit B, which Exhibits B and C are incorporated by this reference as if fully set forth herein.

Section 3: Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4: Effective Date. This ordinance, or a summary thereof, shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED** BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ____ DAY OF APRIL, 2013, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS ____ DAY APRIL, 2013.

CITY OF BURIEN
/s/ Brian Bennett, Mayor

ATTEST/AUTHENTICATED:
/s/ Monica Lusk, City Clerk

Approved as to form:
/s/ Craig D. Knutson, City Attorney

Filed with the City Clerk: January 30, 2013
Passed by the City Council: April ____, 2013
Ordinance No. 573
Date of Publication: April ____, 2013

# ORDINANCE 573

## Exhibit A

# CHAPTER 2.0 PLAN POLICIES

## 2.1 INTRODUCTION

The Burien Vision can only be achieved and sustained through the coordinated action of the entire community. The policies of the Burien Plan set forth in this chapter provide the long-term guidance necessary for such action.

One of the key objectives of the plan is to create a "sustainable community." A sustainable community is a place where people want to settle and live. It is also a community where members have an environment that promotes public health and vitality of the community and where quality residential neighborhoods and commercial areas attract and retain long-term businesses and shoppers. In a sustainable community, the pattern and quality of development is more important than the amount of growth. In older, more developed communities like Burien, the framework and tradition for a compact and efficient community is well established - the plan builds on this asset.

Policies in this chapter seek to develop a sustainable community by:

- maintaining and enhancing the viability of our neighborhoods, including protecting our existing housing stock;
- enhancing the downtown area, including reusing existing structures, facilities, and infrastructure and modifying them according to our current needs and technology; and
- balancing community needs for capital facilities and services with the ability to finance them.

Collectively these policies emphasize a pattern of development that reinforces Burien's small town character and supports the character of existing neighborhoods as seen in Figure 2-LU2. In our neighborhoods, development will be designed to retain the neighborhood's character, as that character is defined by each neighborhood under its Neighborhood Plan. Potential residential densities may also be restricted in areas with environmental constraints (such as aquifer recharge areas, landslide hazard areas, seismic hazard areas, wetlands, stream buffers, shorelines and flood hazard areas) or inadequate infrastructure, including inadequate levels of service for public services (Figure 2-EV1).

Where appropriate, the City will encourage and support the use by individual property owners of alternatives to development. Such alternatives may include transfer of development rights ("TDR") to the downtown and other appropriate areas, conservation easements, open space tracts, and other mechanisms designed to permanently eliminate development. In cases where individual neighborhoods have reduced the development capacity through the use of covenants, the City will support the conversion of those covenants to conservation easements or other suitable mechanisms. Each time a development right is exercised in this or a like manner the development potential of the area will be commensurately reduced. The City will implement administrative programs designed to educate and facilitate the use of these mechanisms and present these programs to the neighborhoods during the neighborhood planning process.

These policies promote new commercial development and residential development in the downtown area and encourage the type of development that will make downtown an attractive and vibrant place to work, shop, live and recreate. The plan envisions a downtown with the types of activities and uses that will enhance the distinctiveness and vitality of downtown while preserving its small town character. Special attention will be given to the scale and design of buildings to achieve this vision. An important part of these policies is promoting economic development in the downtown by encouraging mixed-use development. Pedestrian activity and transit access is also encouraged and emphasized in these areas.

The Comprehensive Plan goals and policies set forth in this chapter reflect the long-term objectives described during the community visioning process and Planning Commission meetings over the past several years. These policy statements along with the land use map will become the foundation for Burien's specific guidelines for how to conduct business, make zoning decisions, create annual and long-term budgets, and prioritize city functions over the next twenty years.

The Plan's policies contained in this chapter are organized according to Planning Element.

This element [land use] of the comprehensive plan contains land use designation criteria that are to be used to evaluate proposed changes to the land use designation map (Comprehensive Plan Map LU-1). The city recognizes the existing land use pattern as identified on the map. The land use designation criteria are to be applied in the consideration of future map amendments.

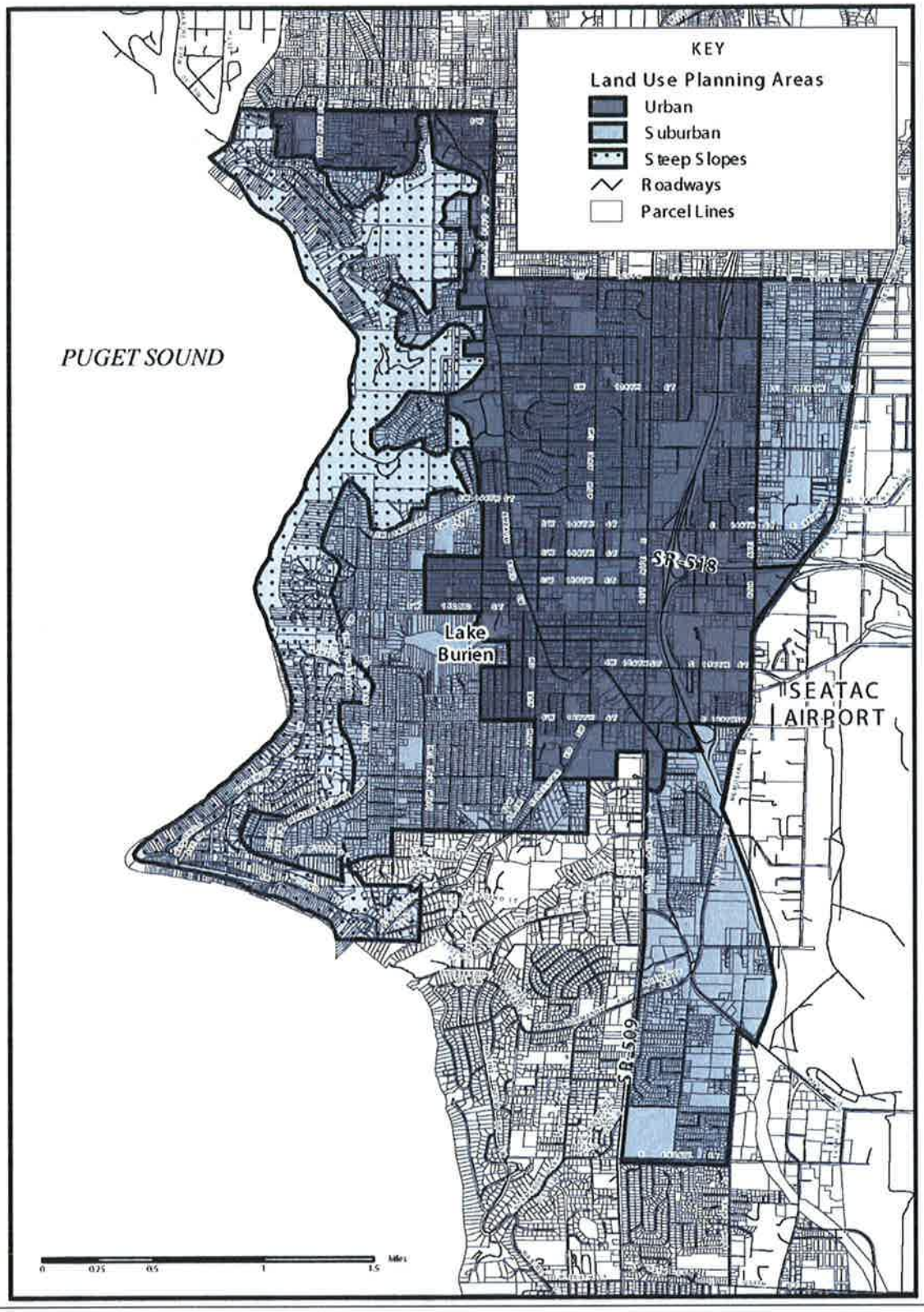


**Figure 2LU-2 - Planned Land Use Intensity**

November 2003

Source: King County GIS 2003
p/1e066.01 Burien Crit_Comp/Graphics/Figures/FinalPDFs/Figure2LU2.pdf

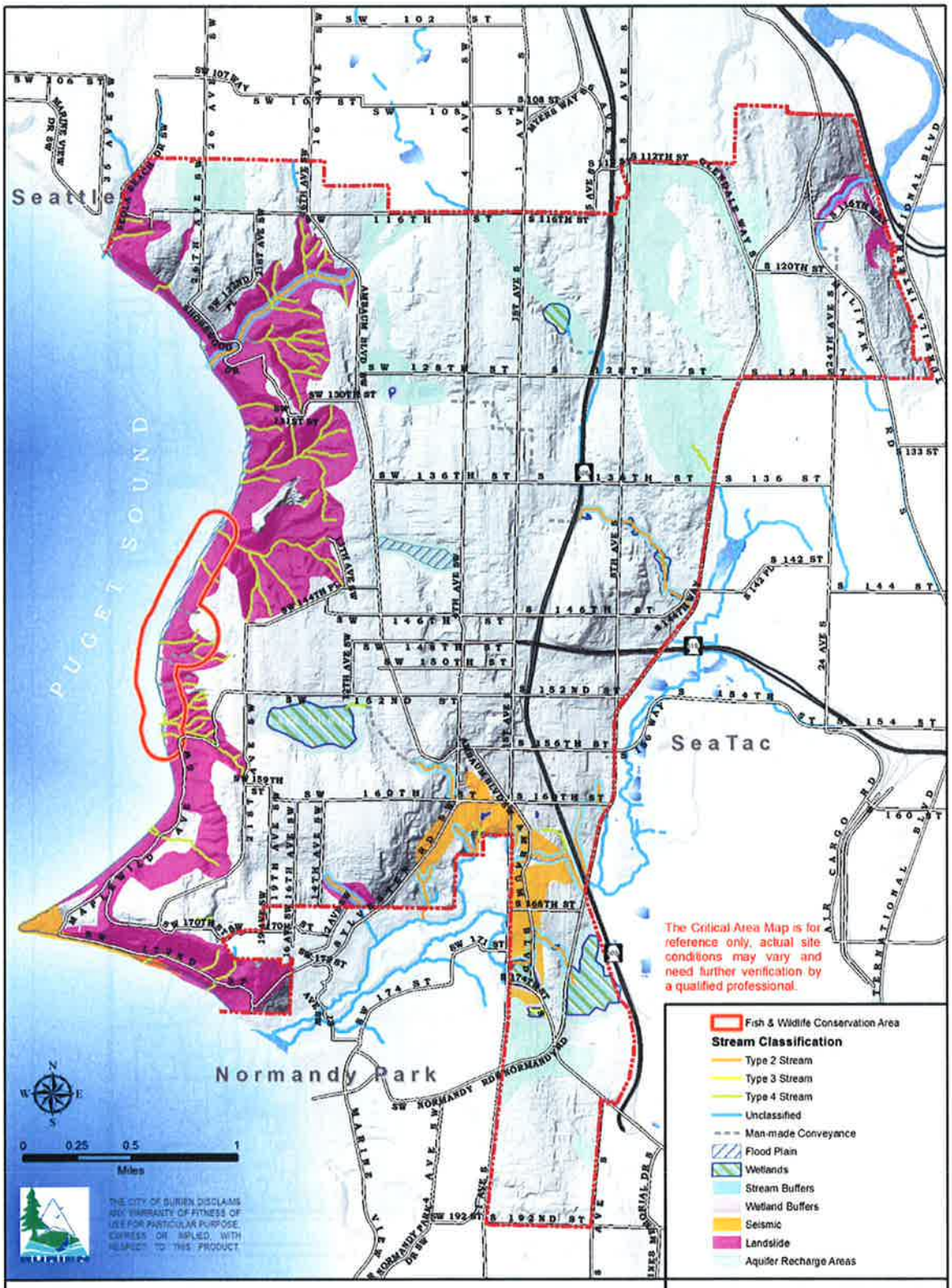


**Figure 2-EV1 - Sensitive/Critical Areas Map** | **December 2012**

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Last updated: 8/21/2012
By: Fernandol

## 2.2 LAND USE ELEMENT

### Goal LU.1

***Establish a development pattern that is true to the vision for Burien by supporting the neighborhoods and preserving the character of the well-established neighborhoods as defined by the Neighborhood Plans, enhancing the attractiveness and vitality of the downtown core, and preserving the City's small town character.***

***Discussion:*** Land use in Burien should remain primarily residential, with the majority of non-residential development concentrated in the Urban Center (Urban Center Boundary, Figure 2LU-1.11), in appropriate areas along First Avenue South, Ambaum Boulevard SW, Boulevard Park and the North East Redevelopment Area.

Pol. LU 1.1 Map LU-1 (Comprehensive Plan Map) illustrates the future distribution and location of generalized land uses within Burien. ~~The Future Land Use Map adopted in this plan establishes the future distribution, extent and location of generalized land uses within Burien. Uses of land in Burien should reflect the intent of the goals and policies as well as the land use map.~~

~~***Discussion:*** Map LU-1 (enclosed) illustrates the proposed future land use for the City of Burien. Critical areas are not shown on the future land use map, but may occur within each category. These areas are subject to special regulations and special conditions found in the City's Critical Areas Ordinance and generally depicted on the city's Environmentally Critical Areas Map. Full development potential may not be achieved in these areas.~~

Pol. LU 1.2 Deleted ~~Land use in Burien should remain primarily residential, with the majority of non-residential development concentrated in the downtown core, in appropriate areas along First Avenue South and Ambaum Boulevard SW, and in specified areas in the northeast.~~

Pol. LU 1.3 Deleted ~~The general character of existing and future development and capital facility improvements shall correspond to the areas depicted on Map LU-2.~~

~~***Discussion:*** Figure 2-LU-2 depicts the areas generally designated as high, medium, and low (steep slopes) densities. Policies in the land use, transportation and capital facilities elements contain standards for development and improvements in these areas. (Amended, Ord. 445, 2005)~~

Pol. LU 1.4 ~~The City should e~~Encourage a mix of residential, office and commercial uses within Burien's ~~downtown area~~ Urban Center to create a vibrant city center that reduces reliance on the automobile and provides a range of housing opportunities.

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Note: Policy numbers may not be consecutive. Through the Comprehensive Plan amendment process, some policies have been deleted from this chapter while existing policy numbers have retained their original sequence. Information on past Comprehensive Plan amendments is available at the City of Burien Community Development Department.

Pol. LU 1.5 ~~Burien should strive to e~~Expand ~~its~~Burien's economic base by attracting the types of economic activities ~~which~~ that best meet the needs and desires of the community, while protecting well-established residential areas from encroachment by incompatible non-residential uses.

Pol. LU 1.6 Encourage ~~The City will ensure that infill~~ redevelopment and development of underutilized and vacant land to be ~~is~~ compatible with the envisioned character, scale and design of surrounding development. ~~The City will encourage infill projects when and where the conditions for development are met.~~

Pol. LU 1.7 The city will strive to ensure that basic community values are reflected in the City's land use and decision making processes, while recognizing the rights of individuals to use and develop private property in a manner consistent with City regulations.

Pol. LU 1.9 Deleted ~~The City is aware that under the Growth Management Act the City may not preclude the siting of the third runway if the runway is determined by the courts to be an "essential public facility." The City also notes that the Growth Management Act, the Central Puget Sound Growth Management Hearings Board, the Countywide Planning Policies, the State Environmental Policy Act and other policies, laws and regulations authorize that there be appropriate and reasonable mitigation for communities and elements of the environment adversely impacted by the siting of an essential public facility. Under certain circumstances, permit applications can be conditioned or denied if significant adverse environmental impacts are not mitigated. If the third runway is constructed, significant adverse impacts should be mitigated to the maximum extent allowed by law.~~

Pol. LU 1.11 ~~The City of Burien designates d~~Downtown Burien and ~~its~~ surrounding ~~residential and employment~~ areas ~~as an urban~~ have been designated a regional growth center in accordance with Vision 2040 and the King County Countywide Planning Policies. The boundaries of the ~~urban~~ Urban C~~c~~enter are shown on Figure 2-LU1.11 Urban Center Boundary).

~~***Discussion:*** The Countywide Planning Policies support development of Urban Centers to meet the region's needs for housing, jobs services, culture and recreation. An Urban Center is characterized by defined boundaries; a broad array of daytime and nighttime land uses that are transit-supportive; pedestrian emphasis, superior urban design, limitations on single-occupancy vehicles, public open space and recreational opportunities. The Burien Urban Center has these characteristics. The Urban Center designation recognizes existing city policy supportive of compact mixed-use development. The designation will assist the city to obtain funding for transportation improvements necessary to support the planned level of redevelopment.~~

*Note: Puget Sound Regional Council (Vision 2040) uses the term "Regional Growth Center", King County Planning Policies and the City of Burien use the term "Urban Center" (CPP LU-39) to describe the same area.*

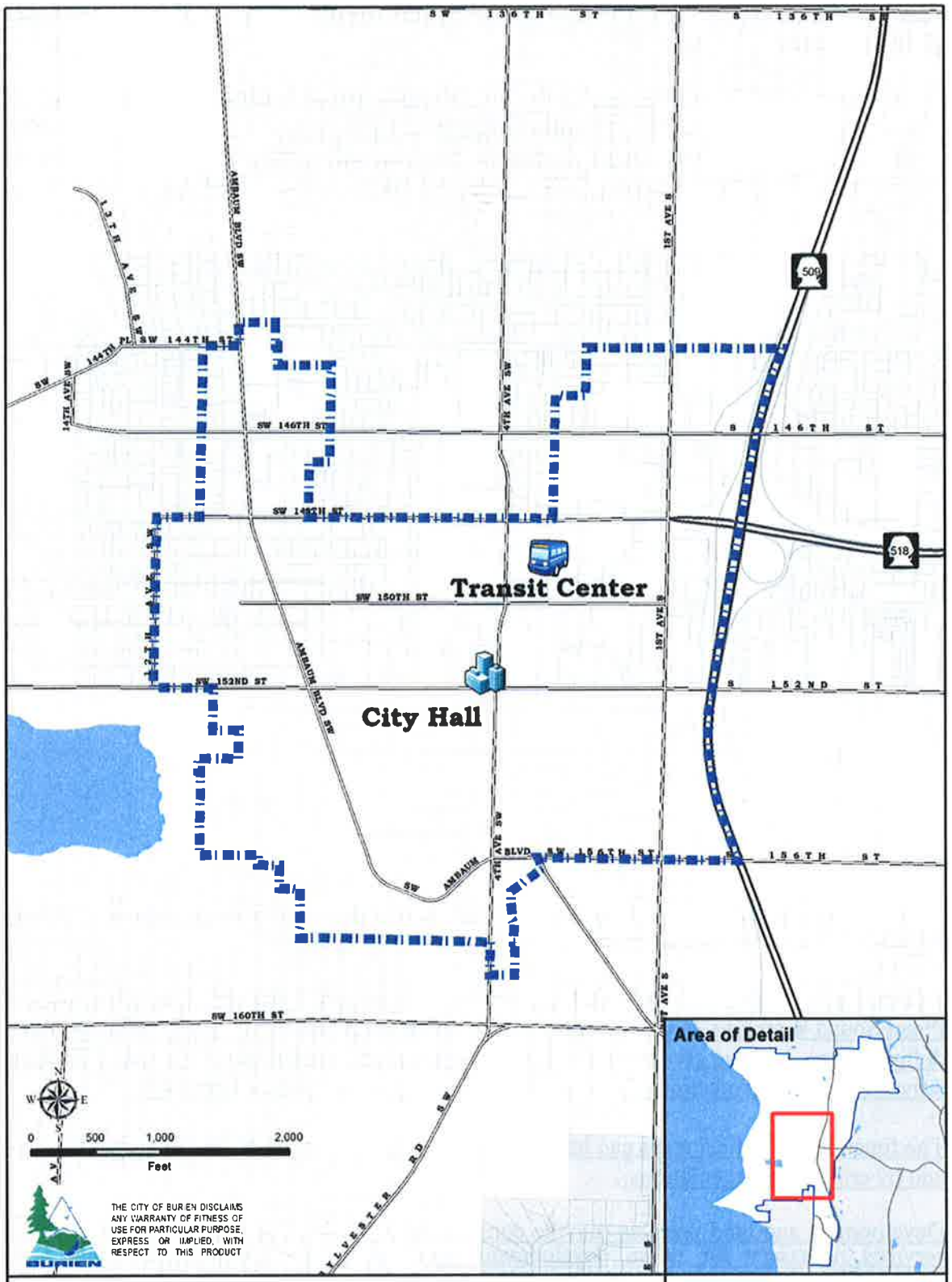


**Figure 2LU-1.11 - Urban Center Boundary** | **December 2012**

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Last updated: 8/21/2012
By: Fernandol

***Goal LU.2***

***Plan for a fair share of regional growth consistent with State and regional goals directing growth to urban areas.***

Pol. LU 2.1 Accommodate growth targets for the planning period ending in 2031as shown in Table 2-LU 2.1 (Countywide Growth Targets 2006 to 2031). Implement appropriate zoning regulations and develop infrastructure to support growth represented by the targets, to the extent that market forces will allow.

## TABLE 2-LU 2.1

### Countywide Growth Targets (2006 to 2031)

| Existing Housing[1] | Housing Target [2] | Housing Capacity[4] |
|---|---|---|
| 13,916 | 4,440 | 4,575 |
| | | |
| **Existing Employment[3]** | **Employment Target[2]** | **Employment Capacity[4]** |
| 11,572 | 4,960 | 7,308 |
| | | |

1-Washington State Office of Financial Management, April 2012, http://www.ofm.wa.gov/pop/april1/default.asp
2-Countywide Planning Policies 9-21-11
3-PSRC 2011 Covered Employment Estimates by Jurisdiction
4-Burien Land Use Capacity Analysis, 2012

**Residential Neighborhoods**

***Goal RE.1***

***Provide a variety of attractive, well-designed housing choices that reinforce the character of the neighborhoods and meet the needs of existing and future City residents.***

***Discussion:*** Burien residents are fortunate to live in a special environment. Five miles of Puget Sound shoreline, steeply wooded slopes, salmon-bearing streams and wetlands help define Burien, but also create potential constraints on land use and development. This plan strives to balance protection of critical areas and the right to use one's property.

The functions of critical areas can be protected through a lower level of residential density and by critical area regulations.

Development and land use also may be constrained by deficiencies in the type or level of services necessary for urban development, such as transportation (streets and non-motorized facilities), sewer, storm drainage or water.

Pol. RE 1.1 Deleted ~~The planned densities in single family neighborhoods should match the land use map.~~

Pol. RE 1.2 The planned densities for single family development should encourage a lower development potential in areas with development constraints.

~~***Discussion:*** Within the City, potential development constraints include, but are not limited to, critical areas, such as areas along the coastline that are susceptible to landslides, areas with wetlands or areas prone to flooding; areas with stormwater drainage problems; exposure to exterior noise levels that exceed an Ldn of 55 dBA; or deficiencies in the type or level of services necessary for urban development, such as transportation facilities (roadway and pedestrian), sewer, or water.~~

Pol. RE 1.3 Any existing single-family lot that was legally subdivided or legally created prior to enactment of subdivision statutes prior to incorporation or annexation shall be considered a legally conforming lot for building purposes, providing the size of the lot was not reduced by more than 50 percent through acquisition for public purposes, and on such lots new homes may be built and existing houses may be expanded and remodeled, provided that applicable setbacks, lot coverage, critical area restrictions, design review requirements (if any), height limits and other applicable regulations in the zoning code are met.

Pol. RE 1.4 When determining buildable lot size for residential development, the area of a lot covered by water (including but not limited to lakes or the Puget Sound) shall not be included in the calculation.

Pol. RE 1.5 The *Low Density Residential Neighborhood* designation will provide for low-density residential development. Development within this designation includes existing neighborhoods that are zoned for four units per acre or less.

***Allowed Uses and Description:*** The *Low Density Residential Neighborhood* designation allows single family residential uses and their accessory uses at a density of 4 units per acre or less, due to the constraints posed by critical areas. This policy may be implemented by more than one zoning category, based on the ability of the land and public facilities to support development. Development standards, for such items as impervious surfaces, streetscapes, sidewalks and stormwater drainage, may vary within each zoning category based on the existing character of the area.

***Designation Criteria:*** Properties designated *Low Density Residential Neighborhood* should reflect the following criteria:

1. The area is already generally characterized by single family residential development at four units per acre or less; and

2. Relative to other residential areas within the City, the area is characterized by lower intensity development as shown on ~~Map LU-2~~Figure 2LU-2, Planned Land Use Intensity.

3. The land is ~~designated as a potential~~ constrained by landslide hazard areas, ~~steep slope area,~~ or wetlands as shown on the City of Burien's Critical Areas Map.

4. The existing and planned public facilities for the area cannot adequately support a higher density.

5. The area is subject to existing impacts from high levels of airport-related noise.

***Discussion:*** Portions of the City that contain critical areas are appropriate for a lower level of residential density to protect those critical areas from impact associated with higher density development. Lower density development is appropriate to protect the critical areas and those functions that they serve including but not limited to the natural habitat and promoting the overall public health, safety and welfare. ~~In addition, lower density residential development is often more compatible with high levels of airport related noise than higher density residential development. For example, currently within the city, the northeastern area is subjected to high levels of airport-related noise, yet maintains good neighborhood quality.~~ Applying lower density development potentials to such areas will help to preserve the existing quality of the neighborhoods and protect critical areas. ~~(Amended, Ord. 445, 2005)~~

Pol. RE 1.6 The *Moderate Density Residential Neighborhood* ~~land use category will provide primarily~~ designation allows single family residential uses ~~in neighborhoods suitable for this type of development, where community improvements and facilities that are normally necessary for development can be provided. Development within this designation includes existing neighborhoods that have been platted at an average of five to~~ at a maximum density of six dwelling units per net acre. Accessory and non-residential uses that are compatible with a moderate density residential area may also be allowed. This designation is implemented by the RS-7,200 zoning category.

~~***Allowed Uses and Description:*** *The Moderate Density Residential Neighborhood* designation allows for single family residential uses, their accessory uses and public and semi-public uses. The maximum residential density shall not exceed six units per net acre.~~

~~To retain the existing character of development in the neighborhoods classified as *Moderate Density Residential Neighborhood,* the City's zoning code will specify appropriate density and dimension standards that include floor area ratios (FARs) in addition to lot coverage, setbacks and height. Development standards for impervious surfaces, streetscapes, sidewalks and stormwater drainage, may vary within each zoning category based on the existing character of the area.~~

~~***Discussion:*** There are specific concerns about increasingly large home sizes within the City's moderate density neighborhoods. The zoning code will need to include measures that adequately restrict homes from becoming massive structures that~~

~~cover almost an entire lot and are out of character with the surrounding residential development.~~

***Designation Criteria:*** Properties designated for Moderate Density Residential Neighborhood uses should generally reflect all of the following criteria:

1. The area is already generally characterized by ~~primarily~~ single-family residential ~~uses~~ development or platting at greater than four units per net acre.

2. The existing ~~or committed~~ and planned public facilities and services are adequate to support ~~residential development at this density.~~ single-family densities greater than four units per net acre.

3. ~~The area does not have significant amounts of critical areas.~~ The area should not be constrained by critical areas. Where critical areas and or buffers do exist, consideration should be given to the health and safety of residents, and potential impacts on the critical area(s) and buffer(s).

~~4. The area is designated Urban on Figure 2 LU-2 (Application of this designation outside of the area delineated as Urban, shall be limited to five units per acre).~~

Pol. RE 1.7 The *Low ~~and High~~ Density Multifamily Neighborhood* designations ~~should provide for the location of stable and attractive multifamily development near transit, employment, shopping and recreation facilities.~~ allows multiple-family residential uses at a maximum density of 12 units per net acre. Accessory and non-residential uses that are compatible with a low density multi-family area may also be allowed. This designation is implemented by the RM-12 zoning category.

~~Compatibility between these uses and adjacent single family development is provided through the City's design guidelines. Recreation facilities, including a park or open space, is required as an integral part of any multifamily development. Public facilities, especially pedestrian access to activity centers, are a requirement for development. In addition, adequate services and facilities (such as sewer, water and roadway capacity) must be provided concurrent with development before the upper density limit is reached. Developments within these designations include existing multi-family dwellings at an average of 8 to 48 units per acre.~~

~~• *Low Density Multifamily Neighborhood:*~~

~~***Allowed Uses and Description:*** *The Low Density Multifamily Neighborhood* designation permits multiple family housing, accessory uses associated with residences, and public and semi-public uses. Development in these areas may be characterized by single family homes, duplexes, garden style apartments, townhouses, condominiums or apartment buildings. These areas may also function as a transition between business uses and single family residential neighborhoods.~~

~~The maximum density for new multifamily development in these areas shall be 12 units per net acre.~~

***Designation Criteria:*** Properties designated ~~for~~ Low Density Multifamily Neighborhood ~~uses~~ shall reflect all of the following criteria:

1. The area is already primarily characterized by multifamily residential ~~uses~~ development at 8 to 12 units per acre.

2. The area may function as a transition from higher intensity designations such as commercial or multi-family to single-family residential.

3. The area is within 1/8 mile of low intensity commercial service nodes as measured along an arterial as shown on Figure 2LU-3, Commercial Nodes.

4. The area is located within ¼ mile of a transit route with a peak transit frequency of at least every 21-30 minutes.

5. The area should not be constrained by critical areas. Where critical areas and/or buffers do exist, consideration should be given to the health and safety of residents, and potential impacts on the critical area(s) and buffer(s).

6. The area is located adjacent to or has adequate access to an arterial.

Pol. RE 1.8 The *Moderate Density Multifamily Neighborhood* designation allows multiple-family residential uses at a maximum density of 18 to 24 units per net acre. Accessory and non-residential uses that are compatible with a moderate density multi-family area may also be allowed, including offices in a mixed-use development. This designation is implemented by the RM-18 and RM-24 zoning categories.

***Designation Criteria:*** Properties designated *Moderate Density Multifamily Neighborhood* shall reflect all of the following criteria:

1. The area is already primarily characterized by multifamily residential development at 12 to 24 units per acre.

2. The area is within 1/8 mile of any commercial service node (as shown on Figure 2LU-3, Commercial Nodes) or the urban center boundary as measured along an arterial.

3. The area is located within ¼ mile of a transit route with a peak transit frequency of at least every 10-20 minutes.

4. The area does not have ~~significant amounts of~~ critical areas, except critical aquifer recharge areas.

5. The area is located adjacent to or has adequate access to an arterial.

6. The area is served by adequate and/or planned recreational facilities such as athletic fields or playgrounds.

Pol. RE 1.9 The *High Density Multifamily Neighborhood* designation allows multiple-family residential uses at a maximum density of 48 units per net acre. Accessory and non-residential uses that are compatible with a high density multi-family area also may be allowed, including offices in a mixed use development. This designation is implemented by the RM-48 zoning category.

~~• *High Density Multifamily Neighborhood:*~~

~~***Allowed Uses and Description:*** *The High Density Multifamily Neighborhood* designation permits multiple family housing, accessory uses associated with residences, and public and semi-public uses. Development in these areas may be characterized by single family homes, duplexes, garden style apartments, townhouses, condominiums or apartment buildings. Such areas may also function as a transition between higher intensity business uses and lower density multifamily housing and single family residential neighborhoods. The maximum density for new multifamily development in these areas shall be 24 units per net acre.~~

~~There are a number of conditional uses that may be allowed within areas designated for high density multifamily development:~~

~~a. Assisted living units for seniors or disabled persons, subject to a conditional use permit process involving a public hearing. Assisted living units are facilities specifically designed to accommodate seniors or disabled persons who are not able to live independently. Densities greater than 24 units per acre may be allowed when the proposed development is appropriate for the site.~~

~~b. In areas located adjacent to an arterial, well designed office development that fits in with the character of surrounding residential development, subject to an administrative conditional use permit process.~~

***Designation Criteria:*** Properties designated ~~for~~ *High Density Multifamily Neighborhood* ~~uses~~ shall reflect all of the following criteria:

1. The area is already primarily characterized by multifamily residential uses at 18 or more units per acre.

2. The area is within 1/8 mile of moderate and high commercial service nodes (shown on Figure 2LU-3, Commercial Nodes) as measured along an arterial. The designation is also appropriate within the urban center boundary or within 1/8 mile of the urban center boundary as measured along an arterial.

3. The area is located within ¼ mile of a transit route with peak transit frequency of at least every 10-20 minutes.

4. The area does not have ~~significant amounts of~~ critical areas, except critical aquifer recharge areas.

5. The area is located adjacent to or has adequate access to a primary or minor arterial.

6. The area is served by adequate and/or planned recreational facilities such as athletic fields or playgrounds.

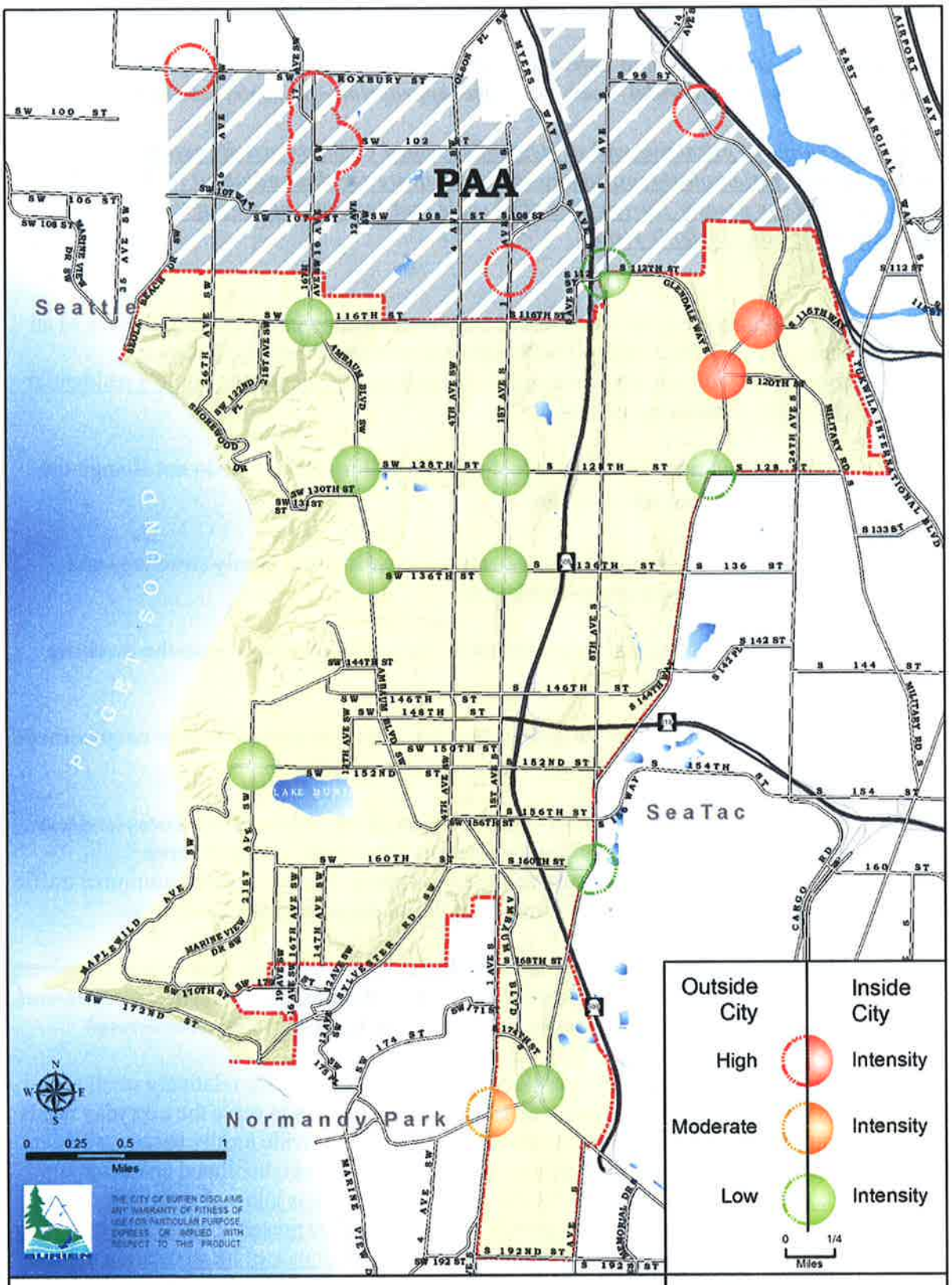


**Figure 2LU-3 - Commercial Nodes** | **December 2012**

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Last updated: 9/5/2012
By: Fernandol

**Business**

**Goal BU.1**

~~***Provide a functional, attractive, and conveniently located mix of uses, including office, retail, commercial, parks and residential uses, that are appropriate in scale, configuration, and location.***~~

***Provide a broad range of attractive and strategically located business activity centers/nodes that serve as focal points for employment, commerce and culture for their adjacent residential neighborhoods and the greater Burien area. The scale and intensity of uses at these locations shall be compatible with Burien's vision.***

Pol. BU 1.1 Allow ~~H~~home occupations ~~should continue to be allowed~~ in residential areas as an accessory use if they ~~comply with standards that ensure compatibility~~ are compatible with adjacent residential uses and do not change the home's residential character. ~~Home occupations:~~

~~a. Shall be incidental to or conducted in a dwelling place, and do not change the home's residential character;~~

~~b. Should have a level of activity compatible with single family structures and residential neighborhood goals; and~~

~~c. Should be conducted by a member of the family residing within the dwelling place.~~

~~Greater flexibility may be appropriate for home occupations near neighborhood borders as a transition to more intensive adjacent uses.~~.

Pol. BU 1.2 ~~Through the development of integrated commercial centers, the business land use categories are intended to p~~Provide areas for businesses ~~uses~~ that serve neighborhoods, the community and the ~~traveling public~~ region, and minimize traffic congestion, visual, and other impacts on the surrounding residential areas.

~~***Discussion:*** The Land use plan establishes five categories to serve the business needs of Burien and the region -- *Neighborhood Centers, Intersection Commercial, Downtown Commercial, Community Commercial and Regional Commercial.*~~

Pol. BU 1.3 The *Neighborhood Center* ~~classification~~ designation allows for relatively small areas that provide limited scale convenience goods and services to serve the everyday needs of the surrounding single family neighborhoods or to provide locally based employment opportunities, while protecting the desired neighborhood character. Mixed use development up to 12 dwelling units per acre is allowed at these locations. Mixed use developments contain a commercial or office presence while also providing opportunities for people to live near services and/or a choice of transportation modes. These neighborhood focal points should be designed and located so that customers and employees are encouraged to walk rather than drive to these areas.

This Comprehensive Plan land use designation is implemented by the Neighborhood Center zoning designation.

~~***Allowed Uses and Description:*** The type and scale of uses in these areas must be consistent with the road and utility capacity and compatible with neighborhood character. Limited retail stores, services and professional offices that serve the immediate neighborhood as well as other markets or service areas are allowed. Uses that sell gasoline or diesel fuels are not allowed.~~

~~Within this designation, mixed-use developments that include residential uses on the second floor may be allowed as a conditional use (excluding the area designated for neighborhood center uses in Three Tree Point). Stand-alone multifamily residential structures are not an intended use in these areas, except to accommodate existing structures. Residential densities in mixed-use developments should not exceed 12 units per acre, and retail or commercial uses are required on the first floor.~~

~~The design of these areas, including the size, location and design of parking lots, shall be strictly regulated to ensure compatibility with the surrounding neighborhood. Hours of operation should be regulated and vary with the type and intensity of neighborhood in which it is located. Development within this designation shall include design features to encourage pedestrian and transit access, such as shared parking and siting the buildings near the sidewalks.~~

***Designation Criteria:*** Properties designated for *Neighborhood Center* uses should ~~generally~~ reflect all of the following criteria:

1. ~~The area must be adjacent to neighborhoods, of limited extent, and currently developed or partially developed as business, service or commercial uses.~~
2. ~~The area should have existing or planned pedestrian or other non-motorized connections to the adjacent neighborhood.~~
3. ~~The existing or planned public facilities should be adequate to support small-scale commercial development.~~
4. ~~The area should be located on an arterial, so that physical access does not result in adverse impacts on adjacent and nearby local access streets.~~
5. ~~The area is served or will be served by transit.~~

1. Areas are located at low intensity commercial nodes (shown on Figure 2LU-3, Commercial Nodes) adjacent to residential neighborhood(s).

2. Adjacent residential designations shall predominately be Moderate Density Residential.

3. Areas shall be located on an identified general bikeway.

4. Areas are located within 1/8 mile of a transit route with a peak transit frequency of at least 21-30 minutes.

5. The area does not have critical areas, except aquifer recharge areas.

6. Areas are located adjacent to or have direct access to an arterial.

7. The area is located in sections of the city that have or are planned to have pedestrian or other non-motorized connections.

Pol. BU 1.4 The *Intersection Commercial* ~~category provides~~ designation allows for a variety of commercial uses of low to moderate density or intensity, located at major roadway intersections in close proximity to higher density uses, such as multifamily developments. Multifamily development in these areas may only be approved as part of a mixed use development with the appropriate unit density being based on the adjacent comprehensive plan land use designations. Customers are anticipated to either drive or walk to these establishments.

This Comprehensive Plan land use designation is implemented by the Intersection Commercial zoning designation.

~~***Allowed Uses and Description:*** *Intersection Commercial* land uses serve multiple residential areas, with a diverse mix of uses. These uses will typically be grouped around a shared parking facility, with primary access on an arterial. Uses include commercial, retail, services, professional offices, recreation and community facilities. The edges of these areas need to be well-defined to contain development and limit encroachment into single family areas.~~

***Designation Criteria:*** Properties designated for *Intersection Commercial* uses should reflect the following criteria:

~~1. The intersection of two arterials should be the preferred location for the designation.~~
~~2. The design and capacity of the intersection are able to support the planned uses.~~
~~3. The existing or planned public facilities are adequate to support the proposed development.~~
~~4. The area is served or planned to be served by transit.~~

1. Areas are located within 1/8 mile of Multi-Family Neighborhood or Neighborhood Center land use designations as measured along an arterial. Generally the designation is located outside of the urban center boundary and at low intensity commercial nodes (shown on Figure 2LU-3, Commercial Nodes).

2. Areas shall be located at or within 1/8$^{th}$ mile of the intersection of arterials.

3. Areas are located within 1/8 mile of a transit route with a peak transit frequency of at least 21-30 minutes.

4. The area does not have critical areas, except critical aquifer recharge areas.

5. Areas are located adjacent to or have adequate access to a primary or minor arterial.

Pol. BU 1.5 The *Downtown Commercial* ~~land use~~ designation fosters a vibrant, compact, pedestrian oriented area by allowing high density residential development, 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 the downtown a community focal point and center, as well as a lively place in the evening and on weekends. Residential densities are 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.

This Comprehensive Plan land use designation is implemented by the Downtown Commercial zoning designation.

***Designation Criteria:*** Properties with the Downtown Commercial land use designation should reflect the following criteria. ~~are appropriate for land within the area labeled "downtown area" as shown in Fig. 2-SE1.~~

1. The area is located within the urban center boundary (Figure 2LU-1.1, Urban Center Boundary).

2. The area is located within 1/8 mile of a transit route with a peak transit frequency of at least every 10 minutes.

3. The area does not contain critical areas.

4. The area is located adjacent to or has adequate access to an arterial.

Pol. BU 1.7 The *Community Commercial* ~~land use~~ designation recognizes the business orientation of some of the principal arterials ~~that are in close proximity to the downtown area~~, including Ambaum Boulevard Southwest, Boulevard Park and the Five Corners area. The designation ~~and is intended to provide for~~ allows moderate intensity commercial uses that serve the community. Customers would likely access these establishments by automobile or by transit. The range of allowed uses includes moderate intensity retail activities, professional offices, restaurants, entertainment, and services. Multifamily development in these areas may only be approved as part of a mixed use development with the appropriate unit density being based on the intensity of adjacent comprehensive plan land use designations. Business uses should be located on the ground floor.

This Comprehensive Plan land use designation is implemented by the Community Commercial 1 and Community Commercial 2 zoning designations.

~~***Allowed Uses and Description:*** The *Community Commercial* land use designation provides for moderate intensity retail activities, professional offices, restaurants, entertainment, and services.~~

***Designation Criteria:*** Properties designated for Community Commercial uses should reflect the following criteria:

~~1. The area is located on a principal arterial in close proximity to the downtown core.~~
~~2. The existing or planned public facilities are adequate to support small to moderate scale commercial development.~~
~~3. The area is served or planned to be served by transit.~~

1. Areas are located within 1/8 mile of the center of moderate and high commercial service nodes (see Figure 2LU-3, Commercial Nodes) as measured along an arterial or within the urban center boundary.

2. Areas are generally adjacent to multi-family residential and other commercial land use designations.

3. Areas have direct access to an Auto/Truck Priority Route.

4. Areas are located within 1/8 mile of a transit route with a peak transit frequency of at least 10-20 minutes.

5. The area does not have geologically hazardous areas.

6. Areas are located adjacent to or have adequate access to an arterial.

Pol. BU 1.8 The *Regional Commercial* ~~land use category~~ designation allows ~~is intended to provide for~~ larger scaled commercial uses that serve the community, the region, and the traveling public. These uses are typically land extensive, and are not well-suited to being located downtown. This classification is currently found along 1st Avenue South and provides locations for retail uses that require large sites, automobile sales and services, restaurants and services for travelers.~~accommodates many of the existing larger chain stores and car dealerships~~. Multifamily development in these areas may only be approved as part of a mixed use development with a maximum of 24 units per acre. Business uses should be located on the ground floor and minimum gross floor area standards for floor area devoted to business uses shall be established to maintain a predominate commercial presence.

This Comprehensive Plan land use designation is implemented by the Regional Commercial zoning designation.

~~***Allowed Uses and Description:*** The Regional Commercial land use category provides for retail uses that require large sites, bulk or large box retail uses, automobile sales and services, wholesale uses, restaurants, and retail and services for travelers.~~

***Designation Criteria:*** Properties designated for Regional Commercial uses should reflect the following criteria:

~~1. The area is located along a principal arterial with adequate roadway capacity and easy access to highways.~~
~~2. The area does not result in the creation or extension of a commercial strip.~~
~~3. The area should not economically compete with or detract from the downtown businesses.~~

1. Areas have direct access to an auto/truck priority route.

2. Areas are located within 1/8 mile of a transit route with a peak midday transit frequency of at least 10-20 minutes.

3. Areas are not constrained by geologically hazardous areas.

4. Areas are adjacent to 1st Avenue South and within ½ mile of the urban center boundary (Figure 2LU-1.1, Urban Center Boundary).

Pol. BU 1.9 The *Professional Residential* designation provides flexibility by allowing both single-family homes and small businesses in an area near but not directly under SeaTac International Airport's third runway.

***Allowed Uses and Description:*** The *Professional Residential* designation allows moderate density residential, small office, small scale retail, art studios, and other similar uses that would be compatible with single-family homes.

Further discussion of the Professional Residential designation can be found in the Final Supplemental Environmental Impact Statement for the Northeast Redevelopment Area dated November 2009.

***Implementation:*** Properties designated *Professional Residential* will be implemented by the PR zone.

***Designation Criteria:*** Properties designated *Professional Residential* shall be located within the Northeast Redevelopment Area and shall be subject to a special study/Supplemental Environmental Impact Statement supporting the designation as outlined in Pol. IN 2.1.

**Office Uses**

**Goal OF.1**

***Provide areas where low to moderate density office development can be concentrated, and where impacts of this use on the surrounding residential neighborhoods can be minimized.***

Pol. OF 1.1 The *Office* ~~land use~~ designation should recognize existing office uses and encourage ~~the expansion of~~ office uses in appropriate areas, based on the criteria below.

~~***Allowed Uses and Description:***~~ The *Office* land use category allows low to moderate density office, medical and medical-related uses, research and development, day care centers, eating and drinking establishment, personal and professional services, and public and semi-public uses. Mixed use development, combining office, retail, commercial and residential uses is also permitted. Multifamily development in these areas may only be approved as part of a mixed use development with the appropriate unit density being based on the adjacent comprehensive plan land use designations.

This Comprehensive Plan land use designation is implemented by the Office zoning designation.

***Designation Criteria:*** Properties designated for *Office* use should ~~must generally~~ reflect the following criteria:

1. ~~The area should be located on or near arterials with adequate vehicular capacity.~~
2. ~~The area should be located along the edges of residential areas and not penetrate them.~~

1. Areas should be located along the edges of residential areas and may expand into non-residential areas.

2. Areas must be located within ¼ mile of a moderate or high intensity commercial node (see Figure 2LU-3, Commercial Nodes).

3. Areas may serve as a transition from High Density and Moderate Residential Multi-Family Neighborhoods and/or commercial designations to Low and Moderate Density Residential neighborhoods.

4. Areas are located within 1/8 mile of a transit route with a peak midday transit frequency of at least 21-30 minutes.

5. The area should not be constrained by critical areas. Where critical areas and/or buffers do exist, consideration should be given to the health and safety of residents, and potential impacts on the critical area(s) and buffer(s).

6. Areas should have direct access to an arterial.

**Industrial & Manufacturing Uses**

**Goal IN.~~2~~ 1** ~~***Provide opportunities for the development of attractive Business Park, Warehouse, Manufacturing and Airport-Related uses in the northeast part of the City where impacts on the surrounding environment can be minimized.***~~

***Provide areas ~~in the southeast part of the city~~ where industrial activities can be concentrated ~~and~~ in a manner where traffic congestion, visual and other impacts on the surrounding environment can be minimized.***

Pol. IN ~~1.2~~ 1.1 The *Industrial* designation provides areas for ~~Existing industrial land uses, including~~ heavy~~ier~~ commercial uses or the processing, manufacturing or storage of non-objectionable products not involving processes or machinery likely to cause undesirable effects upon nearby residential or commercial property. ~~, is appropriate for the Industrial land use designation.~~ The processing or storage of hazardous materials shall be strictly controlled and permitted in accordance with state and federal law.

***Allowed Uses and Description:*** This land use designation includes manufacturing, high technology manufacturing, research and development, industrial uses, processing and essential public facilities. Area activities may include outside storage, processing, manufacturing, or heavy vehicle repair and storage. Developments are encouraged to be grouped together and designed in a manner reflective of an Industrial Park.

~~***Character:*** Uses in the Southeast Industrial designation may include a wide variety of industrial and commercial uses in a less managed environment than the Northeast Special Planning Area or Special Planning Area 4. Area activities may include outside storage, processing, manufacturing, or heavy vehicles repair and storage. Developments are encouraged to be grouped together and designed in a manner reflective of an Industrial Park.~~

***Designation Criteria:*** Properties designated ~~in the southeast for industrial type uses~~ *Industrial* should meet the following criteria:

1. ~~The area must be a minimum of 2 acres in size, although smaller lots may be aggregated to meet this requirement.~~

2. The area is characterized by industrial or heavy commercial development or is adjacent to ~~or designated for~~ industrial uses.

3. ~~The area shall be located near major transportation corridors to facilitate the transportation of goods and minimize the interference with local traffic~~ The area has direct access to an auto/truck priority route.

4. ~~The area does not include significant amounts of environmentally critical areas.~~ The area should be free of or able to appropriately accommodate environmentally critical areas.

~~5. The existing or planned public facilities are adequate to support these types of industrial uses.~~

Pol. IN ~~1.3~~ 1.2 Vegetative Buffers. Uses in the ~~Southeast~~ Industrial and Airport Industrial areas ~~and Northeast Special Planning Area~~ shall provide vegetative buffers to screen development from adjacent non-business properties and from adjacent roadways.

Pol. IN ~~1.4~~ 1.3 Performance Standards. Performance standards for uses in the ~~Southeast~~ Industrial and Airport Industrial areas ~~and Northeast Special Planning Area~~ will ensure that:

a. The scale and design of these uses is compatible with surrounding neighborhoods;

b. Lighting from these uses will not interfere or conflict with adjacent non-industrial properties;

c. Signage will be controlled and limited to informational types;

d. Curb cuts should be minimized and sharing of access encouraged; and

e. Adequate and safe motorized and non-motorized access to the site is provided, and transportation and circulation impacts, especially on residential areas, will be mitigated.

**Goal ~~IN.1~~ IN.2**

***Provide ~~opportunities~~ areas for the development of attractive Business Park, Warehouse, Manufacturing and Airport-Related uses in the ~~north~~east part of the City where impacts on the surrounding environment can be minimized.***

Pol. IN ~~1.1~~ 2.1 ~~***Discussion:*** In 2003, the City Council implemented this policy in the southern portion of the Northeast Special Planning Area (south of So. 138th Street) by creating a new underlying land use designation, Special Planning Area 4 (see Map LU-1 and Pol. SE 1.5). Policies IN 1.1, 1.2, 1.3, 1.4, 1.5 and 1.6 do not apply to Special Planning Area 4, but continue to apply in the rest of the Northeast Special Planning Area (north of So. 138th Street).~~

The Northeast ~~Special Planning~~ Redevelopment Area (NERA) identified on Map LU-1 is an overlay land use designation that recognizes a potential opportunity for economic development in the ~~north~~eastern part of the City, in areas affected by aircraft noise from SeaTac International Airport. Development of uses in the ~~Northeast Special Planning Area~~ NERA should be low scale, landscaped, ~~and~~ buffered, and be clustered together and sited so that they have internal circulation, minimizing the

number of access points to Des Moines Memorial Drive ~~have access to Des Moines Memorial Drive. , meet the designation criteria under this policy and meet the performance criteria set forth in policies IN 1.3 and 1.4.~~ Sites should be designed and located in a way that minimizes traffic, congestion, visual, noise or other impacts on adjacent residential uses or environmentally critical areas.

***Discussion:*** In 2009, the City and Port of Seattle collaborated on a Supplemental Environmental Impact Statement (SEIS) and Redevelopment Plan for the Northeast Redevelopment Area. This led to a series of Comprehensive Plan text and map amendments as well as Zoning Code and Zoning Map amendments related to approximately 158 acres of the NERA. These 158 acres were re-designated and rezoned into two Airport Industrial designations and a Professional Residential designation. Development within this portion of the NERA is subject to the SEIS and Redevelopment Plan. The City subsequently adopted a SEPA Planned Action Ordinance to help facilitate redevelopment in the area.

***Allowed Uses and Description:*** Business Park, Warehouse, Manufacturing uses ~~are~~ include storage ~~within a building~~, production, light industrial, processing and distribution-related businesses inside buildings with only limited storage and related activities occurring outside. Uses only have minimal environmental and land use impacts. ~~Since the area is in close proximity to SeaTac International Airport,~~ T~~t~~he uses in this classification ~~could~~ should be airport-oriented due to its close proximity to SeaTac International Airport. In addition, studio space for artists is also encouraged as a part of these developments, to the extent allowed by FAA restrictions.

~~***Character:*** Uses in the Northeast Special Planning Area 4 should be contained entirely within a structure. Only limited outside storage, or other external activity is appropriate. Developments should be clustered together and sited so that they have internal circulation, minimizing the number of access points to Des Moines Memorial Drive. Sites should be designed and located in a way that minimizes traffic, congestion, visual, noise or other impacts on adjacent residential uses or environmentally critical areas.~~

***Designation Criteria:*** Properties designated ~~for the~~ as Northeast ~~Special Planning~~ Redevelopment Area ~~shall~~should reflect the following criteria:

1. The area should be ~~is located in the northeast corner of Burien~~ adjacent to the Northeast Redevelopment Area as shown on Figure 2-SE1, Special Planning Areas, and is currently or anticipated to be subjected to high levels of noise from airport-related activities, and therefore, less suitable for residential development.

2. ~~The area must be a minimum of 2 acres in size, although smaller lots may be aggregated to meet this requirement.~~

3. The area shall be located near major transportation corridors with adequate highway access.

4. The area should be free of or able to appropriately accommodate ~~significant amounts of~~ environmentally critical areas.

~~5. The existing or planned public facilities are or will be adequate to support the level and intensity of proposed development.~~

***~~Implementation~~*** **Northeast ~~Special Planning~~ Redevelopment Area~~—Special Area Plan~~**
~~***Discussion:*** Land in the Northeast Special Planning Area shown on Map LU-1 may not be ready for conversion from existing residential uses. Preparation of a Special Area Plan or sub-area plan will help ensure that the Northeast Special Planning Area is re-developed in a coordinated manner.~~

Pol. IN ~~1.5~~ 2.2 Prior to considering redesignation of land within ~~Special Planning Area 4~~ the NERA north of South 138th Street as shown on Map LU-1, Comprehensive Plan Map, a Special Area Plan in the form of an addendum or revision to the existing Redevelopment Plan and SEIS shall be prepared. Until completion of a Special Area Plan ~~(or related sub-area plan)~~, this area shall continue to be regulated under the provisions of the underlying land use designation as shown on Map LU-1, Comprehensive Plan Map and zoning as shown on the City's Zoning Map.

~~This Special Area Plan, should be in the form of an integrated Growth Management Act/State Environmental Policy Act integrated plan in order to provide advance environmental review and approval of specific development opportunities or plans.~~ The Special Area Plan shall consider at a minimum, the following items:

a. The appropriateness and feasibility of non-residential uses in this area;

b. ~~and w~~Which areas should be converted to ~~the Special Planning Area 4~~ Airport Industrial, Professional Residential and/or other designations that will achieve the objective of Pol. IN 2.1;

c. ~~For those areas appropriate for conversion, the Plan shall address h~~How such areas may be transitioned from existing residential uses;

d. ~~and h~~How development will be supported by adequate facilities;

~~e. The Plan and resulting development regulations should address m~~Minimum parcel size for development to avoid piecemeal conversion of residential land uses. ~~The Special Planning Area may be included in one Special Area Plan or be divided into a number of smaller Special Area Plans particular to individual development plans prepared over time.~~

***Discussion:*** Land in the Northeast ~~Special Planning~~ Redevelopment Area shown on Map LU-1, Comprehensive Plan Map, may not be ready for conversion from existing residential uses. Preparation of a Special Area Plan ~~or sub-area plan~~ will help ensure that the ~~Northeast Special Planning A~~area is re-developed in a coordinated manner.

Pol. IN 2.3 The *Airport Industrial* designations facilitate economic development and provide flexibility for airport-compatible uses in a campus-like setting with internal circulation to minimize the number of access points to Des Moines Memorial Drive.

***Allowed Uses and Description:*** The *Airport Industrial with Automall/Commercial Retail* designation allows flex-tech, professional office, light manufacturing, production, processing and distribution-related businesses, warehousing, utilities, retail, and new car auto sales developed in an auto center configuration. New residential uses are not allowed.

The *Airport Industrial* designation allows flex-tech, professional office, light manufacturing, production, processing and distribution-related businesses, warehousing, and utilities. Retail is allowed as an accessory use. New residential uses are not allowed.

Further discussion of the Airport Industrial designations can be found in the Final Supplemental Environmental Impact Statement for the Northeast Redevelopment Area dated November 2009.

***Implementation:*** Properties designated *Airport Industrial with Automall/Commercial Retail* will be implemented by the AI-1 zone. Properties designated *Airport Industrial* will be implemented by the AI-2 zone.

***Designation Criteria:*** Properties designated *Airport Industrial* shall be located within the Northeast Redevelopment Area and shall be subject to a special study/Supplemental Environmental Impact Statement supporting the designation as outlined in Pol. IN 2.1.

## Parks, Schools, Recreation and Open Space

### Goal PO.1

***Provide areas for Parks, Schools, Recreation and Open Space land uses ~~areas within the City that are devoted to these types of uses,~~ and recognize their contribution to the overall quality of life in Burien.***

Pol. PO 1.1 The *Parks/Schools/Recreation/Open Space* ~~area~~ designation should reflect existing or planned areas for public recreational facilities, such as community centers, parks, trails, open space areas and public schools. This classification also encompasses significant quasi-public facilities, such as private schools, that are not intended for unrestricted public use but provide limited public access to the community.

***Allowed Uses and Description:*** ~~This~~ The *Parks/Schools/Recreation/Open Space* designation allows for public parks, public or quasi-public facilities, recreation, and public open space areas.

***Designation Criteria:*** Properties designated ~~as parks, schools, recreation or open space~~ *Parks/Schools/Recreation/Open Space* ~~should~~ shall ~~generally~~ reflect one of the following criteria:

1. The area is a public park or recreation facility.

2. The area is a quasi-public facility that has limited access park, recreation or open space areas.

3. The area is a public designated open space.

4. The area is identified for acquisition as a public park or a public open space.

5. The area or facility is or may be appropriate for multiple or shared uses, such as a stormwater facility or a public or private school with a play area that could also serve as a passive or active park or open space.

**Special Planning Areas**

**Goal SE.1**

***When appropriate, designate Special Planning Areas to provide the City with the ability to support, encourage and achieve the community vision for specific areas of the city ~~downtown~~. These areas have distinctive ~~geographic~~ characteristics that the City's existing land use designations cannot adequately address.***

**Discussion:** Special Planning Areas are used as a planning tool to create policies, regulations and criteria for development within defined geographic areas of the City that have special characteristics. These characteristics could include special design elements, gateways, large-lot public or semi-public facilities, or master-planned areas. A Special Planning Area can be established when the City's traditional Plan designations and zoning regulations are inadequate to address the development of an area. Within Special Planning Areas, special regulations are designed to ensure that development supports and achieves the desired character and stated goals and policies for the area. Special Planning Areas within the City of Burien are identified in Figure 2-SE1, Special Planning Areas.

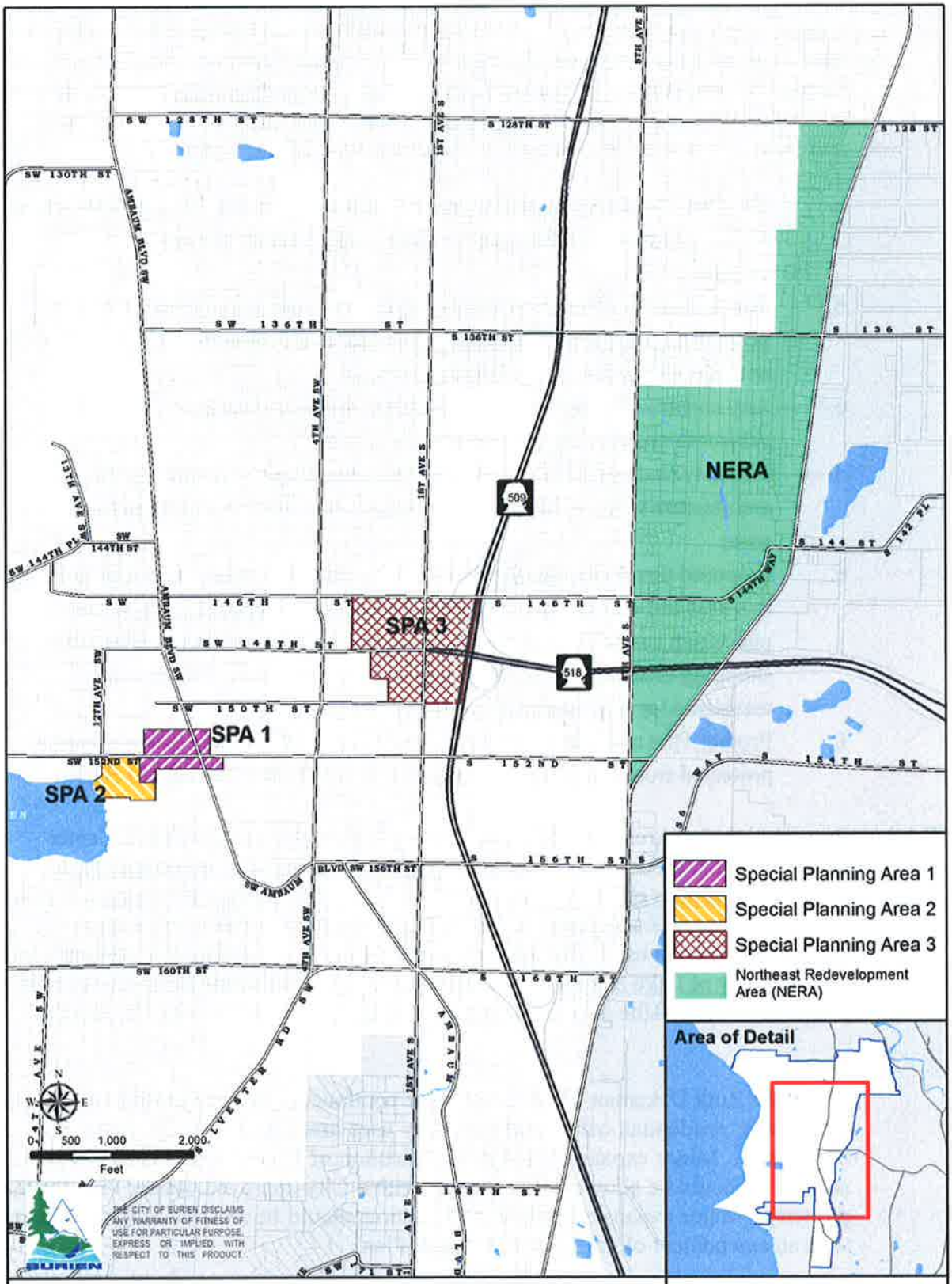


**Figure 2-SE1 - Special Planning Areas** | **December 2012**

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Last updated: 8/21/2012
By: Fernandol

Pol. SE 1.2 Special Planning Area 1 at the southwest entrance of downtown includes an area centered around SW 152nd Street between 8th Avenue SW and the Ruth Dykeman Center, is the area known as "Old Burien." ~~the City should strive to help achieve the following objectives through administering Special Planning Area 1 design standards recognizing~~ The Special Planning Area designation recognizes the area's pedestrian orientation, historic and design character, and location as a gateway to and from downtown. Within Special Planning Area 1 the City should:

a. ~~The City should s~~Strengthen, preserve and enhance Old Burien as an active and economically viable place to shop, visit, conduct business and enjoy cultural events;

b. ~~The pedestrian orientation will be e~~Enhance~~d~~ and maintain~~ed~~ the area's pedestrian orientation and design character in a manner that is consistent with the City's design ~~guidelines~~standards;

~~c. Any construction, improvements or demolition of structures should be subject to special design review by the City;~~

~~d. The City shall administer adopted design standards perpetuating the architecture within Old Burien for commercial, business and residential uses;~~

e. ~~Proposed developments should comply with the stated goals and policies for this area and enhance the character of the area. A~~ Maintain the strong pedestrian connection between Old Burien and ~~the pedestrian oriented shopping area along SW 152nd east of Ambaum Blvd. SW should be established and maintained~~Downtown Burien; and,

f. Protect ~~T~~the residential neighborhood west of 10th Avenue SW ~~should be protected~~ from the potential expansion of retail uses west of Old Burien.

Pol. SE 1.3 Special Planning Area 2 includes the existing Ruth Dykeman Children's Center facilities on Lake Burien. The Special Planning Area designation recognizes the unique use, campus and location of the Ruth Dykeman's Children's Center. 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 ~~aPublic access to the water is prohibited; and b. T~~the development supports the historical link with Old Burien.

While the Ruth Dykeman Children's Center continues to operate a children's center on the site, residential, office and accessory uses associated with the center should be allowed. Minor expansion and/or modification of the children's center uses and structures should be allowed, if consistent with a City-approved Master Plan for the property. Major expansion and/or modification should be reviewed in conjunction with an amendment of the approved Master Plan.

Pol. SE 1.4 Special Planning Area 3 includes the eastern entrance into downtown near the vicinity of 1st Avenue South and SW 148th Street on the north and SW 150th Street on the south. This area-is also referred to as the gateway ~~area~~. The Special Planning Area 3 designation ~~3 should develop~~ recognizes that the gateway area should be ~~as~~ a quality environment that identifies a primary entrance to the City and downtown from major transportation corridors. Developments and improvements in the area (including land within the SR-509 and SR-518 rights-of-way) should be consistent with the December, 1998 "Burien Gateway Design Report", which is adopted as part of this Plan by reference. Within ~~this~~ Special Planning Area 3 the City should:

a. Encourage ~~the type of~~ well-designed, quality development that reinforces a positive image for the City and the adjacent downtown area, and promotes economic development; and

b. Support and encourage site design, building design and landscaping that promotes pedestrian activity and establishes a strong pedestrian connection between ~~the~~ Special Planning Area 3 and the downtown; and

c. Support and encourage the development of quality designed hotels with conference facilities and associated retail.

Pol. SE 1.5 Deleted ~~The Northeast Redevelopment Area (NERA) is an approximately 158 acre area located in the northeastern part of Burien that has been affected by SeaTac International Airport operations (see Figure 2-SE1). The NERA provides near and long term opportunities for economic development.~~

~~**Allowed Uses and Description:** The NERA has been divided into two land use designations: Airport Industrial (AI) and Professional Residential (PR).~~

~~*Airport Industrial*: The purpose of this designation is to facilitate economic development and provide flexibility for airport-compatible uses in a campus-like setting with internal circulation to minimize the number of access points to Des Moines Memorial Drive. Allowed uses include, but are not limited to flex-tech, professional offices, light manufacturing, production, processing and distribution-related businesses; warehousing, utilities, retail, and new car auto sales developed in an auto mall configuration in designated locations. New residential uses are not allowed.~~

~~*Professional Residential*: The purpose of this designation is to provide flexibility by allowing both single family homes and small businesses in an area near but not directly under SeaTac International Airport's third runway. Allowed uses include, but are not limited to moderate density residential, small office, small scale retail, art studios, and other similar uses that would be compatible with single-family homes. (Amended, Ord. 528, 2009)~~

Pol. IN 1.5 Deleted ~~Prior to considering redesignation of land within the Northeast Special Planning Area to Special Planning Area 4, a Special Area Plan shall be prepared.~~

~~This Special Area Plan should be in the form of an integrated Growth Management Act/State Environmental Policy Act integrated plan in order to provide advance environmental review and approval of specific development opportunities or plans. The Special Area Plan shall consider the appropriateness and feasibility of non-residential uses in this area and which areas should be converted to the Special Planning Area 4 designations. For those areas appropriate for conversion, the Plan shall address how such areas may be transitioned from existing residential uses, and how development will be supported by adequate facilities. The Plan and resulting development regulations should address minimum parcel size for development to avoid piecemeal conversion of residential land uses. The Special Planning Area may be included in one Special Area Plan or be divided into a number of smaller Special Area Plans particular to individual development plans prepared over time.~~

~~Until completion of a Special Area Plan (or related sub-area plan), this area shall continue to be regulated under the provisions of the underlying land use designation as shown on Map LU-1 and zoning as shown on the City's Zoning Map.~~

**~~Phasing of Uses and Densities~~**

**~~Goal PH.1~~**

***Deleted ~~To allow for the orderly phasing of current uses and densities to desired future uses and densities.~~***

~~Pol. PH 1.1 Where appropriate, the City will encourage and support the use by individual property owners of alternatives to development. Such alternatives may include transfer of development rights ("TDR") to the downtown and other appropriate areas, conservation easements, open space tracts, and other mechanisms designed to permanently eliminate development. In cases where individual neighborhoods have reduced the development capacity through the use of covenants, the City will support the conversion of those covenants to conservation easements or other suitable mechanisms. Each time a development right is exercised in this or a like manner the development potential of the area will be commensurately reduced. The City will implement administrative programs designed to educate and facilitate the use of these mechanisms and present these programs to the neighborhoods during the neighborhood planning process.~~

**Natural Environment**

**Goal EV.1**

***Preserve and enhance critical areas in order to protect public health, safety, and welfare, and to maintain the integrity of the natural environment.***

Pol. EV 1.1 The City of Burien's Critical Areas Map shall be used as a reference for identifying the City's critical areas. Other unmapped critical areas do exist throughout the city.

Any site containing critical areas are subject to the special development regulations and conditions found in the City's Critical Areas Ordinance.

Pol. EV 1.2 Development should be directed toward areas where their adverse impacts on critical areas can be minimized.

Pol. EV 1.3 ~~Attempt to~~ Avoid impacts to critical areas where feasible, before considering minimizing impacts or providing mitigation.

Pol. EV ~~1.3~~ 1.4 The City shall maintain a system of development regulations and a permitting system to prevent the destruction of critical areas. Development regulations should at a minimum address wetland protection, aquifer recharge areas important for potable water, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas.

Pol. EV ~~1.4~~ 1.5 The City shall require permit review approval before any activity or construction is allowed to occur in, adjacent to, or impact a critical area.

~~***Discussion:*** A permit is required because critical areas are susceptible to degradation from incompatible uses or activities including, improper clearing, grading, filling, refuse dumping, and construction.~~.

Pol. EV ~~1.5~~ 1.6 If no feasible alternative exists, a limited amount of development may occur on wetlands and floodplains, however development shall not result in a net loss of associated natural functions and values of those systems. In these instances, a broad range of site planning techniques should be explored to minimize impacts on these critical areas. (Amended, Ord. 497, 2008)

~~***Discussion:*** Clustering and appropriately designed housing types can allow for a more environmentally sensitive site plan by concentrating development on the most buildable portion of a site while preserving natural drainage, wetlands and other natural features. Greater attention to site design, including the use of buffers, can enhance aesthetic appeal, neighborhood compatibility, and resource protection.~~

Pol. EV ~~1.6~~ 1.7 Clustering of housing units may be allowed on lots designated for residential development that contains steep slopes and are located adjacent to an urban environment.

~~***Discussion:*** This policy is intended to allow a more gradual transition from the urban environments (containing multifamily and commercial development) along Ambaum Boulevard eastward to the steep sloped areas designated for lower density single family residential development that are adjacent to Salmon Creek Ravine and Seahurst Park. This policy would allow a property owner to use the full development potential of the lot by concentrating development on the buildable portion of the lot, while protecting the steep sloped portion from development.~~

Pol. EV 1.8 Locate development in a manner that minimizes impacts to natural features. Promote the use of innovative environmentally sensitive development practices, including design, materials, construction, and on-going maintenance.

Pol. EV ~~1.7~~ 1.9 The City shall develop land use regulations to buffer critical areas from the impacts of adjacent land uses.

Pol. EV ~~1.8~~ 1.10 The City requires the use of Best Available Science for protecting critical areas within the community pursuant to the Growth Management Act [RCW 36.70A.172(1)].

Pol. EV ~~1.9~~ 1.11 Encourage minimizing the amount of impervious surfaces in new development through the use of appropriate low-impact development techniques and removing paved areas or using retrofit options in existing developments, where applicable, to minimize runoff.

**Goal EV.2**

***Maintain and promote a safe and healthy environment and preserve the quality of life in Burien.***

Pol. EV 2.1 The City shall ensure that uses and development in shoreline areas is compatible with the shoreline environments designated in the City's Shoreline Master Program. Adherence to these designations will ensure that sensitive habitat, ecological systems, and other shoreline resources are protected.

~~***Discussion:*** Shoreline designations within the City are as follows: "Conservancy" designation is applied from the north end of Seahurst Park southwards to approximately the northern end of 28th Ave. SW. "Urban" designation is applied to the remainder of the Puget Sound shoreline within Burien, as well as to the shoreline of Lake Burien.~~

*Surface Water Quality*

Pol. EV 2.2 Maintain and restore ~~S~~stream banks and stream channels ~~should be maintained or restored~~ to their natural condition wherever such conditions or opportunities exist.

Pol. EV 2.3 The capacity of natural drainage courses shall not be diminished by development or other activities.

Pol. EV 2.4 The City shall consider the impacts of new development on water quality as part of its environmental review process and require where appropriate any mitigation measures.

Pol. EV 2.5 Deleted. ~~The City Shoreline Master Program, hereby adopted as an element of this Plan, shall govern the development of all designated Shorelines of the City. Lands adjacent to these areas shall be managed in a manner consistent with this Program.~~

*Air Quality*

Pol. EV 2.6 ~~The City will c~~Continue to support and rely on the various State, Federal, local and regional programs to protect and enhance air quality..

Pol. EV 2.7 ~~The City shall e~~Encourage the retention of native vegetation and top soil and require landscaping in new developments in order to provide filtering of suspended particulates. ~~(Amended, Ord. 497, 2008)~~

Pol. EV 2.8 ~~The City shall c~~Consider the impacts of new development on air quality as a part of ~~it's~~ the SEPA environmental review process and require mitigating measures as may be appropriate..

*Vegetative Quality*

Pol. EV 2.9 The City shall consider the impacts of new development on the quality of land, wildlife and vegetative resources as a part of its environmental review process and require any appropriate mitigating measures. Such mitigation may involve the retention of significant habitats.

Pol. EV 2.10 Identify existing and potential wildlife habitat corridors and work to enhance their function and connectivity to other habitat areas.

Pol. EV ~~2.10~~ 2.11 The City shall encourage an increase in tree canopies through the addition and the preservation of existing vegetation and use of landscaping as an integral part of development plans.

Pol. EV ~~2.11~~ 2.12 The City should consider developing and implementing a measure which would preserve trees of historical significance.

*Hazardous Materials*

Pol. EV ~~2.12~~ 2.13 ~~The s~~Storage and disposal of any hazardous material shall be done only in strict compliance with applicable city, state and federal law.

Pol. EV ~~2.13~~ 2.14 ~~The City shall c~~Consider the impacts of new development on the risk of hazardous materials as a part of ~~it's~~ the environmental review process and require any appropriate mitigating measures.

P Pol. EV ~~2.14~~ 2.15 Deleted ~~No development shall occur on land determined to be contaminated until mediation has been completed between all parties involved. The city will obtain county, Federal and state resources to address issues.~~

*Education*

Pol. EV ~~2.15~~ 2.16 Educate the public on water quality issues and impacts of stormwater flow.

Pol. EV ~~2.16~~ 2.17 Educate individuals and households about different ways to reduce pollution.

Pol. EV 2.18 Support efforts to create and improve urban habitat areas. Habitat creation and enhancement efforts include backyards and/or other forms of urban habitat areas.

**Goal EV.3**

***Promote soil stability ~~and~~ to ~~ensure~~ protect against the loss of both public and private property in areas with steep slopes.***

Pol. EV 3.1 As slope increases, development intensity, site coverage, and vegetation removal should decrease and thereby minimize the potential for drainage problems, soil erosion, siltation and landslides. Slopes of 40 percent or greater should be retained in a natural state, free of structures and other land surface modifications.

1. Single family homes and detached single-family garages on existing legally established lots are exempted from this restriction, provided that:

    a. The application of this restriction would deny any appropriate use of this property;

    b. There is no other appropriate economic use with less impact;

    c. The proposed development does not pose a threat to public health, safety or welfare on or off the development site;

    d. Any alterations permitted to the critical area shall be the minimum necessary to allow for economic use of the property;

    e. An analysis of soils, footings and foundations, and drainage be prepared by qualified professionals, certifying that the proposed activity is safe and will not adversely affect the steep slope hazard area or buffer; and

    f. There are adequate plans, as determined by the City, for stormwater and vegetation management.

2. Short plats or other divisions of an existing legal lot shall only be approved if all resulting lots are buildable under this restriction.

3. It is the applicant's responsibility to show that these provisions are met through an appropriate mechanism such as, or similar to, the SEPA process.

Pol. EV 3.2 The City should prohibit development on areas prone to erosion and landslide hazards. Further, the City should restrict development on potentially unstable land to ensure public safety and conformity with existing natural constraints, unless the risks and adverse impacts associated with such development can be appropriately mitigated.

Pol. EV 3.3 The City should require development proposals to include measures to stabilize soils, hillsides, bluffs and ravine sidewalls and to promote wildlife habitat by retaining or restoring native vegetation.

Pol. EV 3.4 The City should consider developing policies that balance the removal of vegetation to preserve and enhance views with the need to retain vegetation to promote slope stability and open space.

Pol. EV 3.5 Land uses on steep slopes should be designed to prevent property damage and environmental degradation, and to enhance open space and wildlife habitat.

Pol. EV 3.6 Where there is a high probability of erosion, grading should be kept to a minimum and disturbed vegetation should be restored as soon as feasible. In all cases, the City shall require appropriate site design and construction measures to control erosion and sedimentation.

**Goal EV. 4**

***Conserve fish and wildlife resources and maintain bio-diversity.***

Pol. EV 4.1 The City should maintain and enhance existing species and habitat diversity including fish and wildlife habitat that supports the greatest diversity of native species.

Pol. EV 4.2 All development activities shall be located, designed, constructed and managed to avoid disturbance of adverse impacts to fish and wildlife resources, including spawning, nesting, rearing and habitat areas and migratory routes.

Pol. EV 4.3 Fish and wildlife habitat should be protected, conserved and enhanced, including:

a. Habitats for species which have been identified as endangered, threatened, or sensitive by the state or federal government;

b. Priority species and habitats listed in the Adopted King County Comprehensive Plan, ~~November 1994~~October 2008, as amended;

c. ~~Commercial and recreational s~~Shellfish areas;

d. Kelp and eel-grass beds;

e. Herring and smelt spawning areas; and

f. Wildlife habitat networks designated by the City.

Pol. EV 4.4 Fish and wildlife should be maintained through conservation and enhancement of terrestrial, air and aquatic habitats.

Pol. EV 4.5 The City shall be a good steward of public lands and should integrate restoration and/or enhancement of fish and wildlife habitats into capital improvement projects whenever feasible.

Pol. EV 4.6 ~~The City shall work~~ Coordinate with adjacent jurisdictions and state, federal and tribal governments during land use ~~plan development~~ review to identify and protect habitat networks that ~~follow or~~ are adjacent to jurisdictional boundaries.

Pol. EV 4.7 The City should ensure that habitat networks throughout the City are designated and mapped. The network should be of sufficient width to protect habitat and dispersal zones for small mammals, amphibians, reptiles, and birds. These networks should be protected through incentives, regulation and other appropriate mechanisms. Site planning should be coordinated during development review to ensure that connections are made or maintained amongst segments of the network.

Pol. EV 4.8 Native plant communities and wildlife habitats shall be integrated with other land uses where possible. Development shall protect wildlife habitat through site design and landscaping. Landscaping, screening, or vegetated buffers required during development review shall retain, salvage and/or reestablish native vegetation whenever feasible. Development within or adjacent to wildlife habitat networks shall incorporate design techniques that protect and enhance wildlife habitat values.

Pol. EV 4.9 ~~The City should p~~Protect salmonid habitats by ensuring that land use and facility plans (transportation, water, sewer, power, gas) include riparian habitat conservation measures developed by the City, affected tribes, and/or state and federal agencies. Development within basins that contain fish enhancement facilities must consider impacts to those facilities.

Pol. EV 4.10 ~~In order to minimize adverse impacts related to noise, unless prohibited by federal or state law,~~ Protect fish and wildlife habitat conservation areas within the City ~~should be protected~~ from exterior noise levels which exceed 55 dBA Ldn to the extent allowed by federal and state law.

Pol. EV 4.11 The City shall promote voluntary wildlife enhancement projects which buffer and expand existing wildlife habitat, through educational and incentive programs for individuals and businesses.

**Goal EV.5**

***Protect, improve and sustain ground water quality and quantity through sound and innovative environmental management.***

Pol. EV 5.1 The City hereby adopts King County's Preliminary Map of Areas Highly Susceptible to Ground Water Contamination designating Critical Aquifer Recharge Areas, including any subsequent amendments.

Pol. EV 5.2 The City shall protect the quality and quantity of groundwater by:

a. ~~Placing priority on implementation of the South King County Groundwater Management Plan~~;

b. Developing a process by which the City will review, and implement, as appropriate, Wellhead Protection Programs in conjunction with adjacent jurisdictions and ground water purveyors, and adopting best management practices for new development. ~~recommended by the South King County Groundwater Management Plan.~~ The goals of those practices should be to promote aquifer recharge quality and quantity; and

c. Refining regulations as appropriate to protect critical aquifer recharge areas based on information derived through the preparation of Groundwater Management Plans and Wellhead Protection Programs.

Pol. EV 5.3 ~~The City shall~~ ~~protect~~ Provide incentives for and promote ground water recharge by ~~promoting~~ allowing and encouraging the use of low-impact development techniques that infiltrate runoff where site conditions permit. ~~, except where potential groundwater contamination cannot be prevented by pollution source controls and stormwater pretreatment.~~

Pol. EV 5.4 Protect groundwater sources from contamination by requiring pollution source controls and stormwater pretreatment.

Pol. EV ~~5.4~~ 5.5 Comprehensive Plan land use decisions ~~In making future zoning decisions, the City~~ shall consider impacts to ~~evaluate and monitor ground water policies, their implementation costs, impacts upon the~~ quantity and quality of groundwater supply. ~~and the need for new water supplies.~~

Pol. EV 5.6 When considering new or modified groundwater polices the City should evaluate costs of implementation.

*Note: Additional ground water related goals and policies can be found in section 2.8, Storm Water Element.*

**Wetlands**

**Goal EV.6**

***Protect and enhance the functions and values of the City's wetlands.***

Pol. EV 6.1 ~~The City shall p~~Protect ~~its~~ the City's wetlands with an objective of no overall net-loss of functions and values.

Pol. EV 6.2 All wetland functions should be considered in evaluating wetland mitigation proposals, including fish and wildlife habitat, flood storage, water quality, recreation, educational opportunities, and aesthetics.

Pol. EV 6.3 The City will protect wetlands by maximizing infiltration opportunities and promoting the conservation of forest cover and native vegetation.

Pol. EV 6.4 Mitigation for any adverse impacts on wetlands shall be provided in the same basin within which the impacts occur.

**Noise**

**Goal NO.1**

***Prevent community and environmental degradation by limiting noise levels, and to safeguard the health and safety of the residents of the City by ensuring that the City's physical and human environments are protected and enhanced as progress and change ~~take place~~ occurs within and outside of its municipal boundaries.***

Pol. NO 1.1 ~~The City shall:~~

~~a. d~~Discourage the introduction of noise levels which are incompatible with current or planned land uses.

~~b. encourage the reduction of incompatible noise levels; and~~

~~c. discourage the introduction of new land uses into areas where existing noise levels are incompatible with such land uses.~~

Pol. NO 1.2 ~~e~~Encourage the reduction of incompatible noise levels~~; and~~

Pol. NO 1.3 ~~d~~Discourage the introduction of new land uses into areas where existing noise levels are incompatible with such land uses.

Pol. NO ~~1.2~~ 1.4 ~~The City shall w~~Work with other jurisdictions and agencies to encourage the reduction of noise from Seattle-Tacoma International Airport.

Pol. NO ~~1.3~~ ~~The City shall aggressively campaign for the development of new and quieter aircraft engines as well as modifications and/or retrofitting programs which promote the greatest reductions possible in aircraft noise emission levels.~~

Pol. NO ~~1.4~~ 1.5 ~~The City shall take advantage of every opportunity to w~~Work with the Port of Seattle and the Federal Aviation Administration to ~~promote the~~ develop~~ment~~ and implement~~ation of~~ airport operational procedures that will decrease ~~the~~ adverse noise effects. ~~of airport operations on the City and its residents.~~

**Historic Preservation**

**Goal HT.1**

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

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

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

~~a. It is listed, or eligible for listing, in the National Register for Historic Places or the King County Inventory of Historic Places;~~

~~b. It is associated with events that have made a significant contribution to the broad patterns of national, state, or local history;~~

~~c. It is associated with the life of a person who is important in the history of the community, city, state, or nation or who is recognized by local citizens for substantial contribution to the neighborhood or community;~~

~~d. It embodies the distinctive characteristics of a type, period, style or method of construction;~~

~~e. It is an outstanding or significant work of an architect, builder, designer or developer who has made a substantial contribution to the profession;~~

~~f. It has yielded, or may be likely to yield, information important in prehistory or history;~~

~~g. Because of its location, age or scale, it is an easily identifiable visual feature and contributes to the distinctive quality or identity of the community or City;~~

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

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

Pol. HT 1.3 Deleted. ~~The City shall consider the impacts of new development on historical resources as a part of its environmental review process and require any appropriate mitigation measures.~~

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

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

**Community Character**

**Goal CC.1**

***~~Create a balanced community by c~~Controll~~ing~~ and direct~~ing~~ growth in a manner which enhances, rather than detracts from community quality and values.***

Pol. CC 1.1 Deleted. ~~In its land use management decisions, the City shall seek to direct the rate and pattern of future growth, and support the type of developments that will further the goals of the Burien Vision and the comprehensive plan.~~

Pol. CC 1.2 Deleted. ~~The impact of development proposals on community facilities, amenities and services, as well as the City's general quality of life, shall be studied under the provisions of city, state and federal regulations prior to development approval. As appropriate mitigation measures shall be required to ensure conformance with this Plan.~~

Pol. CC 1.3 Cooperate with surrounding ~~municipalities~~ jurisdictions to enhance the consistency of development proposals with their land use goals and policies. ~~of all jurisdictions, particularly with border jurisdictions.~~

~~**Discussion:** The Burien Plan implements the Burien Vision by balancing the needs and desires of the community with the types and amount of growth that can be afforded. The plan should determine where growth should occur and limit growth in areas where there are constraints to development, such as areas containing critical~~

~~areas, inadequate public facilities and services. The Burien Vision also includes the mitigation of impacts associated with future growth. (Amended, Ord. 445, 2005)~~

**Public Facilities**

**Goal PF.1**

***Ensure that development is served by adequate levels of public facilities and services that are necessary for development.***

Pol. PF 1.1 Prior to permit approval new development must ~~be coordinated~~ comply with ~~the provision of~~ any adopted levels of service for schools, water, fire protection, sewer, general government services, transportation and parks.

If adequate facilities will be provided concurrently (as defined or funded and to be constructed within six years of development) the City may allow development to occur.

Pol. PF 1.2 Deleted. ~~The City will allow new development to occur only when and where adequate facilities exist or will be provided concurrently (as defined or funded and to be constructed within six years of development) with new development.~~

**Property Acquisition Areas (Deleted Ord. 551, Dec. 13, 2010)**

**Land Use Plan Implementation**

**Goal PI.1**

***Implement the goals and policies of the land use plan through a variety of means and mechanisms which are coordinated and consistent.***

Pol. PI 1.1 The Comprehensive Plan, development regulations, functional plans and budgets should be mutually consistent and reinforce each other.

Pol. PI 1.2 The City's development regulations should be consistent with other City plans, ~~and~~ activities, ~~including~~ and ~~other~~ development requirements.

Pol. PI 1.3 Development regulations shall be clearly written and absent duplicative, uncoordinated or unclear requirements.

Pol. PI 1.4 ~~The development regulations should enable the City to use~~ Provide for different ~~types~~ levels of ~~conditional use~~ permit review processes, including administrative, appeal and hearing processes, based on the ~~type of the~~ proposed use ~~applied for~~ and its degree of potential impacts on the community.

Pol. PI 1.5 ~~The land use map of the comprehensive plan shall provide general guidance for land use and zoning (Zoning Map PI1).~~

Burien's development regulations and zoning map must be consistent with the future land use map (Map LU-1).

~~Pol. PI 1.6 In deciding applications for amendments to the comprehensive plan, the City should consider the following:~~ Amendments to the Comprehensive Plan shall comply with the following criteria, using the procedures established in the Zoning Code:

a. ~~Consistency with the comprehensive plan policies and the designation criteria~~ The proposed amendment is the best means for meeting an identified public need ; and

b. ~~Capability of the land;~~ The proposed amendment is consistent with the Growth Management Act, applicable Puget Sound Regional Council (PSRC) plans, King County Countywide Planning Policies and Burien Comprehensive Plan; and

c. ~~Capacity of public facilities and services and whether public facilities and services can be provided cost effectively (if publicly funded) at the intensity allowed by the designation;~~ The proposed amendment ~~will result in a net benefit~~ will not result in a net loss to the community; and

d. ~~Whether the proposed use is compatible with nearby uses;~~ The revised Comprehensive Plan will be internally consistent; and

e. ~~The need for the land uses which would be allowed by the comprehensive plan change, and whether the change would result in the loss of the capacity to provide other needed land uses, such as housing; and~~ The capability of the land can support the projected land use;

f. ~~Whether there has been a change in circumstances that makes the proposed plan designation appropriate or whether the plan designation was the result of technical error.~~ Adequate public facility capacity to support the projected land use exists, or, can be provided by the property owner(s) requesting the amendment, or, can be cost-effectively provided by the City or other public agency; and;

g. The proposed amendment will be compatible with nearby uses; and

h. The proposed amendment would not prevent the City from achieving its Growth Management Act population and employment targets; and

i. For a Comprehensive Plan land use map change, the applicable designation criteria for the proposed land use designation are met and either of the following is met:

i. Conditions have changed since the property was given its present Comprehensive Plan designation so that the current designation is no longer appropriate; or,

ii. The map change will correct a Comprehensive Plan designation that was inappropriate when established.

~~***Discussion:*** The purpose of a comprehensive plan is to aid a community in making decisions about the future. While the future will bring change that the comprehensive plan cannot fully anticipate, the comprehensive plan can identify the factors that may need to be considered in addressing those changes. The above policies describe the role of these factors.~~

~~***Land Use Conflicts***~~

Pol. PI 1.6 Deleted. ~~If there is a conflict between the comprehensive plan land use map and the land use designation policies, the land use designation policies control.~~

Pol. PI 1.7 Deleted. ~~If there is a conflict between other maps found in this plan and the comprehensive plan land use map, the map that most specifically addresses the issue controls.~~

Pol. PI 1.8 Deleted. ~~If there is a conflict between the land use designation policies and other policies, the policy that most specifically addresses the issue controls.~~

Pol. PI 1.9 Deleted. ~~Except as provided in policy Pl 1.4, if there is a conflict between the comprehensive plan or the comprehensive plan land use map and the zoning ordinance including the zoning map, the comprehensive plan shall control.~~

~~***Discussion:*** The comprehensive plan land use map is a generalized description of the land use policies. Decision makers should refer to both the comprehensive plan land use map and the applicable land use policies.~~

Add definition to Glossary in Section 1.4:

Historic Resource: A district, site, building, structure or object significant in national, state or local history, architecture, archaeology, and culture.

# Ordinance 573
# EXHIBIT B

CITY OF BURIEN
Dept. of Community Development
400 SW 152nd Street, Suite 300
Burien, WA 98166
(206) 248-5510

2012 Comprehensive Plan Text and Map Amendments and Concurrent Area-wide Rezone

**APPLICANT(S):** City of Burien

**LOCATION:** Comprehensive Plan Text and Map Amendments/Citywide

**REQUEST:** Amendments to Burien's Comprehensive Plan. Text amendments to the land use element. Amendments generally include the following:

- Incorporating the North Burien Annexation area, including amendments to the Comprehensive Land Use Map
- Align goals and policies with regional and county planning documents
- Incorporate countywide growth targets
- Improve consistency of land use designation criteria and adopt a commercial node concept
- Ensure goals and policies are consistent with best available science
- Align text to match pending SMP adoption
- Update references to other local planning documents
- Adopting Comprehensive Land use designation for the North Burien Area (generally north of 128th Street)'
- Adoption of area-wide zoning map amendments consistent with the Comprehensive Plan map.

**TAX PARCEL NUMBER(S):** Not applicable

## FINDINGS

### REVIEW OF CRITERIA FOR COMPREHENSIVE PLAN AMENDMENT

Zoning Code section 19.65.095.4 contains the criteria for review of a proposed Comprehensive Plan amendment. To be approved, the proposed amendment must meet all of the following criteria:

***A. The request is the best means for meeting an identified public benefit; and***

The request to amend the Comprehensive Plan was made prior to June 1, 2012, as required in BMC 19.65.095.

The proposed amendments set the policy framework on what land uses and other related decisions should occur over the next 20 years. A portion of the amendments will greatly improve the connection between decisions regarding land use designations, transportation facilities and services. The policy framework will allow plan implementation in a number of areas such as zoning decisions, transportation standards and the design and construction of capital improvement projects.

***B. The proposed amendment is consistent with the Growth Management Act, applicable Puget Sound Regional Council (PSRC) plans, King County Countywide Planning Policies and Burien Comprehensive Plan; and***

Goals of the GMA state that development should occur in urban areas where adequate public facilities and services exist and there is an efficient multimodal transportation system. The goals also state that the environment should be protected. The GMA and King County Countywide Planning Policies both contain various requirements related to land use, environmental protections, transportation services, and require communities to adequately plan for future growth. The Countywide Planning Policies establish growth targets. The proposed amendments will ensure consistency with the Growth Management Act and Countywide Planning Policies by incorporating policy language illustrating how the City meets county growth targets, land use map changes increasing housing capacity, and language supporting the use of best available science to protect the environment.

Updating the Comprehensive Plan to bring it into compliance with the Growth Management Act (GMA), regional planning documents (Vision 2040, CPPs) and establish comprehensive plan land use designations for the North Burien area fulfills a public benefit. A specific public benefit identified in the regional and county plans is to accommodate forecasted population growth and ensure there is sufficient infrastructure such as housing and transportation facilities. The proposed amendments will also improve long-term certainty in the land use decision-making process. The plan amendments will solidify a long-term land use management approach that will coordinate development with infrastructure improvements and adjacent uses while encouraging efficient use of land.

***C. The proposed amendment will result in a net benefit to the community; and***

The proposed amendments will provide guidance for future land uses and decisions involving possible changes to land use designations. The net benefit will be that land use decisions will have a cohesive set of criteria that more directly consider transportation, recreation, proximity to transit and other land uses. The newly updated criteria, coordinated for internal consistency, will provide a higher degree of predictability when the City contemplates long-range land use decisions. These all result in a net benefit for the community.

***D. The revised Comprehensive Plan will be internally consistent; and***

The proposed amendments will be consistent with the remaining portions of the Comprehensive Plan.

***E. The capability of the land can support the projected land use; and***

The proposed land use capacity calculations have been shared with the service providers, such as water and sewer districts, who have confirmed that there is sufficient capacity to serve potential growth. In addition, the transportation network was evaluated to determine if potential growth, based on land use capacity, could support the increases. The analysis concluded that there would be no change in anticipated LOS beyond previous growth projections. The proposed amendments do not recommend specific land uses nor affect specific parcels of land. Any new development is required to obtain all necessary approvals before construction is allowed and, if appropriate, projects will be reviewed in detail when applications are submitted.

***F. Adequate public facility capacity to support the projected land use exists or can be provided by the property owner(s) requesting the amendment, or can be cost-effectively provided by the City or other public agency; and***

Not applicable; see item E above. The proposed amendments do not propose specific land uses that could impact public facility capacity.

***G. The proposed amendment will be compatible with nearby uses; and***

Not applicable. The proposed amendments do not propose specific land uses nor affect specific parcels of land.

***H. The proposed amendment will not prevent the City from achieving its Growth Management Act population and employment targets; and***

The proposed amendments do not propose specific land uses nor affect specific parcels of land; however, the capacity to meet other needs such as housing has increased. The increase in housing and employment capacity was based on a land-use capacity analysis generally using the buildable lands methodology.

***I. For a Comprehensive Plan map change, the applicable designation criteria are met and either of the following is met:***

***i. Conditions have so markedly changed since the property was given its present Comprehensive Plan designation that the current designation is no longer appropriate;***

***ii. The map change will correct a Comprehensive Plan designation that was inappropriate when established.***

The proposed changes to the Comprehensive Plan Land Use map occur in the area annexed to the city in 2010 except for some changes along the west side of Ambaum Boulevard SW. King County provided planning and development services up until the time of annexation; incorporation into Burien would be considered a marked change in conditions. The City's process, which included a significant public outreach effort, looked to correct a number of land use designation inconsistencies as well as incorporate and address land use related desires of the residents in that area. The west side of Ambaum Boulevard south of SW 116th Street to SW 128th Street, which has been a part of the City since incorporation, was adjusted to match its previous land use designation intensity prior to Burien incorporating in 1993. The switch back to the high density multi-family designation more appropriately matches the development intensity that currently exists as well as what is in place on the east side of this highly traveled arterial.

J. ***The City Council may approve an area-wide rezone only if all of the following criteria are met:***

***i. The rezone is consistent with the comprehensive plan; and***

***ii. The rezone will advance the public health, safety, or welfare; and***

***iii. The rezone will not have significant adverse environmental impacts that are materially detrimental to adjacent properties or other affected areas.***

The proposed amendments to the zoning map are consistent with the proposed amendments to the comprehensive plan map. The amendments were specifically coordinated to ensure consistency between to two documents.

The area-wide rezone bears will advance the public health, safety and welfare because it eliminates many of the inconsistencies and concentrates higher levels of residential development intensity near the longstanding neighborhood commercial nodes. It focuses commercial and residential activity into centralized locations at the main intersections of Ambaum Blvd. SW, 1st Avenue South, Des Moines Memorial Drive and Glendale Way. The proposed zoning amendments allow construction of residential units in close proximity to commercial zones and mass transit. These amendments enable future developments to complement each other by concentrating

the local goods and service uses near residential uses, thereby creating more walkable neighborhood focal points.

The area-wide rezone will not be detrimental to uses or property because it amends former King County zoning designations along Des Moines Memorial Drive, a corridor that is currently an excessive patchwork of many different zones with various densities at many different locations. This proposed alternative eliminates many of the inconsistencies and concentrates higher levels of residential development intensity near the longstanding neighborhood commercial center of Des Moines Memorial Drive and Glendale Way.

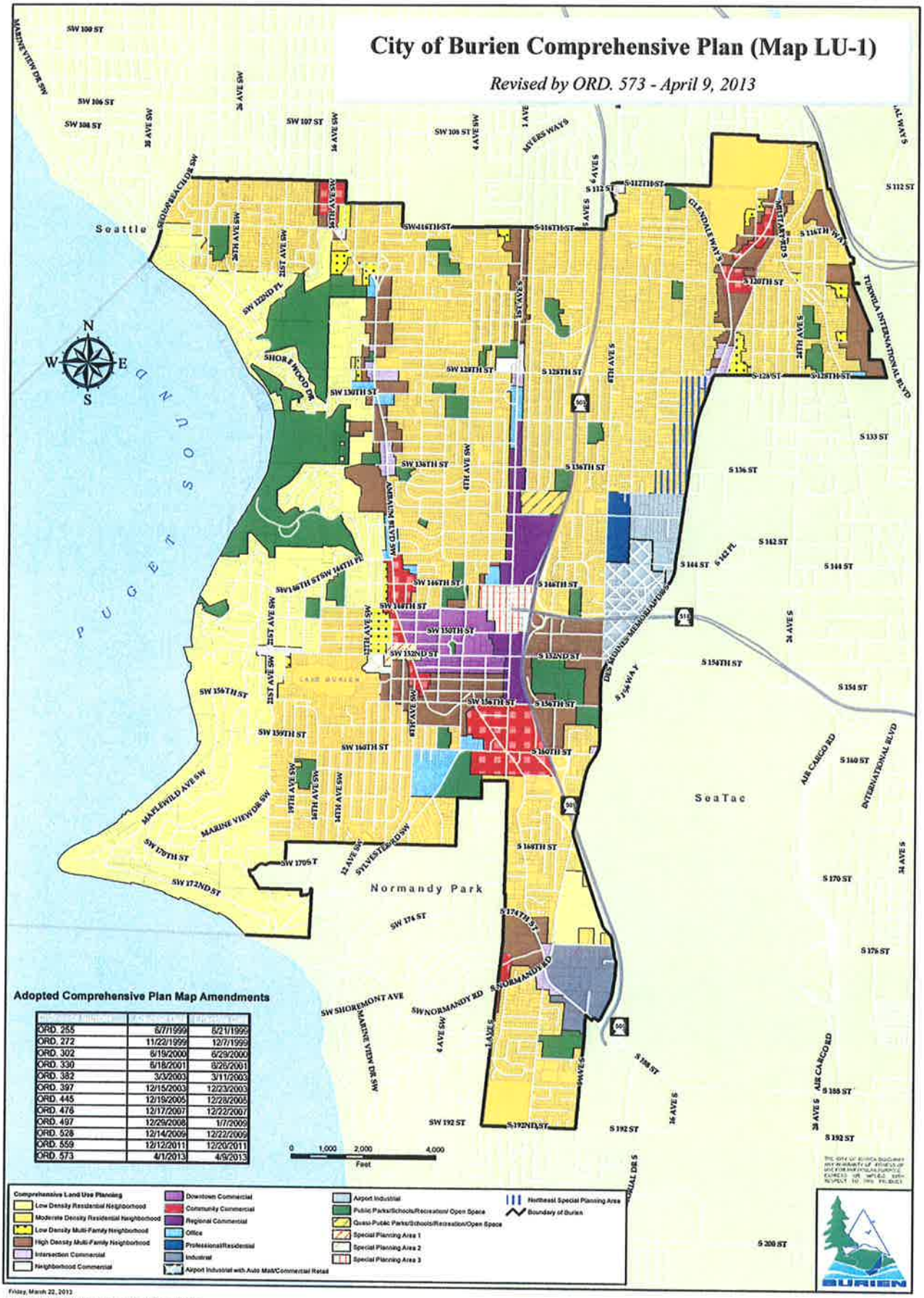
Along the Ambaum Boulevard corridor the proposed map amendments will more closely match the current development intensity and will allow residential development to locate in an area that is served by mass transit. The Ambaum Boulevard SW corridor is well served by mass transit. The map amendments implement a portion of Burien's long range vision that is found under the "Environment, Livable" statement. This section of the vision states that "Burien makes sustainable land, energy, water and transportation choices." The slightly higher residential densities may also encourage and/or enable reinvestment and redevelopment.

Amendments along 1st Avenue South maintain the existing zoning designations along a high traffic corridor. Minor adjustments are proposed to better align zoning designations with property lines.

The area-wide rezone has merit and value for the community because it allows slightly higher residential densities near the long-standing commercial centers and along established transportation corridors. Allowing slightly higher residential densities at specific locations may also encourage and/or enable reinvestment and redevelopment. Enabling the construction of more residences at central locations may in turn provide more incentives for businesses to locate there because as redevelopment occurs there will be a larger population base to support business activity. The land use designation changes also implement the vision statement of "Diversity, Multi-centered," which states that "Burien cultivates a thriving array of business and community centers."

# City of Burien Comprehensive Plan (Map LU-1)

*Revised by ORD. 573 - April 9, 2013*



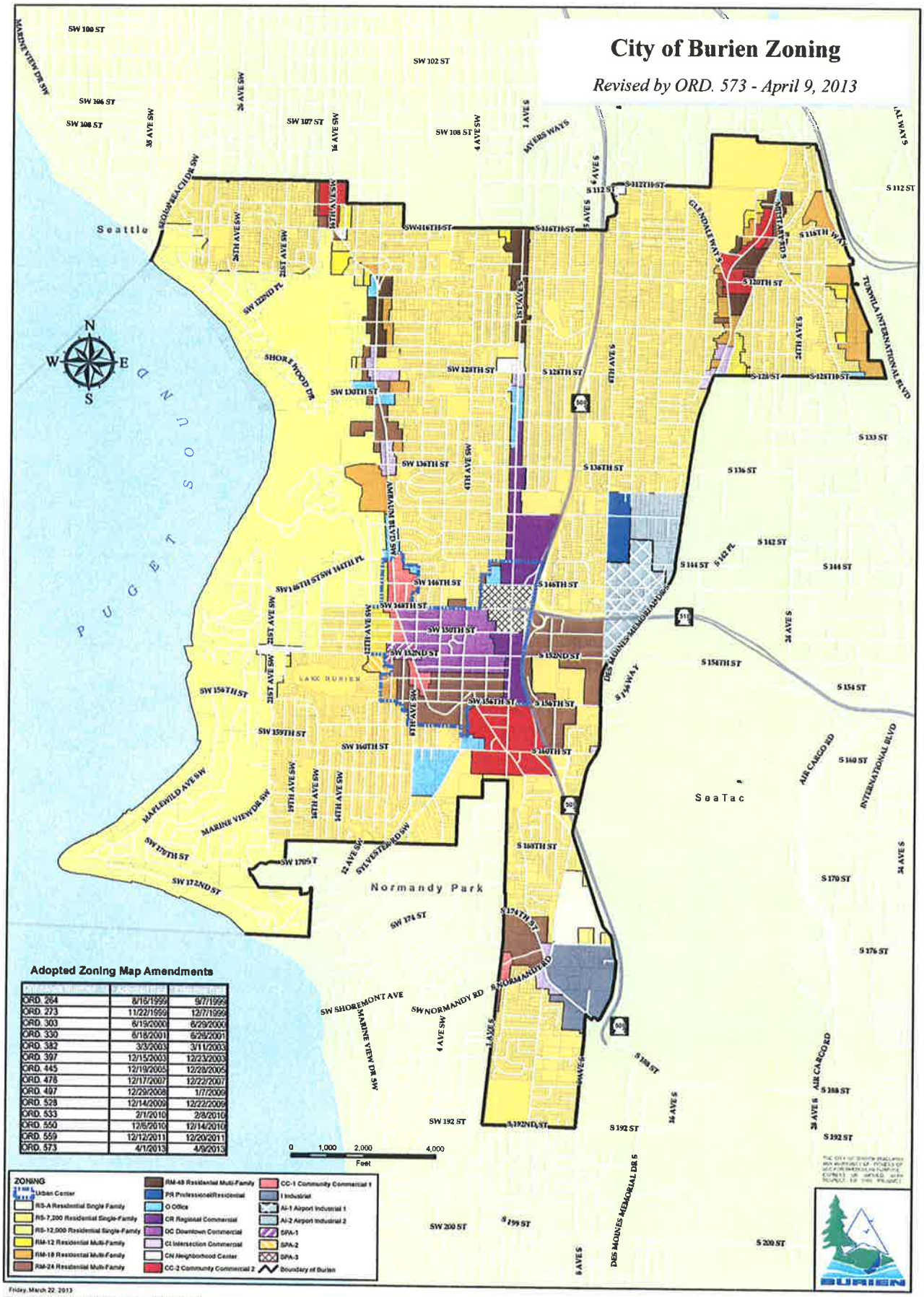

**Adopted Comprehensive Plan Map Amendments**

| [illegible] | [illegible] | [illegible] |
|---|---|---|
| ORD. 255 | 6/7/1999 | 6/21/1999 |
| ORD. 272 | 11/22/1999 | 12/7/1999 |
| ORD. 302 | 6/19/2000 | 6/29/2000 |
| ORD. 330 | 6/18/2001 | 6/26/2001 |
| ORD. 382 | 3/3/2003 | 3/11/2003 |
| ORD. 397 | 12/15/2003 | 12/23/2003 |
| ORD. 445 | 12/19/2005 | 12/28/2005 |
| ORD. 476 | 12/17/2007 | 12/22/2007 |
| ORD. 497 | 12/29/2008 | 1/7/2009 |
| ORD. 528 | 12/14/2009 | 12/22/2009 |
| ORD. 559 | 12/12/2011 | 12/20/2011 |
| ORD. 573 | 4/1/2013 | 4/9/2013 |

Friday, March 22, 2013
\\Fs01\RECORD\GIS\Master Map Projects\Zoning_CPLU_11x17.mxd

# City of Burien Zoning

*Revised by ORD. 573 - April 9, 2013*




**Adopted Zoning Map Amendments**

| | | |
|---|---|---|
| ORD. 264 | 8/16/1999 | 9/7/1999 |
| ORD. 273 | 11/22/1999 | 12/7/1999 |
| ORD. 303 | 6/19/2000 | 6/29/2000 |
| ORD. 330 | 6/18/2001 | 6/28/2001 |
| ORD. 382 | 3/3/2003 | 3/11/2003 |
| ORD. 397 | 12/15/2003 | 12/23/2003 |
| ORD. 445 | 12/19/2005 | 12/28/2005 |
| ORD. 478 | 12/17/2007 | 12/22/2007 |
| ORD. 497 | 12/29/2008 | 1/7/2009 |
| ORD. 528 | 12/14/2009 | 12/22/2009 |
| ORD. 533 | 2/1/2010 | 2/8/2010 |
| ORD. 550 | 12/6/2010 | 12/14/2010 |
| ORD. 559 | 12/12/2011 | 12/20/2011 |
| ORD. 573 | 4/1/2013 | 4/9/2013 |

Friday, March 22, 2013

| | Existing Language | Proposed Language (Ord. 573) | Staff Recommendation |
|---|---|---|---|
| Pol. PI ~~1.5~~ 1.6 | In deciding applications for amendments to the comprehensive plan, the City should consider the following:<br><br>a. Consistency with the comprehensive plan policies and the designation criteria;<br><br>b. Capability of the land;<br><br>c. Capacity of public facilities and services and whether public facilities and services can be provided cost effectively (if publicly funded) at the intensity allowed by the designation;<br><br>d. Whether the proposed use is compatible with nearby uses;<br><br>e. The need for the land uses which would be allowed by the comprehensive plan change, and whether the change would result in the loss of the capacity to provide other needed land uses, such as housing; and<br><br>f. Whether there has been a change in circumstances that makes the proposed plan designation appropriate or whether the plan designation was the result of technical error.<br><br>***Discussion:*** The purpose of a comprehensive plan is to aid a community in making decisions about the future. While the future will bring change that the comprehensive plan cannot fully anticipate, the comprehensive plan can identify the factors that may need to be considered in addressing those changes. The above policies describe the role of these factors. | ~~In deciding applications for amendments to the comprehensive plan, the City should consider the following:~~ Amendments to the Comprehensive Plan shall comply with the following criteria, using the procedures established in the Zoning Code:<br><br>a. ~~Consistency with the comprehensive plan policies and the designation criteria~~ The proposed amendment is the best means for meeting an identified public need; and<br><br>b. ~~Capability of the land;~~ The proposed amendment is consistent with the Growth Management Act, applicable Puget Sound Regional Council (PSRC) plans, King County Countywide Planning Policies and Burien Comprehensive Plan; and<br><br>**City Council Proposed Language**<br>c. ~~Capacity of public facilities and services and whether public facilities and services can be provided cost effectively (if publicly funded) at the intensity allowed by the designation;~~ The proposed amendment will not result in a net ~~benefit~~ loss to the community; and<br><br>**Planning Commission and Staff Recommendation:**<br>c. ~~Capacity of public facilities and services and whether public facilities and services can be provided cost effectively (if publicly funded) at the intensity allowed by the designation;~~ The proposed amendment will result in a net benefit to the community; and<br><br>d. ~~Whether the proposed use is compatible with nearby uses;~~ The revised Comprehensive Plan will be internally consistent; and<br><br>e. ~~The need for the land uses which would be allowed by the comprehensive plan change, and whether the change would result in the loss of the capacity to provide other needed land uses, such as housing; and~~ The capability of the land can support the projected land use; and<br><br>f. ~~Whether there has been a change in circumstances that makes the proposed plan designation appropriate or whether the plan designation was the result of technical error.~~ Adequate public facility capacity to support the projected land use exists, or, can be provided by the property owner(s) requesting the amendment, or, can be cost-effectively provided by the City or other public agency; and<br><br>g. The proposed amendment will be compatible with nearby uses; and<br><br>h. The proposed amendment would not prevent the City from achieving its Growth Management Act population and employment targets; and | **Staff recommends the language remain as proposed in the original ordinance and as it currently exists in the zoning code (see below).**<br><br>Align with new criteria that was adopted in section 19.65.095(6) Ord.560. The zoning code is more direct in its language and was recently discussed by both the Planning Commission and City Council. The language pertaining to a "net benefit to the community" has been in place in the zoning code since 1999.<br><br>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.<br><br>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.<br><br>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.<br><br>This specific language is currently found in the zoning code and was not proposed to be changed when amendments to this zoning code section were adopted by Ordinance 560 on March 19, 2012.<br><br>**Burien Zoning Code**<br>**BMC 19.65.095 Comprehensive Plan Amendments.**<br>6. Amendment Decision Criteria. The City Council may approve or approve with modifications a Comprehensive Plan amendment if all of the following criteria are met:<br><br>A. The proposed amendment is the best means for meeting an identified public benefit; and<br><br>B. The proposed amendment is consistent with the Growth Management Act, applicable Puget Sound |

ATTACHMENT 2

| | | | |
|---|---|---|---|
| | | i. For a Comprehensive Plan land use map change, the applicable designation criteria for the proposed land use designation are met and either of the following is met:<br><br>i. Conditions have changed since the property was given its present Comprehensive Plan designation so that the current designation is no longer appropriate; or,<br><br>ii. The map change will correct a Comprehensive Plan designation that was inappropriate when established.<br><br>~~***Discussion:*** The purpose of a comprehensive plan is to aid a community in making decisions about the future. While the future will bring change that the comprehensive plan cannot fully anticipate, the comprehensive plan can identify the factors that may need to be considered in addressing those changes. The above policies describe the role of these factors.~~ | Regional Council (PSRC) plans, King County Countywide Planning Policies and Burien Comprehensive Plan; and<br><br>C. The proposed amendment will result in a net benefit to the community; and<br><br>D. The revised Comprehensive Plan will be internally consistent; and<br><br>E. The capability of the land can support the projected land use; and<br><br>F. Adequate public facility capacity to support the projected land use exists, or can be provided by the property owner(s) requesting the amendment, or can be cost-effectively provided by the City or other public agency; and<br><br>G. The proposed amendment will be compatible with nearby uses; and<br><br>H. The proposed amendment would not prevent the City from achieving its Growth Management Act population and employment targets; and<br><br>I. For a Comprehensive Plan land use map change, the applicable designation criteria for the proposed land use designation are met and either of the following is met:<br>i. Conditions have changed since the property was given its present Comprehensive Plan designation so that the current designation is no longer appropriate; or<br><br>ii. The map change will correct a Comprehensive Plan designation that was inappropriate when established. |

**CITY OF BURIEN**
**AGENDA BILL**

| | | |
|---|---|---|
| **Agenda Subject:** Discussion and Motion to Adopt Resolution No. 342, Establishing the 2013 Comprehensive Plan Amendment Docket | | **Meeting Date:** April 1, 2013 |
| **Department:** Community Development<br>**Contact:** David Johanson, AICP, Senior Planner<br>**Telephone:** (206) 248-5522 | **Attachments**:<br>1: Resolution 342<br>2: Staff Memo to Planning Commission (with Attachments) | **Fund Source:** N/A<br>**Activity Cost:** N/A<br>**Amount Budgeted:** N/A<br>**Unencumbered Budget Authority:** N/A |
| **Adopted Work Plan Priority:** Yes_X_No ___. | **Work Plan Item Description:** Comprehensive Plan Amendments | |

**PURPOSE/REQUIRED ACTION:**
The purpose of this agenda item is for the City Council to consider and adopt Resolution No. 342 establishing the 2013 Comprehensive Plan Docket. We are requesting action on April 1st or if additional discussion or modification is needed action at your April 15th meeting. Action is required by May 1, 2013.

**BACKGROUND (*Include prior Council action & discussion*):**
Under State law, the Comprehensive Plan can be amended no more than once per year (with certain exceptions). The process for amending the Comprehensive Plan is contained in Zoning Code section 19.65.095. The amendment process has several distinct steps. The first step was to solicit requests for amendments. A notice was published in The Seattle Times, placed on the City's Web site and posted at City Hall, notifying citizens that the City would accept requests until March 1, 2013. In addition, our Comprehensive Plan Update and Planning Commission Agenda online subscriber lists were notified.

The Planning Commission discussed the docket on March 13th and March 27th. The staff memo to the Planning Commission provides additional information and background regarding the proposed 2013 docket (see Attachment 2). Although they accepted public comments at both of their meetings, the Commission's required public meeting was held on March 13, 2013.

On March 27, 2013 the Commission recommended the City Council approve resolution No. 342 as presented.

**OPTIONS (*Including fiscal impacts*):**
1. Do not adopt Resolution No. 342.
2. Modify Resolution No. 342.

**Administrative Recommendation:** Discuss and Adopt Resolution 342 establishing the 2013 Comprehensive Plan docket.

**Committee Recommendation:** N/A

**Advisory Board Recommendation:** Include those items listed in Resolution 342 in the 2013 Comprehensive Plan Docket.

**Suggested Motion:** Move Approval of Resolution No. 342, establishing the 2013 Comprehensive Plan docket.

Submitted by: David Johanson, AICP, Senior Planner
**Administration** _____ **City Manager** _____

| | |
|---|---|
| **Today's Date:** March 28, 2013 | **File Code:** R:\CC\Agenda Bill 2013\040113cd-1 Comp Plan Amend Docket 2013.docx |

# CITY OF BURIEN, WASHINGTON

## RESOLUTION NO. 342

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**A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON, RELATING TO THE COMPREHENSIVE PLAN OF THE CITY OF BURIEN, AS REQUIRED AND ADOPTED PURSUANT TO THE GROWTH MANAGEMENT ACT OF 1990, AS AMENDED (RCW CHAPTER 36.70A), AND AS ADOPTED PURSUANT TO RCW CHAPTER 35A.63; ESTABLISHING THE CITY'S 2013 COMPREHENSIVE PLAN AMENDMENT DOCKET AND WORK PROGRAM.**

---

WHEREAS, the Burien City Council adopted the Comprehensive Plan of the City of Burien on November 17, 1997 as required by the Growth Management Act ("GMA") of 1990, as amended, and also adopted the Comprehensive Plan pursuant to RCW Chapter 35A.63; and

WHEREAS, the Growth Management Act authorizes the City to amend the Comprehensive Plan on an annual basis and requires cities to periodically conduct a thorough review of their plans and regulations to ensure they are consistent with changes in the Act; and

WHEREAS, in 2003 the City of Burien completed its last thorough Growth Management Act review and completed its last annual amendment process in December of 2011; and

WHEREAS, the City of Burien in 2011 conducted a Visioning process and desires to incorporate this vision into its Comprehensive Plan; and

WHEREAS, the City of Burien intends to update its Comprehensive Plan to comply with relevant State, regional and county planning documents; and

WHEREAS, the City of Burien followed public participation procedures as set forth by BMC 19.65.095; and

WHEREAS, on December 30, 2012 the City of Burien issued a Notice of Comprehensive Plan Review and Update, informing the general public of the update and how they may participate in establishing the scope of work; and

WHEREAS, on March 13, 2013, the City of Burien Planning Commission held a public scoping meeting to allow for interested parties to comment on a draft scope of work and on March 27, 2013 made recommendations to the Burien City Council; and

WHEREAS, the City Council held a public meeting to consider requests for amending the Comprehensive Plan; and

AGENDA BILL
ATTACHMENT 1

WHEREAS, the City of Burien received one (1) private amendment request, which is included in the Docket and Work Program attached hereto as Exhibit A.

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

Section 1. 2013 Comprehensive Plan Amendment Docket Adopted. The City Council directs City staff and the Planning Commission to analyze, study, and make recommendations to City Council on the items listed on the Docket and Work Program attached hereto as Exhibit A.

PASSED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, AT A REGULAR MEETING THEREOF THIS _____DAY OF _____, 2013.

CITY OF BURIEN

_____/s/ Brian Bennett, Mayor

ATTEST/AUTHENTICATED:

_____/s/ Monica Lusk, City Clerk

Approved as to form:

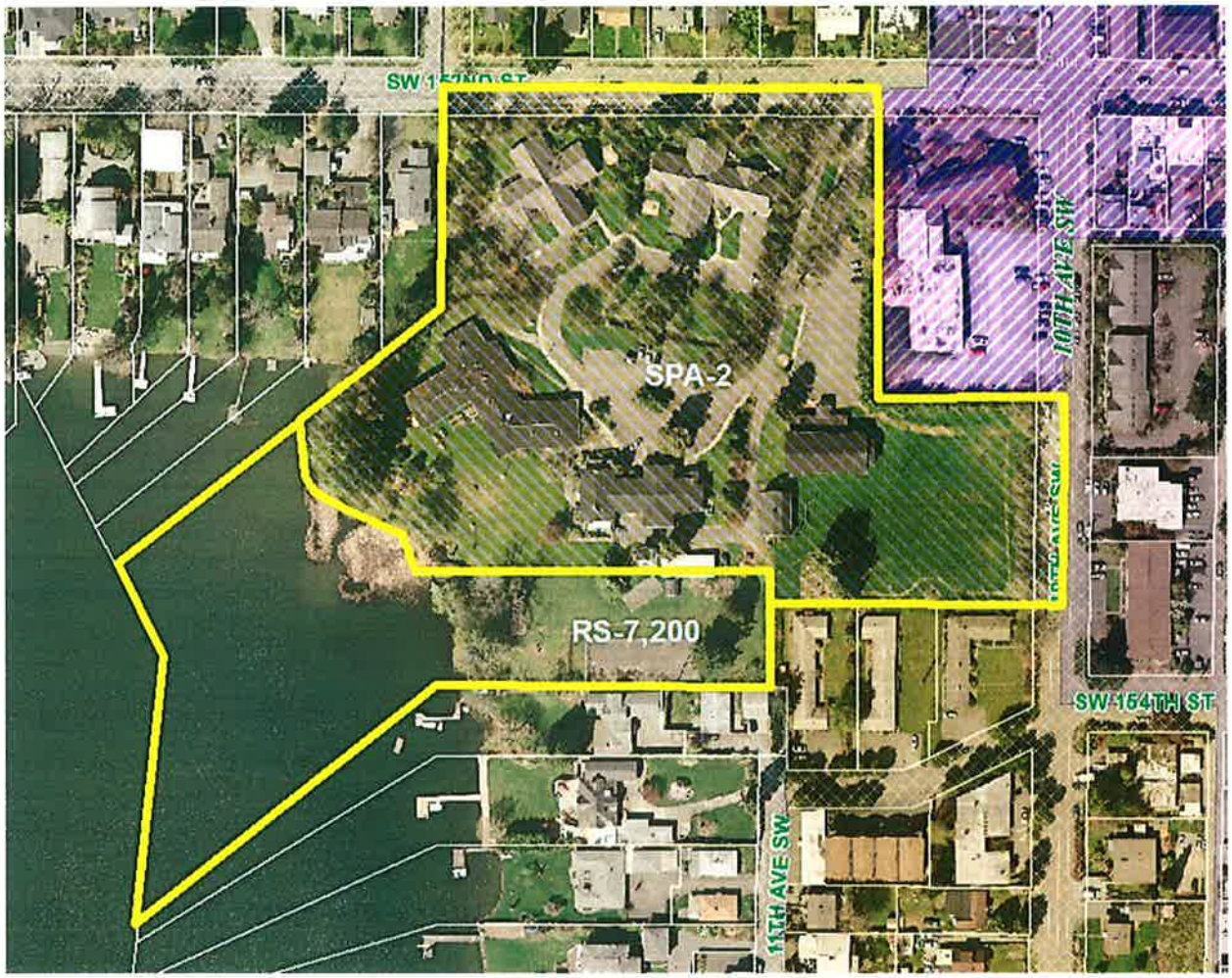
_____/s/ Craig D. Knutson, City Attorney

Filed with the City Clerk: March 28, 2013
Resolution Passed: April ___, 2013
Resolution No. 342

# RESOLUTION 342—EXHIBIT A
# 2013 COMPREHENSIVE PLAN AMENDMENTS
# DOCKET AND WORK PROGRAM
# April 1, 2013

| Item No. | Priority | Topic |
|---|---|---|
| 1 | L | Reformat document centered on updated vision. |
| 2 | L | Streamline Plan, combine or eliminate goals and/or policies as needed or are no longer applicable. |
| 3 | M | Update maps throughout entire document to include North Burien and updated information. |
| 4 | M | Develop measurable action items implementing policies. |
| 5 | M | Examine critical area designations and ensure they are consistently applied throughout the city. |
| 6 | C | Integrate policy direction of Transportation Master Plan. |
| 7 | M | Integrate policy direction of Park Recreation and Open Space plan update. |
| 8 | M | Integrate policy direction of Drainage Master Plan. |
| 9 | H | Integrate Shoreline Master Program into comprehensive plan.(Pending outcome of SMP adoption) |
| 10 | H | Integrate required elements of Vision 2040 |
| 11 | H | Integrate required elements of GMA and other State laws since 2003 |
| 12 | H | Integrate required elements of the King County Countywide Planning Policies |
| 13 | C | Update growth targets as specified in the Countywide Planning Policies |
| 14 | H | Incorporate North Burien into applicable policies and the Comprehensive Land Use Map. |
| 15 | H | Ensure sufficient land to accommodate housing for all economic segments |
| 16 | M | Update utility policy and supporting background information. |
| 17 | H | Ensure best available science is current and update if necessary. |
| 18 | L | Review and update policy to ensure minimal impacts to natural features, habitat and wildlife. |
| 19 | L | Address climate change. |
| 20 | C | Ensure transportation connectivity is included. |
| 21 | C | Strengthen support for providing alternative transportation modes. |
| 22 | C | Include policies promoting healthy eating and active living. |
| 23 | M | Update essential public facilities policy as appropriate. |
| 24 | H | Update capital facility planning consistent with GMA. |
| 25 | L | Establish an approach to develop neighborhood plans. |
| 26 (NEW) | H | Comp Plan Ref. No. 2013-1, Navos Comprehensive Map Amendment and Rezone Request, Land Use Application No. PLA 13-0413, (see page 4 below) |
| 27 | M | Update existing conditions/background information. |
| 28 | H | Comply with applicable State Environmental Policy Act Review Requirements. |

| Ref. No. | INDIVIDUAL PROPOSED AMENDMENTS | Proposed By |
|---|---|---|
| **2013-1** | **Comprehensive Plan Map Amendment/Rezone Request**<br>**Parcel Nos.**192304-9054 (See map below)<br>**Addresses:** 1033 SW 152nd Street (See map below)<br>**File No.** PLA 13-0413<br>**Request:** Comprehensive Plan change from Moderate Density Residential Neighborhood to Special Planning Area 2 and Rezone from Residential Single-Family 7,200 (RS-7,200) to Special Planning Area 2 (SPA-2). | **Property Owners** |



# CITY OF BURIEN, WASHINGTON
# MEMORANDUM

**DATE:** March 6, 2013

**TO:** Burien Planning Commission

**FROM:** David Johanson, AICP, Senior Planner

**SUBJECT:** Public Meeting on 2013 Comprehensive Plan Amendment Docket

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## PURPOSE

The purpose of this agenda item is for the Planning Commission to hold a public meeting to consider testimony and make a recommendation to the City Council on which amendments to consider as part of the City's 2013 Comprehensive Plan amendment docket. A draft version of Resolution No. 342 establishing the 2013 Comprehensive Plan docket is included as attachment 1.

Burien Municipal Code(BMC 19.65.095.2.A, B and C describe this stage of the amendment process:

> A. By January 1, the City will issue notice of the annual Comprehensive Plan amendment request deadline. The amendment request deadline is March 1.
>
> B. The Director will create a preliminary docket of amendment requests received by the March 1 deadline. The Planning Commission shall hold at least one public meeting on the preliminary docket to consider testimony and make recommendations to the City Council on which amendments to consider, and may recommend a priority be assigned to each proposed amendment.
>
> C. The City Council shall consider the recommendations of the Planning Commission on the preliminary docket, and by May 1 adopt by resolution a final docket of Comprehensive Plan amendments for consideration. [Ord. 397 §4, 2003]

## BACKGROUND

The City of Burien adopted its first comprehensive plan in 1997 and in 2003 the city completed a major update to the plan in order for it to be consistent with updates to the Growth Management Act, regional planning and county planning documents. With the exception of the update work in 2003, generally the city has been making annual amendments to the plan and those can be characterized as additive in nature.

This "update" of Burien's Comprehensive Plan is required by RCW 36.70A.130. The state Growth Management Act (GMA) requires counties and cities to periodically conduct a thorough review of their plan and regulations to bring them up to date with any relevant changes in the GMA and to respond to changes in land use and population growth. In July 2011, the City Council concurred with the Comprehensive Plan amendment docket as recommended by the Planning Commission and passed Resolution 322 accepting the 2011-2012 docket. The docket was characterized as a two year work program and work was completed as resources allowed. The Commission has been working on the docketed items since 2011.

AGENDA BILL
ATTACHMENT 2

A public notice of the annual amendment process was issued on December 30, 2012 (see Attachment 2). There is one eligible amendment that was submitted by the March 1, 2013 deadline (see Attachment 3). In addition to the formal application, the city received a correspondence requesting that the Planning Commission and City Council review the land use map for the Lake Burien neighborhood as part of the 2013 amendment docket (see Attachment 4).

## PUBLIC COMMENT

At your upcoming meeting staff is recommending that time be allowed for the general public to provide input on the City proposed docket. It is suggested that the typical public hearing format be used to obtain this input with the format being 3 minutes of speaking time for individuals and 5 minutes for speaker's representing a group. It is the Commission's decision whether additional time may be allowed for questions or dialog with meeting participants.

## ACTION

Pursuant to BMC 19.65.095.2.B (see above), the Commission should make recommendations to the City Council on which amendments to consider, and may recommend a priority be assigned to each proposed amendment.

A number of work program items have been completed or substantially completed over the last two years however there are a number of items that will need to reviewed and/or amended. Pursuant to RCW 36.70A.130(5) comprehensive plans and development regulations shall be reviewed and updated to comply with the GMA on or before **June, 30 2015.** It should be noted that this deadline only applies to those items required by the GMA and not those items that the city would prefer to update.

Staff recommends that a higher priority be placed on the work program items necessary to satisfy the requirements of the GMA. The recommended priority rank is included in Attachment 1, Exhibit A. A simple high(H), medium(M) and low(L) ranking system was used. For the purposes of this docket the rank identifies in what order of priority they will be considered. The primary objective of the rank is to ensure that the required comprehensive plan amendments and updates to the development regulations occur prior to the GMA update deadline in 2015. Please also note there are docket items denoted with a "C", generally these have been completed in previous years. These items remain on the docket should the continuing update work find that modifications are necessary to ensure internal document consistency.

Action by the City Council is required by May 1, 2013. The Commission has three options, provided below. Staff recommends Option 1.

**Option 1: Recommend approval of the 2013 docket.** This option recommends approval of the 2013 docket without changes and puts the highest priority on the GMA items.

> *Option 1 suggested motion:* I move to recommend the City Council adopt Resolution No. 342 establishing the 2013 Comprehensive Plan amendment docket.

**Option 2: Modify the proposed 2013 docket.** This option would alter the proposed docket by adding and/or removing item(s).

> *Option 2 suggested motion:* I move to recommend the City Council adopt Resolution No. 342 establishing the 2013 Comprehensive Plan amendment docket.
>
> (once the motion is made and seconded, another motion may be presented)
> I move to modify the Comprehensive Plan amendment docket as presented in Resolution 342 by adding _____ and/or removing _____.
>
> And/or
>
> I move to modify the Comprehensive Plan amendment docket as presented in Resolution 342 by amending the priority of the items as follows: _____.

**Option 3: Delay recommendation until the March 27, 2013 Planning Commission meeting.** This option would delay the Commission's recommendation on the annual docket to your next regular meeting.

**Attachments:**

1) DRAFT Resolution 342
2) Comprehensive Plan Amendment Notice Request
3) Application for a Comprehensive Plan Map/Rezone request submitted by Navos
4) Correspondence from Chestine Edgar received via e-mail 3/1/2013

# 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 also may require a Rezone. Application packets are available at City Hall and on the city website 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 archived 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 also are 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

Date of Notice: December 30, 2012

R:\PL\Comprehensive Plan\2013 Comp Plan Amendments\Docket\2013 Comp Plan Amend Notice.doc

ATTACHMENT 2

# Burien
Washington, USA

# Comprehensive Plan Amendment Request (Includes rezones)

400 SW 152nd Street, Suite 300 Burien, WA 98166
Phone: (206) 241-4647 • FAX: (206) 248-5539
www.burienwa.gov

| Amendment Type | Reference Number (staff will assign) |
|---|---|
| ___ Map amendment<br>___ Text amendment<br>___ Quasi-Judicial Rezone | PLA 13-0413 |

| APPLICANT INFORMATION | | |
|---|---|---|
| Name: Chris Fiori | Company: Heartland LLC | Daytime Phone: 206-682-2500 |
| Mailing Address: 1301 First Avenue, Suite 200 - Seattle, WA 98101 | | E-mail: cfiori@htland.com |
| Contact person: Chris Fiori | E-Mail: cfiori@htland.com | Daytime Phone: 206-682-2500 |
| Property owner: Navos | | Daytime Phone: 206-933-7000 |
| Mailing Address: 2600 SW Holden Street - Seattle, WA 98126 | | E-Mail: jerry.scott@navos.org |

| SITE INFORMATION (If applicable) | | |
|---|---|---|
| Site Address: 1033 SW 152ND STREET, BURIEN, WA 98166 | Parcel Number: 192304-9054 | |
| Existing Zoning District: RS-7200 and SPA-2 | Existing Comprehensive Plan designation: Moderate Density Residential and SPA-2 | |
| Requested Zoning: SPA-2 | Requested Plan designation: SPA-2 | |
| Number of Acres: 7.49 ACRES (LAND ONLY) 10.14 ACRES (LAND + WATER) | Current Land Use: Institutional | |
| Critical areas present: ☒ Wetlands ☐ Streams ☒ Critical Aquifer ☐ Landslide Hazard Area ☐ Fish & Wildlife | | |

Brief description of proposal (attach additional sheets if necessary):

In 2009, a portion of the Subject Parcel was rezoned from SPA-2 to RS-7200. Navos is in the process of developing a campus master plan for a Behavioral Healthcare Center of Excellence that will incorporate the entire parcel, including the RS-7200 land. Therefore, Navos would like to rezone the RS-7200 portion of the property to revert back to uniform SPA-2 zoning across the entire parcel. The preliminary plan for near-term improvements on or adjacent to the portion of property for which a rezone is requested includes landscaping, play areas, outdoor recreational spaces, renovations to existing structures, and construction of a new office building. The current split-zoning impedes flexibility in locating these planned improvements because of the required buffering between the SPA-2 uses and the RS-7200-zoned land. Some portion of the planned campus uses may be best-located in the buffer area. Rezoning the RS-7200 portion of the Site will allow Navos the flexibility to achieve an optimal campus configuration.

RECEIVED
FEB 28 2013 @ 2:20pm
CITY OF BURIEN

**SIGNATURE**

I, Jerry Scott, declare that I am the owner of the property involved in this application, and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief. I designate Heartland LLC to act as my agent with respect to this application. I agree to reimburse the City of Burien for the costs of professional engineers and other consultants hired by the City to review and inspect this proposal when the City is unable to do so with existing in house staff.

Dated: 3/1/13 Signature: _____

ATTACHMENT 3

HEARTLAND

March 1, 2013

Stephanie Jewett, AICP
City of Burien
400 SW 152nd St, Suite 300
Burien, WA 98166

Ms. Jewett,

Please accept the following as an attachment to the Comprehensive Plan Amendment Request for the Ruth Dykeman Children's Center property, parcel 1923049054. We look forward to working with the City to ensure that all necessary criteria for this proposed rezone have been adequately addressed. If you have any questions or concerns, please do not hesitate to contact our firm.

Sincerely,
HEARTLAND, LLC

Matt Anderson
Principal & Director

1301 First Avenue, Suite 200 Seattle, Washington 98101 TEL 206 682-2500 FAX 206 467-1429 WWW.HEARTLANDLLC.COM

## COMPREHENSIVE PLAN AMENDMENT CRITERIA AND JUSTIFICATION

### A. THE PROPOSED AMENDMENT IS THE BEST MEANS FOR MEETING AN IDENTIFIED PUBLIC BENEFIT.

Navos is a King County, WA-based non-profit whose mission is to improve the quality of life of people vulnerable to mental illness by providing a broad continuum of care. Navos is in the process of developing a Master Plan for the Behavioral Healthcare Center of Excellence for Children, Youth and Families ("the Lake Burien Campus"), on the subject property.

The Site of the Lake Burien Campus is one legal parcel, which is currently split-zoned. The majority of the parcel zoned SPA-2 and a small portion of the property in zoned RS 7200. In support of Navos' goal of developing a Center for Excellence on the property, Navos is looking to rezone the portion of the property zoned RS-7200 to SPA-2. Because of the change in future land use from residential to Special Use, this rezone requires a Comprehensive Plan Amendment. Please see Exhibit I for a map denoting the proposed rezone.

This amendment would support protection of the fragile lake ecosystem by effectively precluding the subdivision of the RS-7200 land into residential lots. It is not anticipated that Master Plan development program elements (i.e., gross square footage of development, parking, and lot coverage, among others) would be affected by this rezone.

As a historical note, the entire property was zoned SPA-2 prior to a rezone in 2009. At the time, the Ruth Dykeman Center had planned to subdivide a portion of the property and sell residential lots to help support its mission. The land was rezoned and subsequently platted for 3 residential lots, but the subdivision later expired, leaving the zoning RS-7200. This application seeks to restore the entire property to the pre-existing SPA-2 zoning, which is more suited to its current use and allows the area to be more easily incorporated into the property's master plan.

The SPA-2 zone requires a 20-foot landscape buffer where adjacency with residential zones occurs. This is true even if the adjacent residential use is located on the same legal parcel and is owned by the same entity as the SPA-2 zoned land, as is the case for the subject property. This condition, if left unchanged, could have a negative impact on both site planning and use of outdoor space by Lake Burien Campus clients, residents, and staff.

### B. THE PROPOSED AMENDMENT IS CONSISTENT WITH THE GROWTH MANAGEMENT ACT, APPLICABLE PUGET SOUND REGIONAL COUNCIL (PSRC) PLANS, KING COUNTY COUNTYWIDE PLANNING POLICIES AND BURIEN COMPREHENSIVE PLAN.

We are confident that the proposed comprehensive plan change is consistent with the GMA. The site is located within the UGA and the majority of the site has already been designated as a Special Planning Area within the framework of the GMA and Countywide Planning Policies. Furthermore, the applicant is seeking to restore the historic land use designation for the property and reinstate zoning that is consistent with the past planning process.

The applicant believes that the request for the comprehensive plan change is consistent with Buren Comprehensive Plan Policy SE 1.3, which states:

*Special Planning Area 2 includes the Ruth Dykeman Children's Center facilities in Lake Burien. 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:*

*a. Public access to the water is prohibited; and*

*b. The development supports the historical link with Old Burien*

*While the Ruth Dykeman Children's Center continues to operate a children's center on the site, residential, office, and accessory uses associated with the Center should be allowed. Minor expansion of modification of the Center uses and structures should be allowed, if consistent with a City-approved Master Plan for the property. Major expansion and/or modification should be reviewed in conjunction with an amendment of the approved master plan.*

The applicant believes that this rezone will better prohibit public access to the lake, whereas the existing residential zoning keeps open the possibility of a later subdivision, the sale of which could be to a private entity or a public one.

Navos is in the process of developing a Master Plan for the site in keeping with the types of uses listed in this policy of the Comprehensive Plan.

**C. THE PROPOSED AMENDMENT WILL RESULT IN A NET BENEFIT TO THE COMMUNITY.**

Navos' goal for the site is to create a Center for Excellence in Behavioral Health, serving the youth and families of Burien and neighboring communities. This Center of Excellence will be a tremendous civic asset as conceived in the Master Plan, which will be shared broadly with neighbors and the Burien community beginning in Spring 2013.

**D. THE REVISED COMPREHENSIVE PLAN WILL BE INTERNALLY CONSISTENT.**

It is the applicant's assumption that the reconciliation of two different zoning designations on the same legal parcel would not cause any inconsistencies in the City of Burien Comprehensive Plan.

**E. THE CAPABILITY OF THE LAND CAN SUPPORT THE PROJECTED LAND USE.**

It is the applicant's understanding that the determination of the capability of the land can support the projected land use would be evaluated in the SEPA review process for the site, which will be conducted as a part of the Master Planning process for the Lake Burien Campus. Since this rezone is reverting the zoning back to its original zoning prior to the 2009 rezone, the applicant assumes that the City made the determination that the land could support the projected SPA-2 use during its original designation.

**F. ADEQUATE PUBLIC FACILITY CAPACITY TO SUPPORT THE PROJECTED LAND USE EXISTS, OR, CAN BE PROVIDED BY THE PROPERTY OWNER(S) REQUESTING THE AMENDMENT, OR, CAN BE COST-EFFECTIVELY PROVIDED BY THE CITY OR OTHER PUBLIC AGENCY.**

It is the applicant's understanding that the determination of whether adequate public facility capacity exists to support the projected land use would be evaluated in the SEPA review process

for the site, which will be conducted as a part of the Master Planning process for the Lake Burien Campus.

**G. THE PROPOSED AMENDMENT WILL BE COMPATIBLE WITH NEARBY USES.**

The proposed amendment would change the land use designation and zoning back to its condition prior to 2009, and therefore it is assumed that the City determined the SPA-2 use to be compatible with nearby uses when the original zoning was enacted. Navos intends to create a Master Plan which is compatible with the goals of the intentions of the SPA-2 zone.

**H. THE PROPOSED AMENDMENT WOULD NOT PREVENT THE CITY FROM ACHIEVING ITS GROWTH MANAGEMENT ACT POPULATION AND EMPLOYMENT TARGETS.**

Navos has no plan to develop the RS-7200 land for residential uses with or without the proposed Comprehensive Plan amendment. As such, it is the applicant's assumption that this action would no impact on GMA targets. Even if subdivided and developed as residential lots, the three potential lots would have a negligible affect on GMA growth targets. Furthermore, having the ability to most-efficiently master plan the property will allow Navos to maximize its organizational capacity at the site, thus supporting the City's employment growth goals.

**For a Comprehensive Plan land use map change, the applicable designation criteria for the proposed land use designation are met when either of the following is met:**

**i. Conditions have changed since the property was given its present Comprehensive Plan designation so that the current designation is no longer appropriate; or,**

Navos's merger with the Ruth Dykeman Children's Center negated the real or perceived need for the rezone of a portion of the parcel from SPA-2 to RS-7200. The master planning process for the Center of Exellence on Lake Burien has created the need for zoning consistency across the property, in light of the site planning and private open space considerations noted in response to criteria (A), above.

**ii. The map change will correct a Comprehensive Plan designation that was inappropriate when established.**

Navos's has no opinion as to whether the Ruth Dykeman Children's Center rezone process that gave rise to the need for this amendment and rezone was inappropriate.

## SITE SPECIFIC REZONE CRITERIA AND JUSTIFICATION

### A. THE REZONE IS CONSISTENT WITH THE COMPREHENSIVE PLAN.

The rezone restores the zoning designation that was in place prior to 2009. The applicant is seeking a Comprehensive Plan revision concurrently with a zoning change to ensure consistency between the Comprehensive Plan designation and the zoning on the single legal parcel in question.

### B. THE REZONE WILL ADVANCE THE PUBLIC HEALTH, SAFETY, OR WELFARE.

Navos' goal for the site is to create a Center for Excellence in behavioral health, serving the youth and families of Burien and neighboring communities. This will be a tremendous civic asset as conceived in the Master Plan, which will be shared broadly with neighbors and the Burien community beginning in Spring 2013.

The application believes that this rezone will better prohibit public access to the lake, in keeping with Comprehensive Plan Policy SE 1.3.

### C. THE REZONE WILL NOT HAVE SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS THAT ARE MATERIALLY DETRIMENTAL TO ADJACENT PROPERTIES OR OTHER AFFECTED AREAS.

It is the applicant's understanding that the determination of the capability of the land can support the projected land use would be evaluated in the SEPA review process for the site, which will be conducted as a part of the Master Planning process for the Lake Burien Campus. Furthermore, since this rezone is reverting the the zoning designation of the site to its original SPA-2 designation, it is the applicants assumption that environmental impacts of SPA-2 intended uses were examined when the property was initially given the SPA-2 designation.

### D. THE REZONE IS NECESSARY BECAUSE AT LEAST ONE OF THE FOLLOWING IS MET:

a. Conditions in the immediate vicinity or neighborhood have changed so that it is in the public interest to approve the rezone, or

b. The rezone will correct a zone classification or zone boundary that was inappropriate when established, or

c. The rezone is necessary to achieve consistency with the Comprehensive Plan land use map.

The applicant is seeking a Comprehensive Plan change and a simultaneous zoning change. Navos believes that it is in the public interest to establish a successful Behavioral Healthcare Center of Excellence for Children, Youth and Families on the Subject Property, and the requested change of zoning can help support the operational quality of the Center and allow flexibility in siting buildings within the parameters of the Master Plan.

**Exhibit I**

## Ruth Dykeman Wellness Center: Existing Zoning


HEARTLAND

**David Johanson**

**From:** Chestine Edgar [c_edgar2@yahoo.com]
**Sent:** Friday, March 01, 2013 8:09 AM
**To:** Chip Davis; David Johanson; Monica Lusk
**Subject:** Fw: amendment to the Comprehensive Land Use Map-2013
**Attachments:** Comp Plan Land Use map amendment request 2013.doc

To All,

Please consider this as a request/application for this to be put on the 2013 work docket. If there is some further paperwork that needs to be submitted, please let me know. See the attachment.

C. Edgar



ATTACHMENT 4

February 28, 2013
To: Burien Planning Commission
Burien City Council
Subject: Request for Land Use Map Change

To the members of the Planning Commission and the City Council:

Ever since Burien elected to incorporate as a city, the majority of the Lake Burien Neighborhood and Lake Burien Shore Club members have clearly stated that the character of their neighborhood was low density residential. This has been verified by a current density calculation. Additionally for the protection of the lake, its wetlands and its water quality and Miller Creek's water quality, the land use in the Lake Burien neighborhood should be low density (it is termed the Preferred Model in the EIS). They went on the record in 1996, 1997, 1999, 2008, 2009, 2010, 2011 and 2012 stating this position on land use. Now that the Comprehensive Plan and its Land Use Map are open for revision, we are requesting this again. As long as the Plan remains open, citizens have a right to request that land use be examined. Mr. Greenberg (then acting Director of Growth and Development) stated at the July 12, 2011 meeting that this could be possible. **The Lake Burien Neighborhood has met the timeline for this request in 2013.**

When this request was put on the docket in 2010, the City Staff that prepared the material for the request presentation to the Planning Commission and the City Council included several inaccuracies in their presentation that resulted in an inaccurate perception of the situation. These inaccuracies included:
1. current density of land use
2. misinformation on wetlands and how they are measured
3. an inaccurate map of the Lake Burien Neighborhood, Lake Burien and its critical areas
4. misinterpretation of how Growth Management Numbers are required for a city by the Puget Sound Regional Council
5. error in not consulting the EIS and the required mitigations for the Lake Burien Area
6. inaccurate information on the surrounding neighborhoods
7. misinformation on the adequacy of the current storm water facilities that the city has for the area
8. misconception of how the term "significant" applies to critical areas and shorelines.

While the staff later corrected some of these inaccuracies, some of the Planning Commissioners still remained confused about what were the real facts for this request for a change to the Land Use Map.

Further on, some City Council members remained confused about the whole process of what criteria was to be considered in voting on an amendment to a Land Use Map. At that time, they voted on the Lake Burien Neighborhood request based on what they believed was a Growth Management Board decision on the Burien Comprehensive Plan. It turns out that this case never existed and was never ruled on.

The City Planning Staff remains confused about when this issue of land use in the shorelines is to be addressed and as a result has been unable to provide the citizens, the Planning Commission and the City Council with the correct guidance and timely notice on this issue. During the meetings of the Shoreline Advisory Committee, David Johanson and Scott Greenburg (both city planners) told the citizens that the issue of land use in the shorelines could not be taken up during the SMP process but had to be taken up when the Comprehensive Plan was open for review. Lake Burien land use issues had to wait for the review of the Comprehensive Plan review. Now that the Comprehensive Plan review has opened, these same city planners have told the citizens, the Planning Commission and the City Council that land use in the shorelines has to be taken up during the SMP process and now that the SMP process is closed, citizens will have to wait at least seven years before their concerns about land use can be addressed again. It is clear that the City Department of Growth and Development (planners) is unsure of when this is land use issue is to be considered and has given false guidance to the citizens, the Planning Commission and the City Council.

Additionally, there has been a concerted effort to confuse citizens, Planning Commissioners and Council members on how critical areas and shorelines are to be dealt with. David Johanson (planner) told citizens and Planning Commission members that Best Available Science (BAS) does not apply to the shorelines in Washington State and the SMP and its Environmental Impact Statements (EIS) are simply a matter of opinion. He stated that Burien does not like the current EIS that applies to its Comprehensive Plan and SMP and when the city has the money it will just buy another EIS opinion. This clearly demonstrates a misunderstanding by the city staff of what is BAS, how it applies to the shorelines and how the EIS is developed, written, applied and to be used in the development of the Comprehensive Plan, its land use map and the SMP document.

The City Staff and the City Council are aware that the City's storm water system is antiquated and faulty, is leading to the degradation of the water in Lake Burien and causing property damage to the homes around the lake and down stream waters( Miller Creek- a salmon bearing creek). Additionally, they are aware that the City is not following the EIS for Lake Burien Land Use. This is leading to the degradation of water quality in Lake Burien and has created public health and safety issues (toxic algae blooms). Currently the City does not have the money, resources or the will to remedy this situation and the situation grows worse annually. The logical and BAS solution to this situation is to simply follow the guidance of the text of the Comprehensive Plan/EIS and keep the land use of the Lake Burien Neighborhood at Low Density Residential. This requires that a Land Use Map amendment be made to show the Lake Burien Neighborhood as Low Density Single Family Residential. However, David Johanson and Scott Greenberg (planners) have convinced the City Council that if this change is made then there can never be public access to Lake Burien. The current City Manager is aware that this is a misconception and has gone so far as to admit that to a Planning Commissioner and a State Representative. All of this misinformation has contributed to the misunderstanding by the Council of how critical areas and shorelines (Lake Burien) are to be protected by land use policies in the Comprehensive Plan. The City is being negligent in its protection of critical areas and the shorelines, violating the intent of the GMA and the SMP and causing net loss/degradation to Lake Burien, the Lake Burien Neighborhood, Miller Creek and Puget Sound.

**The conditions for the Lake Burien Neighborhood have markedly changed since that request was considered and put on the docket in 2010**. The changes are:

1. The water quality of Lake Burien significantly declined in late 2010 and 2011 due to inadequate storm water management facilities for the area. The city has neither the money nor the resources to remedy this problem or to adequately upgrade the facilities in the next 10 to 15 years-if ever. The flooding and toxic algae problems in and around Lake Burien continue to be evidence of this inadequacy.
2. Evidence has been provided that clearly shows that the Growth Management Board never heard or made a ruling on the case or voted on the situation that the Council based its vote on in 2010.
3. The City Staff clarified how growth management numbers were to be determined in the city at its January 24, 2012 Planning Commission Meeting.
4. The City Staff have revised the language/text of the Comprehensive Plan regarding Low Density and Moderate Density Residential Land Use in 2012-2013 during the Comprehensive Plan Review process.
5. The term "significant" has been removed from the Comprehensive Plan text in reference to critical areas-2012-2013 Comp Plan Review.
6. The City has developed two new documents that pertain to the Lake Burien Neighborhood.
7. City Staff has been unable to decide and make known to the public what is the appropriate document review process (SMP or Comp Plan review) by which this land map correction needs to be made under-2012.

The Lake Burien Neighborhood is requesting that the Burien Comprehensive Land Use Map be amended to show the Lake Burien Neighborhood as Low Density Residential as it meets the criteria for this change. It is requesting that its request be placed on the docket for 2013. As this is a request being made while the Comprehensive Plan is open for review, no fees should be required. All of the work pertaining to this Land Use Map Amendment has already been done and paid for per the 2010 application. The City has that on file.

Sincerely,
C. Edgar and the Lake Burien Neighborhood

Burien
Washington, USA

400 SW 152nd St., Suite 300, Burien, WA 98166
Phone: (206) 241-4647 • FAX (206) 248-5539
www.burienwa.gov

# 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:** April 1, 2013
**SUBJECT:** City Manager's Report

## I. INTERNAL CITY INFORMATION

### A. F-Line RapidRide Fiber Optic Project

King County has begun installing the fiber optic system within Burien City limits that will support improvements needed to implement the F-Line RapidRide service between Burien and Renton. Burien's segment is being installed a year in advance of service as King County has experienced project delays in other cities that have affected when service could begin. Staff is currently negotiating the design, construction, ownership and maintenance agreement with King County, SeaTac, Tukwila and Renton. A separate Intelligent Transportation System (ITS) agreement with King County will define elements of the system that will be unique to Burien.

### B. Staff Training In Preparation for Adoption of 2012 Building Codes

Building Staff recently attended the Washington Association of Building Official (WABO) Annual Education Institute. In addition to providing an opportunity to expand and improve their knowledge on the current code, this year's classes included intensive training on the new 2012 editions of the Building, Residential, Plumbing and Mechanical Codes which are required to be adopted by all jurisdictions in Washington State by July 1, 2013. Review and adoption of the 2012 Building Codes are scheduled for the June 3 and June 17 City Council Meetings.

### C. Shoreline Master Program Schedule

On September 27, 2010, the City Council passed Resolution 317 approving Burien's Shoreline Master Program (SMP). Ecology approved the SMP with both required and suggested changes on April 22, 2011, (letter mailed to the City on April 27, 2011). On May 23, 2011, the City Council authorized the Mayor to submit an alternative proposal to Ecology, accepting all but four of the required changes and accepting most of the optional changes.

On October 24, 2011, Council was presented with a proposal from the Burien Marine Homeowners Association regarding the four outstanding required changes. Council discussed the idea of forming a small working group comprised of members of various organizations and interests regarding Burien's shorelines. On November 28, 2011, the Council formed a Shoreline Master Program Working Group.
On September 16, 2012, the Council was presented the recommendations of the Shoreline Master Program Working Group. Staff provided the City Council with a process check on the Shoreline Master Program Working Group recommendations in October, 2012. That process check included a schedule of meetings that would have concluded the process in January, 2013.

Staff is proposing the following amended schedule to complete the updates to Burien's Shoreline Master Program:

**March – April 15, 2013**: The Shoreline Working Group, Department of Ecology(DOE) and Staff work to prepare final document for public comment and council consideration.
**April 15, 2013:** City mails notice to parties of interest that the City will be conducting a public hearing and accepting comments on the revised Shoreline Master Program. The comment period will be 21 days and end on May 6, on which date there will be a public hearing at a City Council meeting.
**April 22, 2013**: City Council Study Session - to receive a presentation and have a discussion regarding the Shoreline Working Group's revisions to the SMP.
**May 6, 2013**: City Council Regular Meeting – City Council conducts a public hearing on the proposal and following the hearing discusses the proposed revisions to the Shoreline Master Program.
**May 20, 2013**: City Council Regular Meeting – Action by the City Council adopting the revised Shoreline Master Program and directing staff to submit the document to Department of Ecology for approval.

Staff has shared this schedule with the Shoreline Working Group contact and the Department of Ecology, both of which have expressed support of the schedule as proposed.

## COUNCIL UPDATES/REPORTS

### A. Westmark/Emerald Pointe Clearing Permit

At the March 18 City Council meeting, Councilmember Edgar asked Staff to provide a list of service districts that were notified about the clearing permit for the Westmark/Emerald Pointe project. The Clearing Permit (BLD 13-0080) was issued on March 11 for the purpose of land and vegetation clearing, significant tree protection, installation of stormwater drainage systems, installation of sediment and erosion control systems and establishment of a construction entrance off of SW 136th Street. None of the proposed work items require notification of service districts.

Service certificates and notice to service districts will be required for subsequent grading and construction permits for this project.

**B. Seattle City Light Undergrounding Fee Financing**

This report item is in response to a request from Councilmembers Block and Krakowiak at the March 18 City Council meeting. As reported in the August 6, 2012, City Manager report, staff asked a financial analyst to research the interest rate being charged by Seattle City Light to Burien residents and he provided the following analysis: "Seattle City Light's 2009 (the first year of the SCL debt service schedule) audited financial statements indicate a complicated debt structure with interest rates ranging from 3% to 6%, depending upon when the debt was issued and the scheduled maturities. Dividing their expected 2010 interest payments on long-term debt by the long-term debt outstanding at year-end 2009 suggests a weighted average rate at that time of 5.1%. SCL would certainly argue that, because of the 25 year estimated life of the improvements and the 25 year amortization of their capital costs starting in 2009, an interest rate at the higher, longer-term end of their debt is appropriate".

**C. 2013 Legislative Session Update (Page 285)**

The attached update from Mike Doubleday, Government Relations Specialist, summarizes week ten of the 2013 legislative session.

**D. 50th International Making Cities Livable (IMCL) Conferences June 23-27 (Page 289)**

Mayor Bennett and Councilmembers are invited to the 50th International Making Cities Livable (IMCL) Conference, June 23-27, in Portland, Oregon where the focus will be on *Reshaping Suburbia into Healthy Communities*. The invitation is attached.

**E. Notices: (Page 291)**

The following (attached) Notices were published:

- Notice of Application: Application to subdivide two existing residential lots totaling 2.19 acres into fourteen single-family residential lots. The public may submit written comments, which must be received prior to 5:00 pm on April 25, 2013.
- Notice of Application: Type 1 Land Use Review & SEPA Checklist Review for the construction of 10 apartment units in three buildings (two 3-plexes and one 4-plex). Written comments must be received prior to 5:00pm on April 9, 2013.

March 24, 2013

**To: Mike Martin, Burien City Manager**
**City Councilmembers**

**From: Mike Doubleday**

**Re: 2013 Legislative Session, Week 10 Update**

The first budgets of the session (operating, capital, and transportation) should be released this week by the Senate. The Governor has also said he will release budget principles if not an actual budget.

On Wednesday last week, the forecast council released their March revenue forecast. The revenue gap, the difference between state projected revenue for the 2013-15 biennium and cost of continuing state services at present levels, is about $1.3 billion; add to that an ending operating fund balance of about $500 million an additional K-12 funding to meet the McCleary decision mandate that the state invest up to about $4.5 billion in K-12 over the next 6 years, and there is close to, or more than, a $2 billion funding issue.

As mentioned last week, bills are now being considered by the opposite chamber. The next cut-off dates are as follows:

- **April 3** is the last day to pass bills out of a policy committee in the opposite chamber,
- **April 9** is the last day to pass bills out of the revenue committees in the opposite chambers.

## 1. Liquor Funds (HB 1368)

This bill remains alive as it will be necessary to implement the budget. We'll see this week if the Senate operating budget restores cities liquor revenue, leaves them as is, or sweeps additional city liquor revenues.

## 2. Transportation

Rep. Clibborn's new revenue transportation revenue package (**HB 1954**) remains in committee; we met with her Friday and she is proceeding with a package that includes a 10 or 12-cent gas tax increase plus increased weight fees for trucks. She is talking to the Speaker about the package over the weekend and is intending to take the package to her caucus on Monday, March 25; from there is an unknown, although I think Judy would like to have a public hearing on the package later in the week. Her package has a ½ cent gas tax increase for cities, about what I expected. I think some combination of local options will be included.

The Senate transportation budget released this week is not expected to have any new revenue. There have been rumors all week of a slim-downed 2 or 3 cent package, but by Friday that idea seemed to have little support. I think once the operating and capital budgets are released this week, attention will shift to those budgets and away from a transportation budget at least for a few weeks.

## 3. Local B&O Tax (SB5688, SB 5656)

**SB 5656** was heard in House Local Government on Thursday and there was much city opposition. However, I do think the bill will pass out of that committee this week, perhaps with language delaying implementation or requiring the legislature to review the business license issue prior to cities having to choose one or the other system. As written now, **5656** mandates that all cities must join the state's business license system (BLS) or the city online business and license portal for business license registration by July 1, 2016 for B&O cities, and by December 31, 2019 for non-B&O cities.

I doubt **SB 5688** will move as a study of B&O nexus and apportionment. AWB wants to add their paymaster bill to **5688**, but the fiscal note (about $40M for 2013-15) makes that unlikely.

The Senate Trade Committee has scheduled a work session on B&O nexus and apportionment on Tuesday, April 2. The bigger B&O income cities will be participating.

### 4. Public Records (HB 1128, HB 1037)

This is the last week I'll mention this issue. The two public agency public records bills are dead for the session. **HB 1128** allowed a court to issue an injunction against harassing requestors of public records from public agencies. **HB 1037**, allowed locals to charge for data-mining requests. Newspapers and the Open Government coalition opposed both bills, even though newspapers were exempted from both.

### 5. Seahurst Park Renovation Funding

There is concern being expressed from a number of quarters that some capital budget dollars, including money that would fund the Seahurst project, is at risk in the Senate budget (the idea being that the Senate will sweep whatever capital dollars they can – the capital budget is half cash – to balance the operating budget). I'd just remind people that the Senate budget is the first one, and there will be at least two more, the House budget, and a final negotiated budget. I think the House and the Governor will be resistant to sweeping the Puget Sound-related capital money.

I keep missing Uriel in Senator Murray's office; I'll try to connect again this week.

### 6. Alternative Public Works Contracting Reauthorization/Job Order Contracting (SB 5349/HB 1466)

Both bills are moving, although the House bill has language giving preference to green buildings and projects. The bills extend design build, GCCM, and job order contracting (JOC) through 2021. The JOC amount is increased from $4 million to $6 million in King County.

## 7. Deferral of Impact Fee Payments (HB 1652)

**HB 1652** makes mandatory a now optional program for cities, counties, and school districts that collect impact fees: cities must adopt one of two options as follows:

- An applicant must record a covenant against title to the development subject to the impact fee obligation. The covenant is a lien against the lot or unit at the rates in effect at the time the building permit is issued and is binding upon successors. The impact fee must be paid the time of closing or 18 or more months after the issuance of the building permit, whichever is earlier.
- A process whereby an applicant my apply for a deferral of the impact fee payment until final inspection or certificate of occupancy.
- An alternative method adopted by the city that is consistent with a deferral program.

The bill passed the House with 73 votes and the Senate committee will hear the bill this week although the Senate committee has already passed out the Senate version of this bill.

## 8. Local Government Purchasing (SB 5110, HB 1268)

These are City of Kirkland bills that authorize local governments to award contracts to the lowest bidder before taxes are applied provided it gives notice of its intent to do so prior to the submission of bids. This practice is permitted only for sales tax and B&O taxes imposed on suppliers. Both bills are moving.

## 9. Fire Hydrant Bill (HB 1512 / 5606)

This carefully crafted bill addresses state Supreme Court cases that held that cities could not pay for fire hydrants through the utility bill, but rather such charges were a general government responsibility. Pursuant to the bill, cities may contract with water purveyors for the provision of fire suppression water facilities, services, or both. Both bills are moving.

# MAKING CITIES LIVABLE LLC
# CONFERENCES
## *Making Cities Livable Publications*

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MAR 25 2013

City of Burien



**Suzanne H. Crowhurst Lennard Ph.D.(Arch.)**
**Director**
**IMCL Conferences**
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**Dr. Sven von Ungern-Sternberg**
**Regierungspräsident**
**State of South-Baden**
**Freiburg i.B. GERMANY**

www.livablecities.org

March 20, 2013

**PLEASE CIRCULATE**

Dear Mayor and Council Members,

Please join us to focus on ***Reshaping Suburbia into Healthy Communities*** at the **50th IMCL Conference**, June 23-27, in Portland, OR. (See enclosed flier)

Sprawling and fragmented suburbs where distances are too great and streets are too dangerous have significantly contributed to our massive problems of obesity, chronic physical ill health, social isolation, violence and crime. ***We must act now to adopt healthy, equitable planning practices for Reshaping Suburbia.***

The good news is, some of the most exciting urban design projects today - transformations of shopping malls into mixed use town centers, transit-oriented development, 10-minute neighborhoods, green streets and neighborhood plazas - are taking place in the suburbs.

To facilitate your participation, IMCL is extending the deadline for the registration rate of $545 from April 1 ***to May 1.***

Individuals can save even more by becoming an IMCL Member online ($195), then registering at HALF Price ($272.50 until May 1).

For more information and to register, please go to http://www.livablecities.org/50th-portland.

***Leadership from elected officials is essential. Please join us to help guide this process!***

With best regards,

*Suzanne H. Crowhurst Lennard*
Suzanne H. Crowhurst Lennard, Ph.D.(Arch.)
Director, International Making Cities Livable Conferences
Suzanne.Lennard@LivableCities.org

P.S. You may also be interested in the **European Cities of Vision Study Tour** to Freiburg and Strasbourg in the Fall. Please see the enclosed flier, and the website at www.livablecities.org/tour

# Notice of Application

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

| | |
|---|---|
| **Date** | March 26, 2013 |
| **Applicant** | Callidus Development, Inc. |
| **Proposal** | Subdivide two (2) existing residential lots totaling 2.19 acres into fourteen (14) single-family residential lots |
| **File No.** | PLA 12-2131<br>File is available for viewing at Burien City Hall during regular business hours. |
| **Location** | 12414 Military Road S, Burien, WA |
| **Tax Parcel No.** | 025700-0080; 025700-0087 |
| **Current Zoning** | RS 7,200 (Residential Single Family) and RM-12 (Residential Multi-family 12 units per acre) |
| **Application Submitted/Complete** | Submitted: October 23, 2012<br>Complete: March 12, 2013 |
| **Other Permits Needed** | Construction Permit, Right-of-Way Use Permit |
| **Existing Environmental Info.** | SEPA Environmental Checklist, Offsite/Level 1 Downstream Analysis, Traffic Impact Analysis |
| **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 City Council following a public hearing and recommendation by the Hearing Examiner. Prior to preparation of the Dept. of Community Development staff recommendation to the Hearing Examiner, there is an opportunity for the public to submit written comments. **To be considered as part of the staff report, written comments must be received prior to 5:00 p.m. on April 25, 2013.** Send written comments to the project planner (see below). Please indicate your name and address and refer to the file indicated above. In addition, anyone may submit written or oral comments to the Hearing Examiner at the public hearing. Only people who submitted comments as indicated above may appeal the decision on this application. |
| **Project Planner (for written comments and more information)** | Stephanie Jewett, AICP<br>Department of Community Development<br>City of Burien<br>400 SW 152nd Street (Suite 300)<br>Burien, WA 98166-3066<br>Phone: (206) 439-3152 E-Mail: stephaniej@burienwa.gov |
| **Published in the Seattle Times** | Date of Notice: March 26, 2013 |

cc: Burien City Council, Burien Staff, Burien Library, Seahurst Post Office, White Center Now, Web site: www.burienwa.gov, Discover Burien, B-Town Blog, Highline Times, Burien Daily

R:\cc\notices\2013\032613Callidus

# Notice of Application

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

| | |
|---|---|
| **Date** | March 19, 2013 |
| **Applicant** | Blake Lanz, Burien 10, LLC |
| **Proposal** | Type 1 Land Use Review & SEPA Checklist Review for the construction of 10 apartment units in three buildings (two 3-plexes and one 4-plex). |
| **File No.** | PLA 12-1757<br>File is available for viewing at Burien City Hall during regular business hours. |
| **Location** | 120xx Des Moines Memorial Drive, Burien, WA |
| **Tax Parcel No.** | 098500-0792, 098500-0793, 098500-0794 |
| **Current Zoning** | RM-12 (Residential Multi-family 12 units per acre) |
| **Application Submitted/Complete** | Submitted: August 30, 2012<br>Complete: March 5, 2013 |
| **Other Permits Needed** | Building Permit, Right of Way Use Permit |
| **Existing Environmental Info.** | SEPA Environmental Checklist, Geotechnical Assessment, Traffic Impact Analysis, Storm Drainage Design Technical Information Report |
| **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 April 9, 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)** | Stephanie Jewett, AICP<br>Department of Community Development<br>City of Burien<br>400 SW 152nd Street (Suite 300)<br>Burien, WA 98166-3066<br>Phone: (206) 439-3152 E-Mail: stephaniej@burienwa.gov |
| **Published in the Seattle Times** | Date of Notice: March 19, 2013 |

cc:

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Seahurst Post Office
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Web site: www.burienwa.gov
Burien Daily