



## CITY COUNCIL AGENDA

May 11, 2009

SPECIAL MEETING, North Classroom

For the purpose of holding an Executive Session to discuss a personnel matter per RCW 42.30.110(1g)

6:00 p.m.

and

COUNCIL MEETING, Board Room

7:00 p.m.

Educational Resource & Administrative Center (ERAC)

15675 Ambaum Blvd. SW

Burien, Washington 98166

**PAGE NO.**

**I. CALL TO ORDER**

**II. EXECUTIVE SESSION**

**III. PLEDGE OF ALLEGIANCE**

**IV. ROLL CALL**

**V. AGENDA CONFIRMATION**

**VI. PUBLIC COMMENT** To receive comments on *topics other than public hearing topics*. Individual will please limit their comments to three minutes, and groups to five minutes.

- |   |  |    |
|---|--|----|
| <b>VII. CORRESPONDENCE FOR THE RECORD</b> | a. Letter Dated June 30, 2009, from Robbie Howell Regarding Burien Transit Station Name. | 3. |
|   | b. Letter Dated May 5, 2009, from Robbie Howell as a Follow-up to Previous Letter.       | 4. |

- |                            |                                       |    |
|----------------------------|---------------------------------------|----|
| <b>VIII. PRESENTATIONS</b> | a. 2008 Annual Police Report Summary. | 7. |
|                            | b. Update on Town Square.             |    |

- |                           |  |     |
|---------------------------|--|-----|
| <b>IX. CONSENT AGENDA</b> | a. Approval of Vouchers: Numbers 22013 – 22115 in the Amount of \$1,843,352.68.        | 21. |
|                           | b. Approval of Minutes: Special Meeting, April 30, 2009; Council Meeting, May 4, 2009. | 35. |

COUNCILMEMBERS

Joan McGilton, Mayor  
Kathy Keene

Sue Blazak, Deputy Mayor  
Lucy Krakowiak      Sally Nelson

Rose Clark  
Gordon Shaw

## CITY COUNCIL AGENDA

May 11, 2009

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- |                           |  |      |
|---------------------------|--|------|
| <b>X. BUSINESS AGENDA</b> | a. City Manager's Report.  | 43.  |
|                           | b. Council Review of Proposed Council Agenda Schedule.   | 63.  |
|                           | c. Motion to Adopt Ordinance No. 511, Establishing a Special<br>Events Permit Code.                | 67.  |
|                           | d. Motion to Adopt Ordinance No. 512, Amending Chapter 12.18<br>BMC of the City Right-of-Way Code. | 109. |
|                           | e. Financial Update and Budget Revisions.  | 123. |

### XI. COUNCIL REPORTS

### XII. ADJOURNMENT

RECEIVED

MAY 04 2009

June 30, 2009

CITY OF BURIEN

Honorable Mayor and Council Members:

At the Arts Commission Meeting April 28, 2009 Gina told us about all kinds of exciting Art Happenings. One of the things she mentioned was that James Harrison changed the name of his sculpture from "Sun Pavilion" to "Helios Pavilion. Even though it is a Greek word it is a good choice I thought. Then I asked what is the name of the new Burien Transit Station, and she said it doesn't have a name.

I imagine that you, like me, would like to get the most out of this beautiful work of art. I would like to suggest you give it a name and have it engraved on the same Burien Transit plate with the date that you are planning to attach to it.

Most of you already know that Lake Burien and along Puget Sound was a destination for the Duwamish Indians to hunt and fish, and one of their most enchanting trails still remains and is walked on today. It is part of our culture. Burien was and still is a wonderful destination, not only to live in, but to work or play, or to enjoy our Restaurants and Arts and Culture.

I looked up the Indian spelling for End of the Trail, ("Destination"). That word is St'at'imcets and it is hard to pronounce and is not very endearing to hear. I thought that doesn't sound romantic or enticing. The Greek word for the end of the line is "Telos" and would match "Helios". "The Destination" might work.

Like me, if you are an Arts type you would probably rather say "Meet me at the Telos" than "Meet me at Burien Transit Station". It sounds endearing, or even more modern. It is an icon that we can use to glamorize and promote Burien with.

It really doesn't matter if you embrace any of these words but I love the thought of giving a name to the Burien Transit Station. Maybe you can find a name that you like better. If its going to be found it will have to be fast so it can be engraved on the transit plate in June.

Thank your for your consideration.

*Robbie Howell*

Robbie Howell  
15240 20<sup>th</sup> Ave SW  
Burien, WA 98166

P.S. A worker at the transit site told me they haven't done the engraving yet and there is still time to do it.

CFTR = 5/11/09  
CC: King County Metro Staff /o Lisa Clausen  
PC: 5/16/09

RECEIVED

MAY 05 2009

CITY OF BURIEN

May 5, 2009

Honorable Mayor and Council Members:

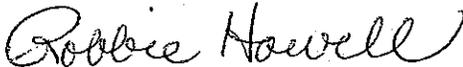
After I sent you the letter of June 30th, (really April 30, 2009) I called the "Seattle Longhouse and Cultural Center" to make sure I had the correct Salish word for the end of the trail. They referred me to Mike Evans who is their language authority. I was surprised because Mike is a friend of mine and it turns out he has been doing the translation for James Mabon Harrison--artist of the Helios.

Mike informed me that there is more than one Salish dialect and he did the correct translation for me which I am including. The Greek word that I gave you means end.

Mike told me he is going to be at the June 13th Burien City Hall-Library Celebration. I am sure he would be willing to help with any Duwamish language translation you would need for the Burien Transit Center.

Mike e-mailed me a copy of a rough draft of the Helios. He told me they would correct the typo. It is a beautiful memorial. I was so touched it brought tears to my eyes.

Sincerely,



Robbie Howell

CFTR: 5/11/09

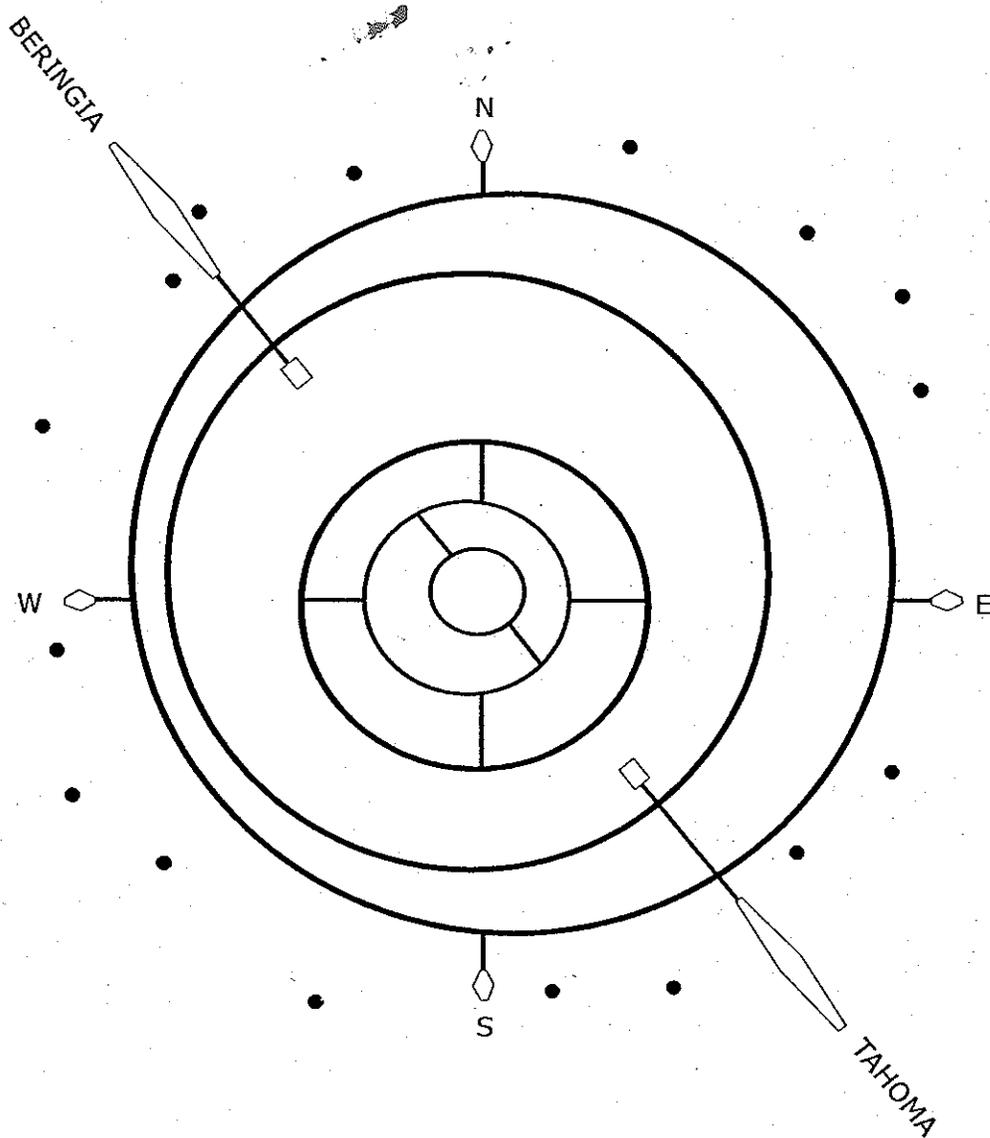
cc: King County Metro Staff & Lisa Clausen

PC: 5/16/09

šċətayucid

**Telos**

**The Destination**



**ŁÚKWAŁ**

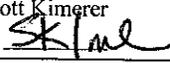
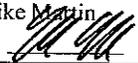
**HELIOS**

**SUN PAVILION**

This Project is dedicated to the indomitable and generous spirit of the Duwamish People, the indigenous people of this region, and is meant for the enjoyment of all.

JAMES MALBON HARRISON - ARTIST    DEDICATED JUNE 13, 2009

**CITY OF BURIEN  
AGENDA BILL**

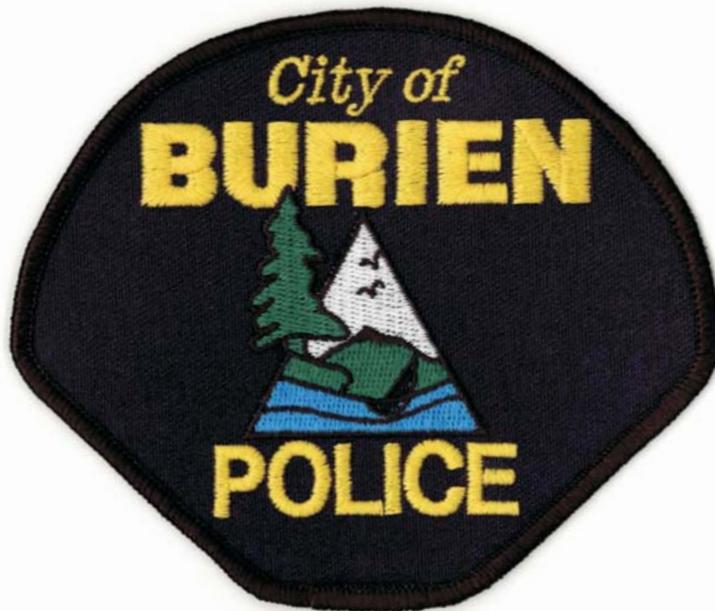
|   |   |   |
|---|---|---|
| Agenda Subject: 2008 Annual Police Report Summary   |   | Meeting Date: May 11, 2009  |
| Department: Police Services   | Attachments:<br>2008 Annual Police<br>Service Highlights &<br>Data  | Fund Source: General Fund - Police Services<br>Activity Cost: N/A<br>Amount Budgeted: N/A<br>Unencumbered Budget Authority: N/A |
| Contact: Chief Scott Kimerer  |   |   |
| Telephone:<br>(206) 296-3333  |   |   |
| Adopted Work Plan<br>Priority: Yes No   | Work Plan Item Description:   |   |
| <b>PURPOSE/REQUIRED ACTION:</b>   |   |   |
| The purpose of this agenda bill is to present a summary of the 2008 Annual Burien Police Services Report.   |   |   |
| <b>BACKGROUND (Include prior Council action &amp; discussion):</b>  |   |   |
| Every year the Burien Police Department presents a summary of crime and service delivery statistics taken from the Police Services Annual Report. |   |   |
| <b>OPTIONS (Including fiscal impacts):</b><br>N/A   |   |   |
| Administrative Recommendation: Receive the summary.   |   |   |
| Committee Recommendation: N/A   |   |   |
| Advisory Board Recommendation: N/A  |   |   |
| Suggested Motion: None required.  |   |   |
| Submitted by: Scott Kimerer<br>Administration                  | Mike Martin<br>City Manager  |   |
| Today's Date: May 6, 2009   | File Code: R:/CC/AgendaBill2009/051109ps-1 annualrept   |   |





City of Burien Police Services Report

# 2008 ANNUAL DATA REPORT



Prepared by: The Research, Planning and Information Services Unit  
of the King County Sheriff's Office

# CITY OF BURIEN

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|                                 |                     |
|---------------------------------|---------------------|
| <b>MAYOR</b>                    | Joan McGilton       |
| <b>DEPUTY MAYOR</b>             | Rose Clark          |
| <b>COUNCILMEMBERS</b>           | Sue Blazak          |
|                                 | Rose Clark          |
|                                 | Kathy Keene         |
|                                 | Lucy Krakowiak      |
|                                 | Joan McGilton       |
|                                 | Sally Nelson        |
|                                 | Gordon Shaw         |
| <b>CITY MANAGER</b>             | Michael Martin      |
| <b>CHIEF OF POLICE SERVICES</b> | Chief Scott Kimerer |

# **CITY OF BURIEN POLICE SERVICES REPORT**

## 2008 ANNUAL REPORT

|   |              |
|---|--------------|
| <b>GLOSSARY OF TERMS</b>                              | <b>1 - 2</b> |
| <b>CITY MAP</b>                                       | <b>3</b>     |
| <b>CITY CRIME SUMMARY</b>                             | <b>4</b>     |
| <b>PART 1 AND 2 OFFENSES BY PATROL DISTRICTS</b>      | <b>5</b>     |
| <b>LARCENIES BY PATROL DISTRICTS</b>                  | <b>6</b>     |
| <b>ADULT AND JUVENILE CHARGES, ARRESTS, CITATIONS</b> | <b>7</b>     |
| <b>DISPATCHED CALLS FOR SERVICE</b>                   | <b>8</b>     |
| <b>RESPONSE TIMES</b>                                 | <b>8</b>     |

# **GLOSSARY OF TERMS**

## **Adult Arrests**

An arrest is counted every time an adult is cited for a criminal offense or booked. More specifically:

1. It includes all adult bookings, plus
2. All adult citations which are classified as criminal non-traffic.
3. When an adult is both cited and booked, it is only counted once.

## **Cases Cleared /Clearance**

The solving of an offense by arrest, or in some circumstances, by exceptional means (the suspect died, is imprisoned on another charge, victim refuses to testify, etc.).

## **CASE CLOSURE DEFINITIONS**

### **Cleared by Arrest:**

A case can be closed by arrest when at least one suspect is positively identified and charges are recommended to the Prosecuting Attorney's Office. This closure does not require physical booking into a jail or juvenile detention facility. It also does not require the charging of all suspects, if there are multiple suspects in the crime. This category includes criminal citations into district and municipal courts for misdemeanors and felony filings into Superior Court, as well as all filings into Juvenile Court.

### **Exceptional Clearance:**

A case can be closed "exceptional" if it can be established that a crime has been committed and the identity of a suspect is positively confirmed, but due to circumstances beyond our control, no charges are filed. An example of this type of closure is a case in which the victim declines to assist in prosecution. Another example is when another police agency files charges on a related crime stemming from the same incident. (Car stolen in King County, but suspect arrested out of the stolen car in Bellevue. Bellevue P.D. charges the suspect with possession of the stolen car. We close the stolen car case "exceptional.")

### **Unfounded:**

Cases are closed as "unfounded" when the investigation reveals that no crime has been committed. An example would be the report of a theft by one party that is determined to be a false report by interviewing other independent witnesses

### **Administrative Clearance:**

This clearance is used primarily to close non-criminal police investigations like found property. For instance, if a citizen finds and turns over to police a wallet. Investigation reveals who the owner of the wallet is and the item is returned to that person.

### **Inactive:**

This category is used when all investigative leads are exhausted and the case can not be closed by any of the above classifications.

## **Dispatched Calls for Service**

This includes calls received in the Communications Center which result in one or more patrol cars being dispatched.

## **Domestic Violence**

Domestic Violence is a subcategory to other crimes. Virtually any crime can be classified as domestic violence. In the State of Washington, Domestic Violence is defined as a crime of violence against the person or property of a spouse, former spouse, persons related by blood or marriage, persons who have a child in common, former/current roommates, persons who have or had a dating relationship, and persons related to the suspect by the parent-child (biological or legal) relationship. In some cases, the age of the victim or suspect may determine whether or not the legal definition above is met.

## **Part I Offenses**

This category is commonly known as the "Crime Index." Crimes include criminal homicide (which includes murder and non-negligent manslaughter; but excludes deaths by negligence, attempts to kill, suicides, accidental deaths, justifiable homicide and traffic fatalities), forcible rape, robbery, aggravated assault (which excludes simple assaults), burglary, larceny-theft, motor vehicle theft and arson.

## **Violent Crimes (Part 1)**

These are a subclassification of Part I Offenses which encompass murder and non-negligent manslaughter, rape, robbery and aggravated assault.

## **Part II Offenses**

This category includes all other crime classifications outside those defined as Part I. Crimes include other assaults (simple), forgery and counterfeiting, fraud, embezzlement, stolen property (buying, receiving and/or possessing), vandalism, weapons (carrying, possessing, etc.), prostitution and commercialized vice, sex offenses (except forcible rape, prostitution or commercial vice...i.e. statutory rape, indecent exposure, etc.), drug violations, gambling, offenses against the family and children, driving under the influence, liquor violations, drunkenness, disorderly conduct, etc.

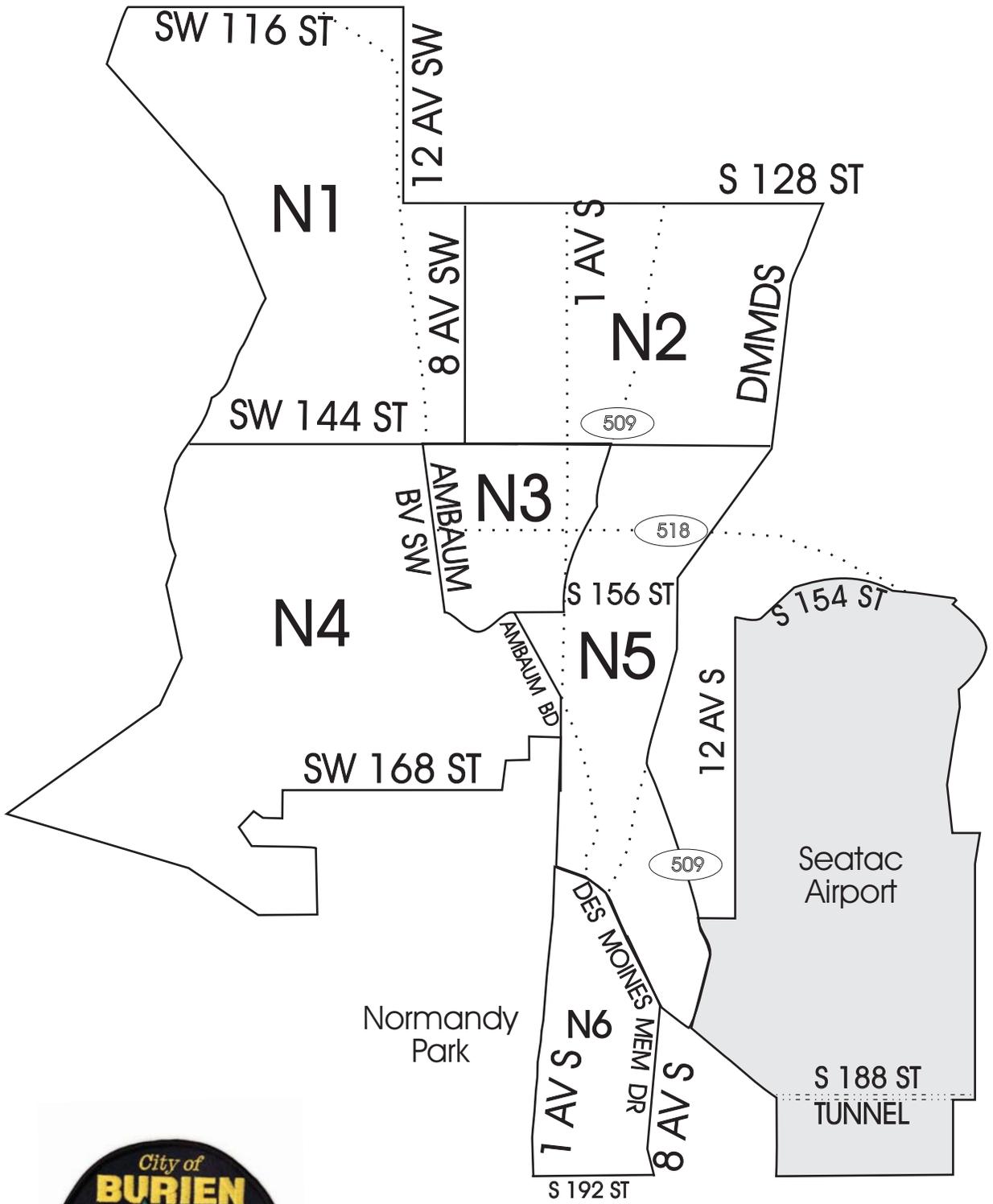
## **Response Times/Priorities**

Priority X - Critical Dispatch. This category is used for those calls that pose an obvious threat to the safety of persons. Examples include shootings, stabbings and in-progress crimes such as robberies or burglaries where the possibility of a confrontation between a victim and suspect exists.

Priority 1 - Immediate Dispatch. This category is used for those calls that require immediate police action. Examples include silent alarms, injury traffic accidents, in-progress crimes or crimes that have just occurred where a suspect may still be in the immediate area.

Priority 2 - Prompt Dispatch. This category is used for those calls that could escalate to a more serious degree if not policed quickly. Examples include verbal disturbances and blocking traffic accidents.

Priority 3 - Routine Dispatch. This category is used for those calls where response time is not a critical factor. Examples include burglaries and larcenies that are not in progress, audible alarms, or other routine reports.



**City of Burien  
Patrol Districts**

# City of Burien

2008 Annual Report

## CRIME SUMMARY

|                                | 2007         | 2008         | Percent Change | Crime Rate   | Total 2008 Cases Closed |
|--------------------------------|--------------|--------------|----------------|--------------|-------------------------|
| <b>Part I Offenses</b>         |              |              |                |              |                         |
| Criminal Homicide              | 2            | 4            | 100.0%         | 0.13         | 1                       |
| Forcible Rape (incl. Attempts) | 16           | 28           | 75.0%          | 0.89         | 5                       |
| Robbery                        | 83           | 71           | -14.5%         | 2.25         | 31                      |
| Aggravated Assault             | 91           | 86           | -5.5%          | 2.73         | 36                      |
| Burglary, Commercial           | 142          | 108          | -23.9%         | 3.42         | 8                       |
| Burglary, Residential          | 233          | 271          | 16.3%          | 8.59         | 14                      |
| Larceny, over \$250            | 411          | 364          | -11.4%         | 11.54        | 27                      |
| Larceny, under \$250           | 538          | 481          | -10.6%         | 15.25        | 76                      |
| Vehicle Theft                  | 392          | 253          | -35.5%         | 8.02         | 38                      |
| Arson                          | 6            | 12           | 100.0%         | 0.38         | 8                       |
| <b>Total Part I Offenses</b>   | <b>1,914</b> | <b>1,678</b> | <b>-12.3%</b>  | <b>53.20</b> | <b>244</b>              |
| <b>Total Part II Offenses</b>  | <b>2,182</b> | <b>2,492</b> | <b>14.2%</b>   | <b>79.01</b> | <b>225</b>              |

### NOTE:

The crime rate is calculated on the basis of 1,000 people (i.e., number of crimes per 1,000 people). The population is 31,540.

## ACTIVITY SUMMARY

|   | 2007   | 2008   | Percent Change |
|---|--------|--------|----------------|
| Dispatched calls for service              | 11,518 | 10,191 | -11.5%         |
| Adult charges/arrests                     | 1,453  | 1,131  | -22.2%         |
| Juvenile charges/arrests                  | 254    | 162    | -36.2%         |
| Officers assaulted                        | 8      | 3      | -62.5%         |
| Total gang-related incidents              | 275    | 309    | 12.4%          |
| Total domestic violence related incidents | 414    | 355    | -14.3%         |
| Hate crimes/malicious harassment reports  | 1      | 2      | 100.0%         |

# City of Burien

2008 Annual Report

## Part One Offenses by Patrol District

|                           | Burien     |            |            |            |            |           | Total        |
|---------------------------|------------|------------|------------|------------|------------|-----------|--------------|
|                           | N1         | N2         | N3         | N4         | N5         | N6        |              |
| Criminal Homicide         | 1          | 0          | 3          | 0          | 0          | 0         | 4            |
| Rape                      | 6          | 1          | 2          | 5          | 2          | 0         | 16           |
| Child Rape                | 2          | 1          | 1          | 5          | 0          | 0         | 9            |
| Attempted Rape            | 2          | 0          | 0          | 1          | 0          | 0         | 3            |
| Robbery, Highway          | 8          | 4          | 17         | 6          | 4          | 0         | 39           |
| Robbery, Commercial       | 0          | 0          | 0          | 1          | 0          | 0         | 1            |
| Robbery, Gas Station      | 1          | 0          | 0          | 0          | 0          | 0         | 1            |
| Robbery, Chain Store      | 0          | 1          | 9          | 1          | 1          | 0         | 12           |
| Robbery, Residence        | 2          | 0          | 0          | 0          | 0          | 0         | 2            |
| Robbery, Bank             | 0          | 0          | 3          | 0          | 0          | 0         | 3            |
| Robbery, Misc.            | 0          | 3          | 5          | 0          | 4          | 0         | 12           |
| Robbery, Carjack          | 0          | 0          | 1          | 0          | 0          | 0         | 1            |
| Assault, Firearm          | 8          | 3          | 5          | 3          | 1          | 2         | 22           |
| Assault, Knife            | 4          | 3          | 2          | 3          | 0          | 1         | 13           |
| Assault, ODW              | 2          | 1          | 3          | 0          | 1          | 1         | 8            |
| Assault, Hands            | 9          | 8          | 10         | 8          | 7          | 1         | 43           |
| Commercial Burglary, FE   | 8          | 10         | 36         | 7          | 13         | 5         | 79           |
| Commercial Burglary, NF   | 3          | 4          | 8          | 1          | 3          | 0         | 19           |
| Commercial Burglary, ATT  | 0          | 0          | 6          | 2          | 2          | 0         | 10           |
| Residential Burglary, FE  | 25         | 60         | 12         | 39         | 22         | 4         | 162          |
| Residential Burglary, NF  | 13         | 19         | 9          | 24         | 13         | 2         | 80           |
| Residential Burglary, ATT | 9          | 7          | 1          | 7          | 5          | 0         | 29           |
| Larceny, +\$250           | 45         | 51         | 114        | 82         | 51         | 18        | 361          |
| Larceny, -\$250           | 63         | 92         | 209        | 63         | 42         | 12        | 481          |
| Auto Theft                | 51         | 44         | 59         | 40         | 46         | 12        | 252          |
| Truck-Bus Theft           | 0          | 0          | 0          | 0          | 0          | 0         | 0            |
| Other Vehicle Theft       | 0          | 1          | 0          | 0          | 0          | 0         | 1            |
| Theft Boat/RV             | 0          | 0          | 0          | 2          | 1          | 0         | 3            |
| Arson Confirmed           | 4          | 1          | 2          | 3          | 1          | 1         | 12           |
| <b>Total</b>              | <b>266</b> | <b>314</b> | <b>517</b> | <b>303</b> | <b>219</b> | <b>59</b> | <b>1,678</b> |

## Part Two Offenses by Patrol District

|                                | Burien     |            |            |            |            |           | Total        |
|--------------------------------|------------|------------|------------|------------|------------|-----------|--------------|
|                                | N1         | N2         | N3         | N4         | N5         | N6        |              |
| Assault Fourth                 | 57         | 30         | 59         | 37         | 26         | 16        | 225          |
| Total Forgery/Fraud            | 30         | 40         | 69         | 30         | 25         | 7         | 201          |
| Stolen Property                | 2          | 1          | 0          | 1          | 1          | 0         | 5            |
| Vandalism                      | 118        | 95         | 70         | 73         | 52         | 23        | 431          |
| Weapons Violations             | 14         | 8          | 14         | 3          | 7          | 1         | 47           |
| Commercial Vice                | 1          | 0          | 1          | 0          | 0          | 0         | 2            |
| Total Sexual Offenses          | 27         | 9          | 22         | 18         | 5          | 6         | 87           |
| Gambling                       | 0          | 0          | 2          | 0          | 0          | 0         | 2            |
| Total Family/Juvenile          | 109        | 82         | 16         | 563        | 47         | 18        | 835          |
| DWI                            | 17         | 13         | 11         | 4          | 4          | 0         | 49           |
| Liquor Violations              | 4          | 2          | 10         | 3          | 3          | 1         | 23           |
| Disorderly Conduct             | 8          | 2          | 3          | 6          | 1          | 0         | 20           |
| Kidnapping                     | 0          | 2          | 1          | 0          | 0          | 0         | 3            |
| Trespass                       | 19         | 10         | 55         | 10         | 6          | 1         | 101          |
| Opium, coke, etc.              | 6          | 4          | 8          | 2          | 1          | 1         | 22           |
| Marijuana                      | 1          | 3          | 3          | 1          | 1          | 0         | 9            |
| Synthetic Narcotics            | 2          | 0          | 3          | 1          | 1          | 2         | 9            |
| Other Narcotics                | 0          | 0          | 0          | 1          | 0          | 0         | 1            |
| Hate Crimes                    | 0          | 0          | 0          | 1          | 1          | 0         | 2            |
| Viol. of Court Orders (Misd)   | 19         | 7          | 23         | 8          | 9          | 1         | 67           |
| Viol. of Court Orders (Felony) | 2          | 1          | 3          | 4          | 2          | 0         | 12           |
| All other                      | 63         | 55         | 107        | 59         | 44         | 11        | 339          |
| <b>Total</b>                   | <b>499</b> | <b>364</b> | <b>480</b> | <b>825</b> | <b>236</b> | <b>88</b> | <b>2,492</b> |

# City of Burien

2008 Annual Report

## Larcenies by Patrol District

|                              | Burien     |            |            |            |           |           | Total      |
|------------------------------|------------|------------|------------|------------|-----------|-----------|------------|
|                              | N1         | N2         | N3         | N4         | N5        | N6        |            |
| Auto Parts & Accessories     | 6          | 8          | 27         | 21         | 10        | 6         | 78         |
| Bicycles                     | 2          | 3          | 3          | 2          | 0         | 0         | 10         |
| Coin Operated Machine Device | 0          | 0          | 0          | 0          | 0         | 0         | 0          |
| Gas                          | 0          | 0          | 1          | 0          | 1         | 1         | 3          |
| Non-specific Category        | 10         | 17         | 54         | 18         | 14        | 2         | 115        |
| Pickpocket                   | 0          | 0          | 2          | 1          | 0         | 1         | 4          |
| Purse Snatch                 | 2          | 2          | 4          | 1          | 1         | 0         | 10         |
| Shoplifting                  | 25         | 48         | 111        | 11         | 9         | 0         | 204        |
| Taken from Auto              | 44         | 42         | 70         | 75         | 37        | 16        | 284        |
| Taken from Building          | 19         | 23         | 51         | 18         | 22        | 4         | 137        |
| <b>Total</b>                 | <b>108</b> | <b>143</b> | <b>323</b> | <b>147</b> | <b>94</b> | <b>30</b> | <b>845</b> |

# City of Burien

2008 Annual Report

## ADULT AND JUVENILE CHARGES, ARRESTS, AND CITATIONS

|                          | Adult<br>Felony | Adult<br>Misdemeanor | Juvenile<br>Felony | Juvenile<br>Misdemeanor | Total Adults<br>and Juveniles |
|--------------------------|-----------------|----------------------|--------------------|-------------------------|-------------------------------|
| Criminal Homicide        | 1               | 0                    | 0                  | 0                       | 1                             |
| Negligent Manslaughter   | 0               | 0                    | 0                  | 0                       | 0                             |
| Forcible Rape            | 4               | 0                    | 0                  | 0                       | 4                             |
| Robbery                  | 19              | 0                    | 7                  | 0                       | 26                            |
| Aggravated Assault       | 46              | 2                    | 7                  | 0                       | 55                            |
| Burglary                 | 24              | 1                    | 12                 | 0                       | 37                            |
| Larceny                  | 24              | 156                  | 0                  | 33                      | 213                           |
| Vehicle Theft            | 12              | 0                    | 19                 | 0                       | 31                            |
| Assault, Fourth          | 1               | 182                  | 0                  | 19                      | 202                           |
| Arson                    | 6               | 0                    | 2                  | 0                       | 8                             |
| Counterfeiting/Forgery   | 5               | 1                    | 0                  | 0                       | 6                             |
| Fraud                    | 1               | 1                    | 0                  | 0                       | 2                             |
| Embezzlement             | 1               | 0                    | 0                  | 0                       | 1                             |
| Stolen Property          | 8               | 2                    | 0                  | 2                       | 12                            |
| Vandalism                | 18              | 38                   | 1                  | 15                      | 72                            |
| Weapons Violations       | 12              | 13                   | 4                  | 4                       | 33                            |
| Prostitution - Vice      | 0               | 0                    | 0                  | 0                       | 0                             |
| Sex Offense (No Rape)    | 13              | 6                    | 0                  | 0                       | 19                            |
| Narcotics/Drug Violation | 45              | 14                   | 1                  | 0                       | 60                            |
| Marijuana                | 0               | 25                   | 0                  | 3                       | 28                            |
| Gambling, Other          | 0               | 2                    | 0                  | 0                       | 2                             |
| DWI                      | 0               | 47                   | 0                  | 0                       | 47                            |
| Liquor Violation         | 0               | 40                   | 0                  | 20                      | 60                            |
| Disorderly Conduct       | 0               | 21                   | 0                  | 1                       | 22                            |
| Other (except Traffic)   | 42              | 175                  | 1                  | 7                       | 225                           |
| Traffic                  | 2               | 121                  | 1                  | 3                       | 127                           |
| <b>TOTAL</b>             | <b>284</b>      | <b>847</b>           | <b>55</b>          | <b>107</b>              | <b>1,293</b>                  |

### NOTE:

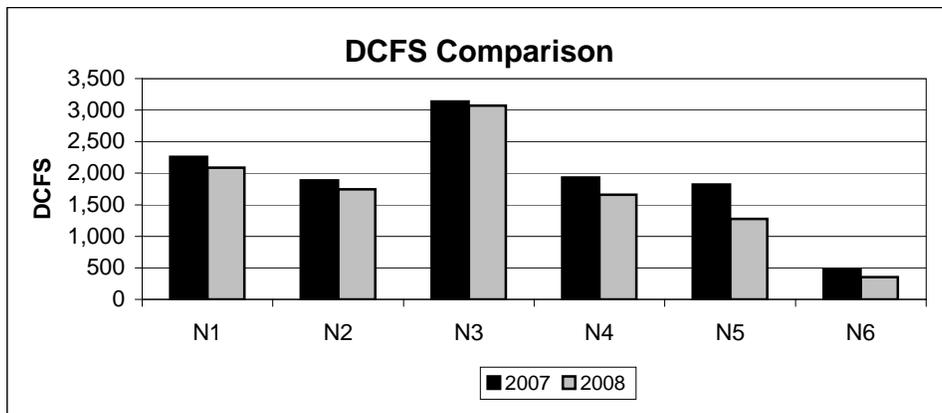
Charges include all adults and juveniles booked, cited and charged in absentia. Charges do not include persons that are booked on warrants each quarter.

# City of Burien

2008 Annual Report

## Dispatched Calls for Service By Patrol District

| District     | 2007          | 2008          |
|--------------|---------------|---------------|
| N1           | 2,261         | 2,089         |
| N2           | 1,887         | 1,744         |
| N3           | 3,136         | 3,069         |
| N4           | 1,933         | 1,660         |
| N5           | 1,820         | 1,277         |
| N6           | 481           | 352           |
| <b>TOTAL</b> | <b>11,518</b> | <b>10,191</b> |



## Response Times

| Priority | Avg Time in Mins. |
|----------|-------------------|
| X        | 3.28              |
| 1        | 8.44              |
| 2        | 17.56             |
| 3        | 54.30             |

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# City of Burien Police Services Report

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## 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 11<sup>th</sup> day of May, 2009 the FOLLOWING:

CHECK NOS. 22013-22115

IN THE AMOUNTS OF \$1,843,352.68

WITH VOIDED CHECK NOS. \_\_\_\_\_

Accounts Payable  
Checks for Approval



User: liliac  
Printed: 05/06/2009 - 10:15 AM

| Check Number | Check Date | Fund Name       | Account Name                    | Vendor Name | Amount |
|--------------|------------|-----------------|---------------------------------|-------------|--------|
| 22013        | 04/23/2009 | General Fund    | Fuel/gas/gasoline Consumption   | CITI BANK   | 106.97 |
| 22013        | 04/23/2009 | General Fund    | Office And Operating Supplies   | CITI BANK   | 132.48 |
| 22013        | 04/23/2009 | General Fund    | Office And Operating Supplies   | CITI BANK   | 140.39 |
| 22013        | 04/23/2009 | General Fund    | Office And Operating Supplies   | CITI BANK   | 92.59  |
| 22013        | 04/23/2009 | General Fund    | Admission and Entrance Fees     | CITI BANK   | 100.00 |
| 22013        | 04/23/2009 | General Fund    | Office And Operating Supplies   | CITI BANK   | 52.97  |
| 22013        | 04/23/2009 | General Fund    | Admission and Entrance Fees     | CITI BANK   | 100.00 |
| 22013        | 04/23/2009 | General Fund    | Registration - Training/workshp | CITI BANK   | 40.00  |
| 22013        | 04/23/2009 | General Fund    | Office And Operating Supplies   | CITI BANK   | 153.89 |
| 22013        | 04/23/2009 | General Fund    | Office And Operating Supplies   | CITI BANK   | 4.89   |
| 22013        | 04/23/2009 | General Fund    | Other Travel                    | CITI BANK   | 229.77 |
| 22013        | 04/23/2009 | General Fund    | Admission and Entrance Fees     | CITI BANK   | 663.96 |
| 22013        | 04/23/2009 | General Fund    | Office And Operating Supplies   | CITI BANK   | 239.15 |
| 22013        | 04/23/2009 | General Fund    | Office And Operating Supplies   | CITI BANK   | 392.53 |
| 22013        | 04/23/2009 | General Fund    | Office And Operating Supplies   | CITI BANK   | 17.12  |
| 22013        | 04/23/2009 | General Fund    | Office And Operating Supplies   | CITI BANK   | 4.46   |
| 22013        | 04/23/2009 | General Fund    | Admission and Entrance Fees     | CITI BANK   | 954.00 |
| 22013        | 04/23/2009 | General Fund    | Office And Operating Supplies   | CITI BANK   | 5.22   |
| 22013        | 04/23/2009 | General Fund    | Office And Operating Supplies   | CITI BANK   | 143.68 |
| 22013        | 04/23/2009 | General Fund    | Office And Operating Supplies   | CITI BANK   | 16.34  |
| 22013        | 04/23/2009 | General Fund    | Office And Operating Supplies   | CITI BANK   | 16.34  |
| 22013        | 04/23/2009 | General Fund    | Registration - Training/workshp | CITI BANK   | 75.00  |
| 22013        | 04/23/2009 | General Fund    | Subscriptions/publications      | CITI BANK   | 32.50  |
| 22013        | 04/23/2009 | General Fund    | Registration - Training/workshp | CITI BANK   | 175.00 |
| 22013        | 04/23/2009 | Town Square CIP | Office Furniture and Equipment  | CITI BANK   | 350.00 |
| 22013        | 04/23/2009 | General Fund    | Miscellaneous                   | CITI BANK   | 59.95  |
| 22013        | 04/23/2009 | General Fund    | Miscellaneous                   | CITI BANK   | 14.95  |
| 22013        | 04/23/2009 | General Fund    | Miscellaneous                   | CITI BANK   | 30.00  |
| 22013        | 04/23/2009 | General Fund    | Lodging                         | CITI BANK   | 652.66 |
| 22013        | 04/23/2009 | General Fund    | Meals                           | CITI BANK   | 38.94  |
| 22013        | 04/23/2009 | General Fund    | Travel                          | CITI BANK   | 20.00  |
| 22013        | 04/23/2009 | General Fund    | Meals                           | CITI BANK   | 84.58  |
| 22013        | 04/23/2009 | General Fund    | Office And Operating Supplies   | CITI BANK   | 21.92  |

| Check Number | Check Date | Fund Name                     | Account Name                   | Vendor Name                    | Amount   |
|--------------|------------|-------------------------------|--------------------------------|--------------------------------|----------|
| 22013        | 04/23/2009 | General Fund                  | Office And Operating Supplies  | CITI BANK                      | 98.64    |
| 22013        | 04/23/2009 | General Fund                  | Office And Operating Supplies  | CITI BANK                      | 98.64    |
| 22013        | 04/23/2009 | General Fund                  | Office And Operating Supplies  | CITI BANK                      | 201.57   |
| 22013        | 04/23/2009 | General Fund                  | Repairs And Maintenance        | CITI BANK                      | 55.27    |
| 22013        | 04/23/2009 | General Fund                  | Office And Operating Supplies  | CITI BANK                      | 21.24    |
| 22013        | 04/23/2009 | General Fund                  | Meals                          | CITI BANK                      | 37.00    |
| 22013        | 04/23/2009 | General Fund                  | Meals                          | CITI BANK                      | 8.30     |
| 22013        | 04/23/2009 | General Fund                  | Lodging                        | CITI BANK                      | 652.66   |
| 22013        | 04/23/2009 | General Fund                  | Travel                         | CITI BANK                      | 1,351.87 |
| 22013        | 04/23/2009 | General Fund                  | Travel                         | CITI BANK                      | -606.85  |
| Check Total: |            |                               |                                |                                | 7,080.59 |
| 22014        | 04/23/2009 | General Fund                  | Others - Eqpt/facility Leases  | State of Washington            | 77.72    |
| Check Total: |            |                               |                                |                                | 77.72    |
| 22015        | 04/23/2009 | Town Square CIP               | Office Furniture and Equipment | TROFEO                         | 1,195.50 |
| Check Total: |            |                               |                                |                                | 1,195.50 |
| 22016        | 04/23/2009 | General Fund                  | Miscellaneous                  | INTERNAL REVENUE SERVICE       | 434.98   |
| Check Total: |            |                               |                                |                                | 434.98   |
| 22017        | 04/28/2009 | Surface Water Management Fund | Surface Water Mgmt Inventory   | Clean Harbors Environmental Se | 410.08   |
| Check Total: |            |                               |                                |                                | 410.08   |
| 22018        | 05/04/2009 | General Fund                  | Office/operating Supplies      | ACE Hardware                   | 22.20    |
| Check Total: |            |                               |                                |                                | 22.20    |
| 22019        | 05/04/2009 | General Fund                  | Professional Services          | Arts Corps                     | 2,029.50 |
| Check Total: |            |                               |                                |                                | 2,029.50 |
| 22020        | 05/04/2009 | General Fund                  | Federal Lobbying Services      | Ball Janik LLP                 | 8,833.33 |
| Check Total: |            |                               |                                |                                | 8,833.33 |
| 22021        | 05/04/2009 | Town Square CIP               | Land / Acquisition             | Bush, Roed & Hitchings, Inc.   | 6,147.23 |

| Check Number | Check Date | Fund Name    | Account Name                   | Vendor Name                   | Amount   |
|--------------|------------|--------------|--------------------------------|-------------------------------|----------|
|              |            |              |                                | Check Total:                  | 6,147.23 |
| 22022        | 05/04/2009 | Street Fund  | Street Maintenance-non-county  | The Brickman Group, Ltd.      | 220.00   |
| 22022        | 05/04/2009 | Street Fund  | Street Maintenance-non-county  | The Brickman Group, Ltd.      | 8,680.00 |
|              |            |              |                                | Check Total:                  | 8,900.00 |
| 22023        | 05/04/2009 | General Fund | Office And Operating Supplies  | Burien Bark L.L.C.            | 26.21    |
|              |            |              |                                | Check Total:                  | 26.21    |
| 22024        | 05/04/2009 | General Fund | Registration - Trainng/workshp | ANGELA CHAUFY                 | 196.32   |
|              |            |              |                                | Check Total:                  | 196.32   |
| 22025        | 05/04/2009 | General Fund | Printing/binding/copying       | Clark Office Products, Inc.   | 526.14   |
|              |            |              |                                | Check Total:                  | 526.14   |
| 22026        | 05/04/2009 | General Fund | Office And Operating Supplies  | Clay Art Center, Inc.         | 140.90   |
| 22026        | 05/04/2009 | General Fund | Office And Operating Supplies  | Clay Art Center, Inc.         | 925.02   |
|              |            |              |                                | Check Total:                  | 1,065.02 |
| 22027        | 05/04/2009 | General Fund | Repairs And Maintenance        | Citywide Locksmith Services   | 130.92   |
|              |            |              |                                | Check Total:                  | 130.92   |
| 22028        | 05/04/2009 | General Fund | Channel 21 Video Production    | COMCAST                       | 57.70    |
|              |            |              |                                | Check Total:                  | 57.70    |
| 22029        | 05/04/2009 | General Fund | Operating Rentals And Leases   | Copiers Northwest Inc.        | 95.39    |
|              |            |              |                                | Check Total:                  | 95.39    |
| 22030        | 05/04/2009 | General Fund | Nuisance Abatement Costs       | Clean Property Services, Inc. | 328.50   |
|              |            |              |                                | Check Total:                  | 328.50   |
| 22031        | 05/04/2009 | General Fund | Miscellaneous                  | DANILO CRUZ                   | 87.59    |

| Check Number | Check Date | Fund Name    | Account Name                   | Vendor Name                    | Amount       |           |
|--------------|------------|--------------|--------------------------------|--------------------------------|--------------|-----------|
|              |            |              |                                |                                | Check Total: | 87.59     |
| 22032        | 05/04/2009 | General Fund | Miscellaneous                  | Crystal and Sierra Springs     | 7.57         |           |
| 22032        | 05/04/2009 | General Fund | Miscellaneous                  | Crystal and Sierra Springs     | 34.09        |           |
| 22032        | 05/04/2009 | General Fund | Miscellaneous                  | Crystal and Sierra Springs     | 34.09        |           |
|              |            |              |                                |                                | Check Total: | 75.75     |
| 22033        | 05/04/2009 | General Fund | Human Svc-family/youth         | City of Auburn                 | 4,000.00     |           |
|              |            |              |                                |                                | Check Total: | 4,000.00  |
| 22034        | 05/04/2009 | General Fund | Human Svc-family/youth         | City of Covington              | 12,400.00    |           |
|              |            |              |                                |                                | Check Total: | 12,400.00 |
| 22035        | 05/04/2009 | Street Fund  | Utilities - Traffic Signals    | City of Seattle                | 257.46       |           |
| 22035        | 05/04/2009 | Street Fund  | Utilities-street Lighting      | City of Seattle                | 3,197.31     |           |
| 22035        | 05/04/2009 | Street Fund  | Utilities-street Lighting      | City of Seattle                | 105.24       |           |
| 22035        | 05/04/2009 | General Fund | Utilities                      | City of Seattle                | 5.94         |           |
| 22035        | 05/04/2009 | General Fund | Utilities                      | City of Seattle                | 263.75       |           |
|              |            |              |                                |                                | Check Total: | 3,829.70  |
| 22036        | 05/04/2009 | General Fund | CERT / Citizens Academy        | City of SeaTac                 | 222.48       |           |
|              |            |              |                                |                                | Check Total: | 222.48    |
| 22037        | 05/04/2009 | General Fund | Office And Operating Supplies  | Dorsett & Jackson, Inc.        | 1,051.20     |           |
|              |            |              |                                |                                | Check Total: | 1,051.20  |
| 22038        | 05/04/2009 | General Fund | Att Svcs - Litigation - 1st So | David Evans & Associates, Inc. | 11,938.95    |           |
|              |            |              |                                |                                | Check Total: | 11,938.95 |
| 22039        | 05/04/2009 | General Fund | Computer Related Supplies      | Dell Computer Corporation      | 318.71       |           |
|              |            |              |                                |                                | Check Total: | 318.71    |
| 22040        | 05/04/2009 | Street Fund  | Discover Burien                | Discover Burien                | 5,386.00     |           |
| 22040        | 05/04/2009 | Street Fund  | Special Event Clean up         | Discover Burien                | 3,331.00     |           |

| Check Number | Check Date | Fund Name                     | Account Name                   | Vendor Name                    | Amount   |
|--------------|------------|-------------------------------|--------------------------------|--------------------------------|----------|
|              |            |                               |                                | Check Total:                   | 8,717.00 |
| 22041        | 05/04/2009 | General Fund                  | Admission and Entrance Fees    | Donna Longwell & Associates LL | 252.00   |
|              |            |                               |                                | Check Total:                   | 252.00   |
| 22042        | 05/04/2009 | Surface Water Management Fund | Registration - Trainng/workshp | ECO3 Associates, LLC           | 500.00   |
|              |            |                               |                                | Check Total:                   | 500.00   |
| 22043        | 05/04/2009 | General Fund                  | Repair/maint-vehicle           | Elephant Car Wash              | 11.83    |
|              |            |                               |                                | Check Total:                   | 11.83    |
| 22044        | 05/04/2009 | General Fund                  | Operating Rentals And Leases   | Emerald City Water, LLC        | 147.83   |
|              |            |                               |                                | Check Total:                   | 147.83   |
| 22045        | 05/04/2009 | General Fund                  | Professional Services          | FCS Group                      | 817.33   |
| 22045        | 05/04/2009 | General Fund                  | Professional Services          | FCS Group                      | 817.33   |
| 22045        | 05/04/2009 | General Fund                  | Professional Services          | FCS Group                      | 817.34   |
|              |            |                               |                                | Check Total:                   | 2,452.00 |
| 22046        | 05/04/2009 | Surface Water Management Fund | Endangered Species Act Study   | Frause Group                   | 1,695.75 |
|              |            |                               |                                | Check Total:                   | 1,695.75 |
| 22047        | 05/04/2009 | General Fund                  | Instructors Prof Svcs          | Alyssa Fritts                  | 270.00   |
|              |            |                               |                                | Check Total:                   | 270.00   |
| 22048        | 05/04/2009 | General Fund                  | Professional Services          | Gray & Osborne, Inc.           | 108.30   |
|              |            |                               |                                | Check Total:                   | 108.30   |
| 22049        | 05/04/2009 | General Fund                  | Parks Maintenance              | GEODesign, Inc.                | 4,765.33 |
|              |            |                               |                                | Check Total:                   | 4,765.33 |
| 22050        | 05/04/2009 | General Fund                  | Parks Maintenance              | Goodbye Graffiti               | 1,244.78 |

| Check Number | Check Date | Fund Name       | Account Name                   | Vendor Name                    | Amount    |
|--------------|------------|-----------------|--------------------------------|--------------------------------|-----------|
|              |            |                 |                                | Check Total:                   | 1,244.78  |
| 22051        | 05/04/2009 | Street Fund     | Street Maintenance-non-county  | Brian Gilles                   | 316.90    |
| 22051        | 05/04/2009 | Street Fund     | Street Maintenance-non-county  | Brian Gilles                   | 457.20    |
|              |            |                 |                                | Check Total:                   | 774.10    |
| 22052        | 05/04/2009 | General Fund    | Registration - Trainng/workshp | Green River Community College  | 109.00    |
|              |            |                 |                                | Check Total:                   | 109.00    |
| 22053        | 05/04/2009 | Street Fund     | Operating Rentals And Leases   | Greenbaum Buriem               | 1,000.00  |
|              |            |                 |                                | Check Total:                   | 1,000.00  |
| 22054        | 05/04/2009 | General Fund    | Attorney Srvc - Litigation     | Gordon, Thomas, Honeywell      | 1,475.00  |
|              |            |                 |                                | Check Total:                   | 1,475.00  |
| 22055        | 05/04/2009 | Town Square CIP | Art Work                       | James M. Harrison Art & Design | 24,000.00 |
|              |            |                 |                                | Check Total:                   | 24,000.00 |
| 22056        | 05/04/2009 | General Fund    | Operating Rentals And Leases   | Hertz Equipment Rental Corp.   | 273.00    |
|              |            |                 |                                | Check Total:                   | 273.00    |
| 22057        | 05/04/2009 | General Fund    | Operating Rentals And Leases   | IKON Office Solutions          | 439.93    |
| 22057        | 05/04/2009 | General Fund    | Operating Rentals And Leases   | IKON Office Solutions          | 45.45     |
| 22057        | 05/04/2009 | General Fund    | Operating Rentals And Leases   | IKON Office Solutions          | 45.44     |
| 22057        | 05/04/2009 | General Fund    | Operating Rentals And Leases   | IKON Office Solutions          | 45.44     |
| 22057        | 05/04/2009 | General Fund    | Operating Rentals And Leases   | IKON Office Solutions          | 45.44     |
|              |            |                 |                                | Check Total:                   | 621.70    |
| 22058        | 05/04/2009 | General Fund    | Miscellaneous                  | Iron Mountain Rec. Management  | 390.44    |
|              |            |                 |                                | Check Total:                   | 390.44    |
| 22059        | 05/04/2009 | General Fund    | Citizens Patrol/ Crime Prevent | Interstate Tire & Automotive   | 757.50    |

| Check Number | Check Date | Fund Name                     | Account Name                   | Vendor Name                   | Amount       |            |
|--------------|------------|-------------------------------|--------------------------------|-------------------------------|--------------|------------|
|              |            |                               |                                |                               | Check Total: | 757.50     |
| 22060        | 05/04/2009 | General Fund                  | Pro Svcs Hotel site            | K&L/Gates LLP                 | 36.00        |            |
|              |            |                               |                                |                               | Check Total: | 36.00      |
| 22061        | 05/04/2009 | Street Fund                   | Street Maint. Contract-kc      | KING COUNTY FINANCE           | 12,737.47    |            |
| 22061        | 05/04/2009 | Street Fund                   | Street Maint. Contract-kc      | KING COUNTY FINANCE           | 35,461.57    |            |
| 22061        | 05/04/2009 | Surface Water Management Fund | Swm Billed By King Co Roads    | KING COUNTY FINANCE           | 83,480.92    |            |
| 22061        | 05/04/2009 | Transportation CIP            | Project Development            | KING COUNTY FINANCE           | 3,477.69     |            |
| 22061        | 05/04/2009 | Street Fund                   | Traffic Signal/control.mainten | KING COUNTY FINANCE           | 22,234.79    |            |
| 22061        | 05/04/2009 | Transportation CIP            | Construction-engineering       | KING COUNTY FINANCE           | 532.40       |            |
| 22061        | 05/04/2009 | Town Square CIP               | Construction                   | KING COUNTY FINANCE           | 2,062.15     |            |
| 22061        | 05/04/2009 | Street Fund                   | Traffic Signal/control.mainten | KING COUNTY FINANCE           | 2,400.75     |            |
| 22061        | 05/04/2009 | Street Fund                   | Traffic Signal/control.mainten | KING COUNTY FINANCE           | 218.90       |            |
| 22061        | 05/04/2009 | General Fund                  | Code Supplement                | KING COUNTY FINANCE           | 483.63       |            |
| 22061        | 05/04/2009 | Street Fund                   | Street Maint. Contract-kc      | KING COUNTY FINANCE           | 53,797.85    |            |
| 22061        | 05/04/2009 | Surface Water Management Fund | Swm Billed By King Co Roads    | KING COUNTY FINANCE           | 48,550.05    |            |
| 22061        | 05/04/2009 | Transportation CIP            | Project Development            | KING COUNTY FINANCE           | 2,958.19     |            |
| 22061        | 05/04/2009 | Street Fund                   | Traffic Signal/control.mainten | KING COUNTY FINANCE           | 14,533.22    |            |
| 22061        | 05/04/2009 | Transportation CIP            | Construction-engineering       | KING COUNTY FINANCE           | 23.37        |            |
| 22061        | 05/04/2009 | Town Square CIP               | Construction                   | KING COUNTY FINANCE           | 2,808.61     |            |
| 22061        | 05/04/2009 | Street Fund                   | Traffic Signal/control.mainten | KING COUNTY FINANCE           | 826.02       |            |
| 22061        | 05/04/2009 | Street Fund                   | Traffic Signal/control.mainten | KING COUNTY FINANCE           | 188.83       |            |
|              |            |                               |                                |                               | Check Total: | 286,776.41 |
| 22062        | 05/04/2009 | General Fund                  | Plan Review Fee Fire Dist 2    | King County Fire District #2  | 2,257.46     |            |
|              |            |                               |                                |                               | Check Total: | 2,257.46   |
| 22063        | 05/04/2009 | Town Square CIP               | Design                         | King County Library System    | 18,680.14    |            |
| 22063        | 05/04/2009 | Town Square CIP               | Construction                   | King County Library System    | 952,715.74   |            |
|              |            |                               |                                |                               | Check Total: | 971,395.88 |
| 22064        | 05/04/2009 | General Fund                  | King Co Pet License Trust Acct | King County Pet License       | 610.00       |            |
| 22064        | 05/04/2009 | General Fund                  | King Co Pet License Trust Acct | King County Pet License       | 575.00       |            |
|              |            |                               |                                |                               | Check Total: | 1,185.00   |
| 22065        | 05/04/2009 | General Fund                  | Drug seizure proceeds KCSO     | King County Sheriff, Pcnt. #4 | 610.00       |            |

| Check Number | Check Date | Fund Name                     | Account Name                   | Vendor Name                   | Amount   |
|--------------|------------|-------------------------------|--------------------------------|-------------------------------|----------|
|              |            |                               |                                | Check Total:                  | 610.00   |
| 22066        | 05/04/2009 | General Fund                  | Repairs And Maintenance        | King County Solid Waste       | 18.12    |
|              |            |                               |                                | Check Total:                  | 18.12    |
| 22067        | 05/04/2009 | Surface Water Management Fund | Swm Billed By Swm Dept         | King County Office of Finance | 7,851.88 |
|              |            |                               |                                | Check Total:                  | 7,851.88 |
| 22068        | 05/04/2009 | General Fund                  | Instructors Prof Svcs          | Kim Klose                     | 105.60   |
| 22068        | 05/04/2009 | General Fund                  | Instructors Prof Svcs          | Kim Klose                     | 145.80   |
|              |            |                               |                                | Check Total:                  | 251.40   |
| 22069        | 05/04/2009 | General Fund                  | Sales Tax Auditing Costs       | Microflex, Inc.               | 268.05   |
|              |            |                               |                                | Check Total:                  | 268.05   |
| 22070        | 05/04/2009 | Street Fund                   | Graffiti Kits-bus Lic Rev      | Miller Paint Co.              | 9.51     |
| 22070        | 05/04/2009 | Street Fund                   | Small Tools & Minor Equipments | Miller Paint Co.              | 23.82    |
|              |            |                               |                                | Check Total:                  | 33.13    |
| 22071        | 05/04/2009 | General Fund                  | Lodging                        | TABATHA MILLER                | 70.00    |
| 22071        | 05/04/2009 | General Fund                  | Meals                          | TABATHA MILLER                | 27.00    |
| 22071        | 05/04/2009 | General Fund                  | Mileage                        | TABATHA MILLER                | 170.50   |
|              |            |                               |                                | Check Total:                  | 267.50   |
| 22072        | 05/04/2009 | General Fund                  | Registration - Trainng/workshp | Municipal Research & Services | 14.18    |
|              |            |                               |                                | Check Total:                  | 14.18    |
| 22073        | 05/04/2009 | Town Square CIP               | Construction Inspection        | Mayes Testing Engineers, Inc. | 100.00   |
|              |            |                               |                                | Check Total:                  | 100.00   |
| 22074        | 05/04/2009 | General Fund                  | Building Maintenance           | NBM Corporation               | 140.06   |
| 22074        | 05/04/2009 | General Fund                  | Building Maintenance           | NBM Corporation               | 630.30   |
| 22074        | 05/04/2009 | General Fund                  | Building Maintenance           | NBM Corporation               | 630.30   |
| 22074        | 05/04/2009 | General Fund                  | Building Maintenance           | NBM Corporation               | 492.25   |

| Check Number | Check Date | Fund Name                     | Account Name               | Vendor Name           | Amount       |           |
|--------------|------------|-------------------------------|----------------------------|-----------------------|--------------|-----------|
|              |            |                               |                            |                       | Check Total: | 1,892.91  |
| 22075        | 05/04/2009 | General Fund                  | Lodging                    | Sally Nelson          | 2,736.52     |           |
| 22075        | 05/04/2009 | General Fund                  | Meals                      | Sally Nelson          | 471.00       |           |
| 22075        | 05/04/2009 | General Fund                  | Travel                     | Sally Nelson          | 66.00        |           |
| 22075        | 05/04/2009 | General Fund                  | Telephone                  | Sally Nelson          | 91.90        |           |
|              |            |                               |                            |                       | Check Total: | 3,365.42  |
| 22076        | 05/04/2009 | General Fund                  | Telephone                  | SPRINT                | 64.80        |           |
| 22076        | 05/04/2009 | General Fund                  | Telephone                  | SPRINT                | 76.26        |           |
| 22076        | 05/04/2009 | General Fund                  | Drug seizure proceeds KCSO | SPRINT                | 367.05       |           |
| 22076        | 05/04/2009 | General Fund                  | Telephone                  | SPRINT                | 60.84        |           |
| 22076        | 05/04/2009 | General Fund                  | Telephone                  | SPRINT                | 108.98       |           |
| 22076        | 05/04/2009 | General Fund                  | Telephone                  | SPRINT                | 206.54       |           |
| 22076        | 05/04/2009 | General Fund                  | Telephone                  | SPRINT                | 22.00        |           |
| 22076        | 05/04/2009 | General Fund                  | Telephone                  | SPRINT                | 100.84       |           |
| 22076        | 05/04/2009 | General Fund                  | Telephone                  | SPRINT                | 22.00        |           |
| 22076        | 05/04/2009 | General Fund                  | Telephone                  | SPRINT                | 1,240.23     |           |
| 22076        | 05/04/2009 | General Fund                  | Telephone                  | SPRINT                | 145.38       |           |
| 22076        | 05/04/2009 | Street Fund                   | Telephone                  | SPRINT                | 145.38       |           |
| 22076        | 05/04/2009 | Surface Water Management Fund | Telephone                  | SPRINT                | 145.37       |           |
| 22076        | 05/04/2009 | General Fund                  | Telephone                  | SPRINT                | 43.92        |           |
| 22076        | 05/04/2009 | General Fund                  | Telephone                  | SPRINT                | 252.08       |           |
| 22076        | 05/04/2009 | General Fund                  | Telephone                  | SPRINT                | 64.78        |           |
| 22076        | 05/04/2009 | General Fund                  | Telephone                  | SPRINT                | 64.78        |           |
| 22076        | 05/04/2009 | General Fund                  | Telephone                  | SPRINT                | 64.78        |           |
|              |            |                               |                            |                       | Check Total: | 3,196.01  |
| 22077        | 05/04/2009 | General Fund                  | NE Redevelopment Area      | OTAK, Inc             | 20,747.54    |           |
|              |            |                               |                            |                       | Check Total: | 20,747.54 |
| 22078        | 05/04/2009 | General Fund                  | Subscriptions/publications | The Pacific Institute | 3,897.70     |           |
|              |            |                               |                            |                       | Check Total: | 3,897.70  |
| 22079        | 05/04/2009 | General Fund                  | CERT / Citizens Academy    | Pizza Gallery         | 200.37       |           |
|              |            |                               |                            |                       | Check Total: | 200.37    |

| Check Number | Check Date | Fund Name                     | Account Name                   | Vendor Name                   | Amount    |
|--------------|------------|-------------------------------|--------------------------------|-------------------------------|-----------|
| 22080        | 05/04/2009 | General Fund                  | Building Maintenance           | Performance Mechanical Group  | 109.50    |
|              |            |                               |                                | Check Total:                  | 109.50    |
| 22081        | 05/04/2009 | Surface Water Management Fund | Surface Water Mgmt Inventory   | Pipeline Video & Cleaning LLC | 1,527.53  |
|              |            |                               |                                | Check Total:                  | 1,527.53  |
| 22082        | 05/04/2009 | General Fund                  | Telephone                      | QWEST                         | 158.79    |
| 22082        | 05/04/2009 | General Fund                  | Telephone                      | QWEST                         | 247.65    |
| 22082        | 05/04/2009 | General Fund                  | Telephone                      | QWEST                         | 8.70      |
| 22082        | 05/04/2009 | General Fund                  | Telephone                      | QWEST                         | 39.18     |
| 22082        | 05/04/2009 | General Fund                  | Telephone                      | QWEST                         | 39.18     |
|              |            |                               |                                | Check Total:                  | 493.50    |
| 22083        | 05/04/2009 | General Fund                  | Refund Clearing Account -Parks | Elmer Curry                   | 166.00    |
|              |            |                               |                                | Check Total:                  | 166.00    |
| 22084        | 05/04/2009 | General Fund                  | Repairs And Maintenance        | Rescue Rooter Inc.            | 63.57     |
| 22084        | 05/04/2009 | General Fund                  | Repairs And Maintenance        | Rescue Rooter Inc.            | 63.57     |
| 22084        | 05/04/2009 | General Fund                  | Repairs And Maintenance        | Rescue Rooter Inc.            | 14.12     |
|              |            |                               |                                | Check Total:                  | 141.26    |
| 22085        | 05/04/2009 | General Fund                  | Refund Clearing Account -Parks | Michelle Thomas               | 42.00     |
|              |            |                               |                                | Check Total:                  | 42.00     |
| 22086        | 05/04/2009 | General Fund                  | Refund Clearing Account -Parks | Lisa Courter                  | 58.00     |
|              |            |                               |                                | Check Total:                  | 58.00     |
| 22087        | 05/04/2009 | General Fund                  | Refund Clearing Account -Parks | Virginia Westergard           | 12.00     |
|              |            |                               |                                | Check Total:                  | 12.00     |
| 22088        | 05/04/2009 | General Fund                  | Shoreline Master Plan Update   | Reid Middleton, Inc.          | 1,897.50  |
| 22088        | 05/04/2009 | Transportation CIP            | Design - Engineering           | Reid Middleton, Inc.          | 9,399.86  |
|              |            |                               |                                | Check Total:                  | 11,297.36 |

| Check Number | Check Date | Fund Name             | Account Name                   | Vendor Name                   | Amount    |
|--------------|------------|-----------------------|--------------------------------|-------------------------------|-----------|
| 22089        | 05/04/2009 | General Fund          | Printing                       | Claude McAlpin, III           | 107.97    |
| Check Total: |            |                       |                                |                               | 107.97    |
| 22090        | 05/04/2009 | General Fund          | Advertising                    | Robinson Newspapers           | 112.00    |
| 22090        | 05/04/2009 | General Fund          | Advertising                    | Robinson Newspapers           | 105.00    |
| 22090        | 05/04/2009 | General Fund          | Advertising/legal Publications | Robinson Newspapers           | 82.50     |
| Check Total: |            |                       |                                |                               | 299.50    |
| 22091        | 05/04/2009 | Town Square CIP       | Office Furniture and Equipment | Roduin Consulting Group LLC   | 1,788.75  |
| Check Total: |            |                       |                                |                               | 1,788.75  |
| 22092        | 05/04/2009 | General Fund          | CERT / Citizens Academy        | Safeway                       | 109.23    |
| Check Total: |            |                       |                                |                               | 109.23    |
| 22093        | 05/04/2009 | General Fund          | Office And Operating Supplies  | Sax Arts & Crafts             | 103.74    |
| Check Total: |            |                       |                                |                               | 103.74    |
| 22094        | 05/04/2009 | Town Square CIP       | Construction                   | SEATTLE CITY LIGHT            | 1,800.00  |
| 22094        | 05/04/2009 | Town Square CIP       | Construction                   | SEATTLE CITY LIGHT            | 2,375.00  |
| Check Total: |            |                       |                                |                               | 4,175.00  |
| 22095        | 05/04/2009 | Town Square CIP       | Office Furniture and Equipment | Skagit Architectural Millwork | 5,286.65  |
| 22095        | 05/04/2009 | Town Square CIP       | Office Furniture and Equipment | Skagit Architectural Millwork | 1,440.00  |
| 22095        | 05/04/2009 | Town Square CIP       | Office Furniture and Equipment | Skagit Architectural Millwork | 26,173.28 |
| Check Total: |            |                       |                                |                               | 32,899.93 |
| 22096        | 05/04/2009 | General Fund          | Teen Programs                  | Kalvin Smith                  | 172.64    |
| Check Total: |            |                       |                                |                               | 172.64    |
| 22097        | 05/04/2009 | Town Square CIP       | Project Development            | Shiels Oblatz Johnsen         | 9,353.97  |
| 22097        | 05/04/2009 | Parks & Gen Gov't CIP | Project Development            | Shiels Oblatz Johnsen         | 3,534.47  |
| 22097        | 05/04/2009 | Town Square CIP       | Project Development            | Shiels Oblatz Johnsen         | 610.03    |
| Check Total: |            |                       |                                |                               | 13,498.47 |

| Check Number | Check Date | Fund Name       | Account Name                   | Vendor Name                    | Amount    |
|--------------|------------|-----------------|--------------------------------|--------------------------------|-----------|
| 22098        | 05/04/2009 | General Fund    | Telephone                      | SPRINT                         | 99.98     |
|              |            |                 |                                | Check Total:                   | 99.98     |
| 22099        | 05/04/2009 | General Fund    | Professional Services          | State Auditor's Office         | 1,457.70  |
|              |            |                 |                                | Check Total:                   | 1,457.70  |
| 22100        | 05/04/2009 | General Fund    | Operating Rentals And Leases   | Suburban Propane               | 55.85     |
|              |            |                 |                                | Check Total:                   | 55.85     |
| 22101        | 05/04/2009 | General Fund    | Teen Programs                  | Reginald Thomas                | 345.28    |
|              |            |                 |                                | Check Total:                   | 345.28    |
| 22102        | 05/04/2009 | General Fund    | Neighborhood Fund Grant        | Lori Toth                      | 147.55    |
|              |            |                 |                                | Check Total:                   | 147.55    |
| 22103        | 05/04/2009 | Town Square CIP | Office Furniture and Equipment | Tri-Tec                        | 50,974.43 |
|              |            |                 |                                | Check Total:                   | 50,974.43 |
| 22104        | 05/04/2009 | General Fund    | Parks Maintenance              | Trugreen-landcare/NW Region    | 29,211.51 |
|              |            |                 |                                | Check Total:                   | 29,211.51 |
| 22105        | 05/04/2009 | General Fund    | Comp Plan Implementation Costs | Transportation Solutions, Inc. | 3,548.00  |
|              |            |                 |                                | Check Total:                   | 3,548.00  |
| 22106        | 05/04/2009 | General Fund    | Operating Rentals And Leases   | United Site Services           | 80.00     |
|              |            |                 |                                | Check Total:                   | 80.00     |
| 22107        | 05/04/2009 | General Fund    | Postage                        | U.S. POSTAL SERVICE            | 4,000.00  |
|              |            |                 |                                | Check Total:                   | 4,000.00  |
| 22108        | 05/04/2009 | General Fund    | Seahurst Seawall Monitoring    | University of Washington       | 10,398.00 |

| Check Number | Check Date | Fund Name                     | Account Name                   | Vendor Name                  | Amount       |
|--------------|------------|-------------------------------|--------------------------------|------------------------------|--------------|
|              |            |                               |                                | Check Total:                 | 10,398.00    |
| 22109        | 05/04/2009 | Street Fund                   | Registration - Trainng/workshp | UNIVERSITY OF WASHINGTON     | 780.00       |
| 22109        | 05/04/2009 | Surface Water Management Fund | Registration - Trainng/workshp | UNIVERSITY OF WASHINGTON     | 390.00       |
|              |            |                               |                                | Check Total:                 | 1,170.00     |
| 22110        | 05/04/2009 | General Fund                  | Office And Operating Supplies  | Walter E. Nelson Co.         | 13.85        |
| 22110        | 05/04/2009 | General Fund                  | Office And Operating Supplies  | Walter E. Nelson Co.         | 62.34        |
| 22110        | 05/04/2009 | General Fund                  | Office And Operating Supplies  | Walter E. Nelson Co.         | 62.34        |
| 22110        | 05/04/2009 | General Fund                  | Office And Operating Supplies  | Walter E. Nelson Co.         | 34.64        |
|              |            |                               |                                | Check Total:                 | 173.17       |
| 22111        | 05/04/2009 | General Fund                  | Jail Contract                  | Yakima County Department     | 13,400.23    |
|              |            |                               |                                | Check Total:                 | 13,400.23    |
| 22112        | 05/04/2009 | Surface Water Management Fund | Storm Water Facility Maint     | Yardsmen Company             | 233.95       |
| 22112        | 05/04/2009 | Surface Water Management Fund | Storm Water Facility Maint     | Yardsmen Company             | 98.55        |
|              |            |                               |                                | Check Total:                 | 332.50       |
| 22113        | 05/04/2009 | General Fund                  | Office And Operating Supplies  | Mid-America Sports Advantage | 179.80       |
|              |            |                               |                                | Check Total:                 | 179.80       |
| 22114        | 04/30/2009 | General Fund                  | Utilities - Fire Hydrants      | Seattle Public Utilities     | 190,094.52   |
| 22114        | 04/30/2009 | General Fund                  | Utilities - Fire Hydrants      | Seattle Public Utilities     | 6,906.55     |
|              |            |                               |                                | Check Total:                 | 197,001.07   |
| 22115        | 05/06/2009 | General Fund                  | SCORE - jail cost assessment   | City of Renton               | 38,363.00    |
|              |            |                               |                                | Check Total:                 | 38,363.00    |
|              |            |                               |                                | Report Total:                | 1,843,352.68 |



## CITY COUNCIL MINUTES

April 30, 2009

### SPECIAL MEETING

7:00 p.m.

Burien City Hall  
15811 Ambaum Blvd. SW  
Burien, Washington 98166

#### CALL TO ORDER

Mayor McGilton called the Special Meeting of the Burien City Council to order at 7:00 p.m. for the purpose of holding an Executive Session to discuss on a personnel matter per RCW 42.30.110(1g) until 8:30 p.m.

Present: Mayor Joan McGilton, Deputy Mayor Sue Blazak, Councilmembers Rose Clark, Kathy Keene, Lucy Krakowiak, Sally Nelson and Gordon Shaw.

Administrative staff present: Attorney Michael Bolasina, Stafford Frey Cooper

Mayor McGilton extended the Executive Session to 9:00 p.m.

No action was taken.

#### EXECUTIVE SESSION ADJOURNMENT TO SPECIAL MEETING

The Executive Session was adjourned at 9:00 p.m.

#### ADJOURNMENT

##### Direction/Action

**MOTION** was made by Deputy Mayor Blazak, seconded by Councilmember Nelson and passed unanimously to adjourn the Special Meeting at 9:00 p.m.

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Joan McGilton, Mayor

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Monica Lusk, City Clerk





## CITY COUNCIL MINUTES

May 4, 2009

### SPECIAL MEETING, North Classroom

For the purpose of holding Arts Commission Advisory Board interviews

6:00 p.m.

and

### COUNCIL MEETING, Board Room

7:00 p.m.

Educational Resource & Administrative Center (ERAC)

15675 Ambaum Blvd. SW

Burien, Washington 98166

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

- Watch the video-stream available on the City website, [www.burienwa.gov](http://www.burienwa.gov)
- Check out a DVD of the Council Meeting from the Burien Library
- Order an audio cassette tape recording or a DVD of the meeting from the City Clerk, (206) 241-4647

#### **SPECIAL MEETING**

Mayor McGilton called the Special Meeting of the Burien City Council to order at 6:00 p.m. for the purpose of conducting Arts Commission advisory board interviews.

Present: Mayor Joan McGilton, Deputy Mayor Sue Blazak, Councilmembers Kathy Keene, Lucy Krakowiak, Sally Nelson and Gordon Shaw. Councilmember Rose Clark was excused.

Administrative staff present: Mike Martin, City Manager

No action was taken.

#### **SPECIAL MEETING ADJOURNMENT TO REGULAR MEETING**

The Special Meeting was adjourned at 6:50 p.m.

#### **CALL TO ORDER**

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

#### **EXECUTIVE SESSION**

Under Agenda Confirmation, the Executive Session was moved after Agenda Item XI Council Reports.

#### **PLEDGE OF ALLEGIANCE**

Mayor McGilton led the Pledge of Allegiance.

#### **ROLL CALL**

Present: Mayor Joan McGilton, Deputy Mayor Sue Blazak, Councilmembers Rose Clark, Kathy Keene, Lucy Krakowiak, Sally Nelson and Gordon Shaw.

Administrative staff present: Mike Martin, City Manager; Christopher Bacha, Interim City Attorney; Richard Loman, Economic Development Manager; Tabatha Miller, Finance Director; Dean Tatham, IS/GIS Manager; and Monica Lusk, City Clerk.

#### **AGENDA CONFIRMATION**

##### **Direction/Action**

**Motion** was made by Deputy Mayor Blazak, seconded by Councilmember Nelson, and passed unanimously to affirm the May 4, 2009, Agenda as amended to add Item XI Executive Session for the purpose of discussing a personnel matter per RCW 42.30.110(1g).

#### **PUBLIC COMMENT**

Eric Dickman, Burien Little Theatre, P.O. Box 48121

Mr. Dickman spoke to the Bill and Peggy Hunt Playwright Festival's shows, dates and times.

Steven Desimone, 652 SW 143<sup>rd</sup> Street

Mr. Desimone spoke to the commercial parking proposal for the BBC Dodge site. He asked for the temporary use for his property in NERA.

#### **CORRESPONDENCE FOR THE RECORD**

- a. Email Dated January 15, 2009, from Sean Smith Regarding Municipal Codes 9.50.210 and 9.50.220.
- b. Letter Dated April 7, 2009, from Andrea Mandt Regarding Community Garden with Response from Steve Roemer, Parks Development and Operations Manager.
- c. Email Dated April 22, 2009, from Leigh Regarding Police Safety.

#### **PRESENTATIONS**

##### **Presentation on Communities Count by Sandy Ciske, Regional Health Officer, Public Health - Seattle and King County.**

Sandy Ciske, Regional Health Officer provided an update on the Communities Count Report for 2008. Improvements were seen in crime, infant mortality, teen births and perceived neighborhood safety. Areas that have gotten worse are affordable housing, the number of children in poverty, obesity, and discrimination. The next steps are to institutionalize the use of the indicators (positive development, safety and health, community strength, natural and built environment, arts and culture) by multiple stakeholders, build a countywide civic and policy agenda to track progress and address the indicators of concern; and update the basic needs indicators.

#### **CONSENT AGENDA**

- a. Approval of Vouchers: None.
- b. Approval of Minutes: April 27, 2009.
- c. Motion to Adopt Ordinance No. 510, Relating to Off-Site Commercial Parking Amendments to BMC Title 19 (Zoning Code).

##### **Direction/Action**

**Motion** was made by Deputy Mayor Blazak, seconded by Councilmember Nelson, and passed unanimously to approve the May 4, 2009, Consent Agenda.

## **BUSINESS AGENDA**

### **City Manager's Report**

City Manager Mike Martin spoke to the following:

- Jenny Marie Apartment building was issued a Certificate of Occupancy
- City to use State Energy Performance Contract Program for library remodel
- King County's response to the JAG Grant allocation
- Northeast Redevelopment Area public meeting that was held on April 29, 2009
- GIS staff's visit with Water District 20
- Permit Activity is down in 1<sup>st</sup> Quarter
- Move to new City Hall is scheduled for May 16, with City Hall to be closed on Monday, May 18

### **Motion to Approve Appointments to the Arts Commission Advisory Board.**

#### **Direction/Action**

**Motion** was made by Deputy Mayor Blazak, seconded by Councilmember Nelson, and passed unanimously to appoint Virginia Wright and Robbie Howell to the Arts Commission for unexpired terms that will begin on May 4, 2009, and end on March 31, 2011.

#### **Direction/Action**

**Motion** was made by Deputy Mayor Blazak, seconded by Councilmember Nelson, and passed unanimously to appoint Shelley Brittingham, Donna DiFiore, and Dane Johnson to the Arts Commission for full terms that will begin on May 4, 2009, and end on March 31, 2013.

### **Motion to Authorize the City Manager to Execute the Memorandum of Understanding (MOU) for Recovery Act: Justice Assistance Grant (JAG) Program.**

#### **Direction/Action**

**Motion** was made by Deputy Mayor Blazak, seconded by Councilmember Nelson, and passed unanimously to Authorize the City Manager to Execute the Memorandum of Understanding (MOU) for Recovery Act: Justice Assistance Grant (JAG) Program in substantially the same format and amount for Burien as attached.

### **Motion to Adopt Ordinance No. 511, Establishing a Special Events Permit Code**

#### **Direction/Action**

**Motion** was made by Deputy Mayor Blazak, seconded by Councilmember Nelson, to adopt Ordinance No. 511, relating to special event permits.

Deputy Mayor Blazak withdrew her motion and Councilmember Nelson withdrew her second to the motion after revisions to the ordinance were reviewed.

#### **Direction/Action**

Councilmembers requested placing Ordinance No. 511 on the May 11, 2009, Business Agenda for further consideration.

**Motion to Adopt Ordinance No. 512, Amending Chapter 12.18 BMC of the City Right-of-Way Code**

**Direction/Action**

Councilmembers requested placing Ordinance No. 512 (companion to Ordinance No. 511) on the May 11, 2009, Business Agenda for further consideration.

**Financial Update**

**Follow-up**

Staff will schedule further discussions on the proposed budget amendments on May 11 and June 1 with possible action on June 15, and provide detailed information on the amendments.

**Update on the Status of the Paperless Packet.**

Dean Tatham, IS/GIS Manager, reviewed the work done to date on a future paperless Council packet. The City has decided to continue in the current direction of having the packet bookmarked in PDF form on the website due to the low costs and functionality.

**COUNCIL REPORTS**

Councilmember Keene and Councilmember Clark participated in the judging of the Highline High School Senior projects.

Councilmember Nelson reported on the Puget Sound Regional Council (PSRC) General Assembly that she attended.

Councilmember Shaw reported on "Building Up Burien."

**EXECUTIVE SESSION**

**Direction/Action**

**Motion** was made by Mayor McGilton, seconded by Councilmember Nelson, and passed unanimously to recess into Executive Session for the purpose of continuing a discussion on a personnel matter per RCW 42.30.110(1g) until 9:15 p.m. with a possibility of future action when the Council meeting is reconvened.

Administrative staff present: Attorney Michael Bolasina, Stafford Frey Cooper.

Mayor McGilton extended the Executive Session to 10:00 p.m.

No action was taken.

**EXECUTIVE SESSION**

The Executive Session was adjourned at 10:00 p.m.

Mayor McGilton reconvened the Council Meeting at 10:00 p.m.

**ADJOURNMENT**

**Direction/Action**

**MOTION** was made by Deputy Mayor Blazak, seconded by Councilmember Nelson and passed unanimously to adjourn the meeting at 10:00 p.m.

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Joan McGilton, Mayor

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Monica Lusk, City Clerk





# Burien

*Washington, USA*

15811 Ambaum Blvd SW, Suite C, Burien, WA 98166

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

[www.burienwa.gov](http://www.burienwa.gov)

## MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Mike Martin, City Manager  
**DATE:** May 11, 2009  
**SUBJECT:** City Manager's Report

### I. INTERNAL CITY INFORMATION

#### A. SR518 Route Development Plan

On Tuesday, May 5, 2009, city staff along with representatives from City of SeaTac and Port of Seattle attended a briefing with the WSDOT Urban Planning Office, to review the model methodology and progress on the SR 518 Route Development Plan which is focused on the SR 518 and Des Moines Memorial Drive interchange improvements. The study, which is being performed to predict travel demand expected as a result of the NERA development, is progressing on schedule and results are expected to be available in late June 2009.

#### B. Washington State Auditor's Office Conducts Entrance Conference (Pg. 47)

The Mayor, City Manager and Finance Staff met with State Auditor's Team assigned to Burien to review this year's audit scope and procedures (overview attached). The audit is a standard annual event and reviews the city books to ensure accountability for public resources and compliance with applicable laws and regulations. Of particular note this year is the federal single audit required for entities that expend \$500k or more in federal grant funds. In 2008, Burien expended over \$ 5.6 million in federal funds and as a result this area will be a focus for the audit team. More details on the audit scope and procedures are in the attached overview. Any difficulties or issues (if encountered) during the audit, will be communicated to the Council.

#### C. February 2009 Sales Tax Update (Pg. 53)

Staff has provided Council with the February 2009 Sales Tax Update attached.

#### D. Certification in Disaster Response Inspection

Congratulations to the Community Development Department's Steven Blake, who received his certification in disaster response inspection. Steven is now trained in providing rapid and detailed evaluations of structures damaged in earthquakes, floods and windstorms

**E. Zumba Registration Skyrockets**

Burien Parks Department programs are part of the "Zumba" craze, with 35 participants currently registered in the Dept's spring session classes. Zumba is a fusion of Latin and international music that offers an exciting aerobic/fitness workout. An additional Zumba "Gold" class also began this session for those who are newer to exercise and/or have physical limitations. Staff first learned about the popularity of the Zumba program when touring the new Federal Way Community Center last year. Based on the enthusiastic response, staff are planning to add a "Zumba Kids" class in an upcoming session.

**F. New Dance Instructor**

The Parks Dept. has added a new Dance instructor this spring who has extensive experience teaching both youth and adults. Burien resident Carly McElligott is teaching the preschool-aged Dance for Fun class, which attracted many first-time registrants. New summer programs being planned with Carly include Jazzy Kids, Little Writers, Jazz It Up, and a variety of Hip Hop Dance camps.

**G. Fresh & New Adult Recreation Programs**

The Parks Department's Recreation Division reports that more adult enrichment classes and recreation opportunities continue to be developed, including the recent expansion of the popular Cooking series. Upcoming plans will expand these workshops to include more exotic dishes, including tamales, sushi rolls, soups, berries, and local ingredients. Rave reviews have been received from recent Spring session participants. Additionally, the City's first Adult Volleyball League was launched at Sylvester School's Gym, and a new summer Co-Ed Kickball League will be held at Moshier Park, where participants can recapture the fun and excitement from their recess days.

**H. New Board Shop Sponsor for Festival Skate Competition**

Parks' staff reports that a new skate board shop opening in Burien in late May, called Illusions, will be sponsoring the Strawberry & Arts Festival's annual Skate Competition this year. In addition to providing prizes such as t-shirts, skate boards, shoes, etc., they will also be providing judges and a MC for the event.

**I. Spring Moshier Arts Center Happenings**

To date, registration has been solid for Moshier's spring session art classes, with 151 participants currently registered. The annual Spring Pottery Sale was held on May 2 with good attendance and sales.

**J. Seahurst Seawall Removal Project Receives Federal Stimulus Funds**

The Army Corps of Engineers has announced that has received \$1.8 million for the seawall removal and beach restoration project in Seahurst Park. The funds are part of the federal stimulus program. The Corps will now conduct its own feasibility study which will be cost shared with the City, and more detailed design work remains. The Parks Department continues to work on piecing together additional funding needed for this project.

## II. COUNCIL UPDATES/REPORTS

### A. Puget Sound Regional Council General Assembly Meeting – April 30, 2009

Councilmember Sally Nelson attended the annual meeting of the General Assembly of the Puget Sound Regional Council (PSRC) on April 30. The Assembly includes representatives from the King, Pierce, Snohomish and Kitsap County governments plus the cities in each county, as well as the Port of Seattle, State Transportation Department, State Transportation Commission, and local Indian tribes.

The General Assembly approved a budget that included a reduction in staffing because the agency decided not to increase its dues because of the revenue problems that local jurisdictions are experiencing.

The Assembly also elected new officers for PSRC and celebrated the winners of the 2009 Vision 2040 Awards. Councilmember Nelson obtained copies of informational materials for the other Burien Councilmembers; those materials have been placed in their City Hall mailboxes.

### B. Citizen Action Report (Pg. 55)

Staff has provided Council with an updated Citizen Action Requests Report dated April 27, 2009 (attached).



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# Washington State Auditor's Office

Entrance Conference

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## City of Burien

January 1, 2008 through December 31, 2008

April 29, 2009



WASHINGTON  
**BRIAN SONNTAG**  
STATE AUDITOR

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## State Auditor's Office

### Mission

The State Auditor's Office independently serves the citizens of Washington by promoting accountability, fiscal integrity and openness in state and local government. Working with these governments and with citizens, we strive to ensure the efficient and effective use of public resources.

### Audit Authority

State Law requires the Auditor's Office to examine the financial affairs of all local governments. For each such examination, "inquiry shall be made as to the financial condition and resources of the local government; whether the Constitution and laws of the state, the ordinances and orders of the local government, and the requirements of the State Auditor have been properly complied with; and into the methods and accuracy of the accounts and reports" (RCW 43.09.260). This statute further requires the Office to prepare and distribute a report or reports of the results of such audits.

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## Audit Information

### Audit Scope

Our audit will cover the following general areas for the period beginning January 1, 2008 and ending December 31, 2008:

- Accountability for public resources and compliance with laws and regulations
- Financial statements
- Federal compliance

In keeping with general auditing practices, we do not examine every transaction, activity or area. Instead, our audits focus on identifying and examining those transactions, activities or areas that pose the highest risk.

### Accountability for Public Resources and Legal Compliance

We will evaluate accountability and compliance with certain state laws and regulations in the following areas:

- Open public meetings act
- Safeguarding of assets
- Cash disbursements
- Travel

## Financial Statements

We will perform a financial statement audit in accordance with *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we obtain reasonable, rather than absolute, assurance about whether financial statements are free of material misstatement, whether caused by error, fraud or violations of laws or contracts. Since our audit is conducted on a test basis, it cannot be relied upon to identify every misstatement. If we are unable to complete the audit or unable to form an opinion, we may decline to express an opinion.

Although our audit is not designed to provide an opinion on the effectiveness of internal controls over financial reporting, we are required to report any significant deficiencies and material weaknesses. We are also required to report noncompliance with any provisions of laws, regulations, contracts and grant agreements that could have a direct and material effect on the determination of financial statement amounts or data significant to the audit.

Our responsibility is to express an opinion on the financial statements based on the results of our audit. The City is solely responsible for their statements, including:

- Selecting and applying appropriate accounting policies.
- Establishing and maintaining effective internal controls over financial reporting.
- Designing and implementing effective controls to prevent and detect fraud. Per statute, management is responsible for immediately reporting to us any known or suspected loss of public assets, regardless of the amount.
- Ensuring compliance with laws, regulations and provisions of contracts and grant agreements.
- Making all financial records and related information available to us.
- Correcting the financial statements based on the results of our audit.
- Providing us with a management representation letter, which we will request at the conclusion of our audit. This letter includes representations regarding legal matters that may also require a letter to be prepared by the City's legal counsel.

## Federal Compliance

We will perform a federal single audit as prescribed by the Office of Management and Budget (OMB) Circular A-133, which is required for all entities expending \$500,000 or more in federal grants in a fiscal year. We plan to audit the following major program(s) to meet the 25% coverage requirement since the City did qualify as a low-risk auditee.

- Highway Planning & Construction Cluster, CFDA 20.205
- Department of Interior, CFDA 15.916

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## Audit Reports

At the completion of the audit, the State Auditor's Office will issue the following reports:

### Accountability Report

The results of our accountability audit are included in this report, which will be issued separately from the financial statement and single audit reports.

### Financial Statement Reports

Our opinion on the fair presentation of the financial statements is included in this audit report. We also issue a report on significant deficiencies and material weaknesses in internal control over financial reporting and on compliance with laws, contracts and grant agreements with a material financial statement effect, as required by *Government Auditing Standards*.

### Single Audit Reports

Results of our audit of internal controls over federal programs and compliance with federal laws and regulations are included in this report.

OMB Circular A-133 requires the submission of audit reports on the financial statements and federal single audit along with the Data Collection Form to the OMB clearinghouse within the earlier of 30 days after receipt of the report or nine months after the end of the audit period. Your federal cognizant or oversight agency may authorize a longer period by your advance request.

Beginning with fiscal year 2008 audits, there is a new data collection form and a new process for submitting audit reports to the federal clearinghouse. In short, the auditor's report must be submitted electronically to the clearinghouse in a .pdf file and both the auditor and auditee will electronically certify the data collection form (instead of signing a hard copy). We will assist you with the new process.

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## Other Required Communications

In addition to our audit reports, we are required by professional auditing standards to communicate other significant issues to the City Council, including:

- Any significant difficulties encountered during the audit and the resolution of such difficulties, including disagreements with management about matters significant to the financial statements.
- Material misstatements corrected by management during the audit and uncorrected misstatements in the audited financial statements.

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## Reporting Levels

### Findings

Findings formally address issues in an audit report. The City is given the opportunity to respond to a finding, and this response, or synopsis of it, is published in the audit report.

Professional auditing standards define what issues we must report as findings with regards to non-compliance with a financial statement effect and internal controls over financial reporting.

*OMB Circular A-133* defines what issues we must report as findings with regards to non-compliance and internal controls over compliance with federal grants.

### Management Letters

Management letters communicate less significant instances of noncompliance, and make recommendations for strengthening internal controls. Management letters are referenced but not included in the audit report.

### Exit Items

Exit items are less serious audit issues than a finding or management letter and may be informally communicated to the entity.

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## Known or Suspected Loss Notification

State law (RCW 43.09.185) requires all state agencies and local governments to immediately notify the State Auditor's Office in the event of a known or suspected loss of public resources or other illegal activity. This includes situations where disciplinary action against an employee is being considered due to known or suspected losses of public funds, fraud, illegal acts, or noncompliance with policies related to preventing losses or other illegal acts. Governments should not begin investigations or take steps to resolve suspected losses or illegal activity without first informing our Office.

Additional information on reporting known or suspected losses and the Office's Fraud Program is available at [www.sao.wa.gov/Fraud/About.htm](http://www.sao.wa.gov/Fraud/About.htm). Notifications or questions can be directed to the Office Audit Manager in your area or Jennifer Forsberg, CFE, Fraud Manager for the Division of Special Investigations, who can be reached at [forsberj@sao.wa.gov](mailto:forsberj@sao.wa.gov) or by phone at (360) 480-1103.

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## Contacts and Other Information

The State Auditor's Office is committed to maintaining positive relationships and open communication with all entities we audit.

| <i>Entity Contacts</i>                     |  |
|--|--|
| Gary Coleman<br>Entity Audit Liaison       | 206-248-5505<br>garyc@burienwa.gov         |
| <i>State Auditor's Office Contacts</i>     |  |
| James Griggs<br>Audit Manager              | 253-372-6250 Ext 105<br>griggsj@sao.wa.gov |
| Alphonso Buechl<br>Assistant Audit Manager | 253-372-6250 Ext 108<br>beuchla@sao.wa.gov |
| Barbara Rambow<br>Auditor in Charge        | 253-372-6250 Ext 104<br>rambowb@sao.wa.gov |

- The cost of the audit is estimated to be approximately \$28,888, plus travel expenses.
- Our Office is committed to protecting your confidential or sensitive information. You are responsible for notifying us when any documents, records, files, or data containing information that is covered by confidentiality or privacy laws, such as HIPAA, are provided to us.
- The City expects to receive a CAFR letter from SAO by June, 2009.

# City of Burien

## February 2009 Sales Tax Revenue Comparison by Category

|                                 | February-09       | % of Total Revenue | February-08       | Difference 2008 to 2009 | % Change      |
|---------------------------------|-------------------|--------------------|-------------------|-------------------------|---------------|
| Unknown                         | \$ 56             | 0.0%               | \$ 1,095          | \$ (1,039)              | -94.9%        |
| Agriculture, Forestry, Fishing  | \$ 7              | 0.0%               | \$ -              | \$ 7                    | N/A           |
| Mining                          | \$ 47             | 0.0%               | \$ 216            | \$ (169)                | -78.2%        |
| Construction                    | \$ 71,548         | 21.4%              | \$ 62,299         | \$ 9,249                | 14.8%         |
| Manufacturing                   | \$ 2,947          | 0.9%               | \$ 6,544          | \$ (3,597)              | -55.0%        |
| Wholesale Trade                 | \$ 10,316         | 3.1%               | \$ 7,114          | \$ 3,202                | 45.0%         |
| Retail Trade                    | \$ 160,492        | 47.9%              | \$ 207,267        | \$ (46,775)             | -22.6%        |
| Transportation and Warehousing  | \$ 2,131          | 0.6%               | \$ 898            | \$ 1,233                | 137.3%        |
| Information                     | \$ 15,783         | 4.7%               | \$ 13,646         | \$ 2,137                | 15.7%         |
| Finance & Insurance             | \$ 560            | 0.2%               | \$ 786            | \$ (226)                | -28.8%        |
| Real Estate, Rental, Leasing    | \$ 5,779          | 1.7%               | \$ 7,239          | \$ (1,460)              | -20.2%        |
| Prof, Sci, Technical Services   | \$ 4,371          | 1.3%               | \$ 1,939          | \$ 2,432                | 125.4%        |
| Admin, Support, Remedy Services | \$ 2,324          | 0.7%               | \$ 3,078          | \$ (754)                | -24.5%        |
| Educational Services            | \$ 958            | 0.3%               | \$ 1,648          | \$ (690)                | -41.9%        |
| Health Care Social Assistance   | \$ 3,313          | 1.0%               | \$ 2,943          | \$ 370                  | 12.6%         |
| Arts, Entertainment, Recreation | \$ 2,587          | 0.8%               | \$ 2,886          | \$ (299)                | -10.4%        |
| Accomodation and Food Services  | \$ 35,817         | 10.7%              | \$ 36,271         | \$ (454)                | -1.3%         |
| Other Services                  | \$ 15,774         | 4.7%               | \$ 15,960         | \$ (186)                | -1.2%         |
|                                 | <b>\$ 334,810</b> |                    | <b>\$ 371,829</b> | <b>\$ (37,019)</b>      | <b>-10.0%</b> |

# February 2009 Sales Tax Detail

- February 2008 to February 2009 ↓ 10%
  - Retail Trade (48%) ↓ 22.6%
    - Motor Vehicle & Parts Dealers (18% of total) ↓ 45.5%
      - » New Car Dealers (15.4% of total) ↓ 46.6%
    - General Merchandise Stores (7.4% of total) ↑ 2.2%
    - Food & Beverage Stores (5.6% of total) ↓ 3.2%
    - Building Material & Garden (1% of total) ↑ 141.4%
    - Furniture and Home Furnishings (1% of total) ↓ 49.2%
    - Electronics and Appliances (1% of total) ↑ 15.2%
  - Construction (21.4%) ↑ 14.8%
  - Accommodations & Food Service (10.7%) ↓ 1.3%



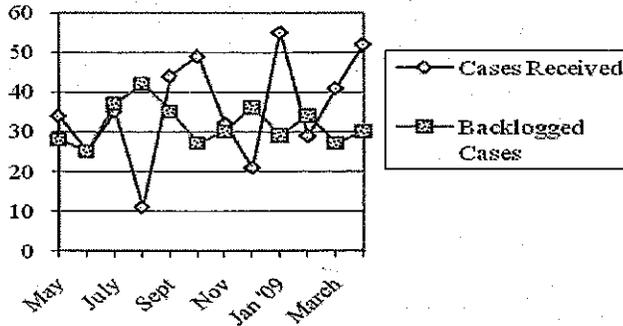
**CITY OF BURIEN**

**MEMORANDUM**

**DATE:** May 1, 2009  
**TO:** Mike Martin, City Manager  
**FROM:** Scott Greenberg, Community Development Director  
**RE:** April 2009 Citizen Action Report

This report reflects the caseload for April and includes all backlog cases open as of April 30, 2009. As of that date, there were 57 open cases. 30 of the open cases are more than five weeks old and are considered backlog. There were 27 cases initiated by staff/police, and 25 cases initiated by residents, during the month of April.

**Citizen Action Case Status**



|                         | May | June | July | Aug | Sept | Oct | Nov | Dec | Jan '09 | Feb | March | April |
|-------------------------|-----|------|------|-----|------|-----|-----|-----|---------|-----|-------|-------|
| <b>Cases Received</b>   | 34  | 25   | 35   | 11  | 44   | 49  | 32  | 21  | 55      | 29  | 41    | 52    |
| <b>Backlogged Cases</b> | 28  | 25   | 37   | 42  | 35   | 27  | 30  | 36  | 29      | 34  | 27    | 30    |
| <b>Total Open Cases</b> | 42  | 45   | 61   | 52  | 54   | 56  | 53  | 45  | 55      | 48  | 48    | 57    |
| <b>% of Backlog</b>     | 67% | 56%  | 61%  | 81% | 65%  | 48% | 57% | 80% | 53%     | 71% | 56%   | 53%   |

As usual, please let me know if you have any questions or suggestions for additional improvements to this report.

**Cc:** Scott Greenberg, Community Development Director  
 Jim Bibby, Code Compliance Officer  
 Henry McLauchlan, Administrative Sergeant  
 Chris Bacha, City Attorney

Michael Lafreniere, Parks Director  
 Jan Vogee, Building Official  
 Doug Lamothe, Interim Public Works Director  
 Liz Ockwell, Assistant Planner





## Monthly Report to the City Manager

### Citizen Action Request Case Status

Report Date: 05/01/2009

| Days Old | Department       | CAR #       | Date Received | Nature of Request | Complaint Information  | Last Action          | Date       | Status |
|----------|------------------|-------------|---------------|-------------------|--|----------------------|------------|--------|
| 473      | Parks            | CAR-08-0022 | 01/14/2008    | Nuisance          | 14456 18TH AV SW<br>Parking & nuisance                             | Enforcement Letter 1 | 01/18/2008 | Open   |
| 450      | Public Works     | CAR-08-0055 | 02/06/2008    | Planning / Zoning | 13526 14TH AV S<br>Grading, Nuisance, Critical Areas               | Meeting              | 08/11/2008 | Open   |
| 415      | Building         | CAR-08-0097 | 03/12/2008    | Building          | 3512 SW 172ND ST<br>Building permit                                | Other Letter         | 08/26/2008 | Open   |
| 395      | City Attorney    | CAR-08-0117 | 04/01/2008    | Nuisance          | 12928 6TH AV S<br>Vegetation                                       | Site Investigation   | 03/10/2009 | Open   |
| 387      | Building         | CAR-08-0127 | 04/09/2008    | Planning / Zoning | 15903 MAPLEWILD AV SW<br>Critical slope retaining wall replacement | Other - See Notes    | 04/03/2009 | Open   |
| 319      | Code Enforcement | CAR-08-0206 | 06/16/2008    | Housing Concerns  | 329 S 150TH ST<br>Nuisance, Housing Concern, Demo etc              | Other - See Notes    | 02/12/2009 | Open   |
| 284      | City Attorney    | CAR-08-0233 | 07/21/2008    | Animals           | 1521 SW 160TH ST<br>Nuisance, animals & RCW<br>Add alleyway & KC   | Site Investigation   | 04/30/2009 | Open   |
| 220      | City Attorney    | CAR-08-0326 | 09/23/2008    | Nuisance          | 15839 6TH AV SW<br>Nuisances                                       | Meeting              | 04/21/2009 | Open   |
| 212      | Code Enforcement | CAR-08-0338 | 10/01/2008    | Sign Violation    | Sign Violation / Olympiic Coffee                                   | NOV Issued           | 02/12/2009 | Open   |
| 199      | Building         | CAR-08-0361 | 10/14/2008    | Building          | 611 SW 142ND ST<br>Building - Demo Permit                          | Other - See Notes    | 11/26/2008 | Open   |
| 185      | City Attorney    | CAR-08-0379 | 10/28/2008    | Sign Violation    | 1022 S 144TH ST<br>Signs / Business License                        | Other - See Notes    | 02/25/2009 | Open   |
| 172      | Code Enforcement | CAR-08-0399 | 11/10/2008    | Nuisance          | 13227 2ND AV S<br>Vegetation / Vehicles-Anderson                   | Phone Call           | 11/12/2008 | Open   |

| Days Old | Department       | CAR #       | Date Received | Nature of Request | Complaint Information   | Last Action          | Date       | Status |
|----------|------------------|-------------|---------------|-------------------|---|----------------------|------------|--------|
| 163      | Code Enforcement | CAR-08-0403 | 11/19/2008    | Abandoned Vehicle | 624 SW 136TH PL<br>Vehicles / Leggett   | Site Investigation   | 04/06/2009 | Open   |
| 161      | City Attorney    | CAR-08-0408 | 11/21/2008    | Building          | 13430 1ST AV SW<br>Building / Weythman  | Site Investigation   | 02/10/2009 | Open   |
| 105      | Code Enforcement | CAR-09-0020 | 01/16/2009    | Sign Violation    | 13424 1ST AV S<br>Sign Violation / Room by Room                                       | Enforcement Letter 1 | 02/03/2009 | Open   |
| 99       | Code Enforcement | CAR-09-0031 | 01/22/2009    | Nuisance          | 800 SW 135TH ST<br>Nuisance / Russell   | Case Received        | 01/22/2009 | Open   |
| 98       | Code Enforcement | CAR-09-0039 | 01/23/2009    | Graffiti          | 15019 AMBAUM BL SW<br>Business License Salva Mex Sign / Banner                        | Enforcement Letter 1 | 04/13/2009 | Open   |
| 93       | Building         | CAR-09-0069 | 01/28/2009    | Building          | 15205 24TH AV SW<br>Bldg permit/ ROW / Calder   | Other - See Notes    | 04/03/2009 | Open   |
| 84       | Building         | CAR-09-0068 | 02/06/2009    | Building          | 13233 10TH AV S<br>Building Permit / Trujillo   | Phone Call           | 04/02/2009 | Open   |
| 73       | Building         | CAR-09-0076 | 02/17/2009    | Nuisance          | Nuisance Dangerous Bldg<br>Junk Vehicle<br>Trash Covered Premises / Westmark Property | Other - See Notes    | 03/24/2009 | Open   |
| 66       | Code Enforcement | CAR-09-0079 | 02/24/2009    | Nuisance          | 14211 12TH AV SW<br>Nuisance / Spear  |                      | 03/16/2009 | Open   |
| 60       | Code Enforcement | CAR-09-0092 | 03/02/2009    | Sign Violation    | 13222 1ST AV S<br>Sign Violation / CAR STOP   | Case Received        | 03/04/2009 | Open   |
| 58       | Code Enforcement | CAR-09-0093 | 03/04/2009    | Nuisance          | 15502 4TH PL SW<br>Nuisance / View Ridge  | Case Received        | 03/04/2009 | Open   |
| 52       | Building         | CAR-09-0098 | 03/10/2009    | Building          | 14223 1ST AV S<br>Building Permit / American Collision                                | Other - See Notes    | 04/20/2009 | Open   |
| 49       | Code Enforcement | CAR-09-0102 | 03/13/2009    | Nuisance          | 405 SW 128TH ST<br>Nuisance / Biros   | Site Investigation   | 04/28/2009 | Open   |

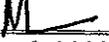
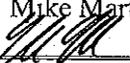
| Days Old | Department       | CAR #       | Date Received | Nature of Request | Complaint Information                                  | Last Action          | Date       | Status |
|----------|------------------|-------------|---------------|-------------------|--|----------------------|------------|--------|
| 49       | Code Enforcement | CAR-09-0103 | 03/13/2009    | Nuisance          | 403 4TH AV SW<br>Nuisance / Anchetta                   | Site Investigation   | 04/28/2009 | Open   |
| 45       | Code Enforcement | CAR-09-0108 | 03/17/2009    | Sign Violation    | 14445 AMBAUM BL SW<br>Sign Violation / El Pique        | Enforcement Letter 1 | 03/20/2009 | Open   |
| 44       | Code Enforcement | CAR-09-0111 | 03/18/2009    | Nuisance          | 14448 8TH AV S<br>Nuisance / Pham                      | Phone Call           | 04/16/2009 | Open   |
| 36       | Planning         | CAR-09-0117 | 03/26/2009    | Planning / Zoning | 12825 12TH AV S<br>Nuisance / McClurg                  | Enforcement Letter 1 | 04/02/2009 | Open   |
| 36       | Code Enforcement | CAR-09-0119 | 03/26/2009    | Nuisance          | 621 S 146TH ST<br>Nuisance / Alexander/Woodbury        | NOV Issued           | 04/02/2009 | Open   |
| 31       | Code Enforcement | CAR-09-0124 | 03/31/2009    | Illegal Dumping   | Illegal Dumping / Pitman                               | Other - See Notes    | 04/16/2009 | Open   |
| 31       | Code Enforcement | CAR-09-0125 | 03/31/2009    | Sign Violation    | Sign violation / Alefaio's                             | Meeting              | 04/08/2009 | Open   |
| 28       | Code Enforcement | CAR-09-0145 | 04/03/2009    | Parking           | 16429 3RD AV S<br>Parking / Fernandez                  | Case Received        | 04/09/2009 | Open   |
| 25       | Code Enforcement | CAR-09-0129 | 04/06/2009    | Illegal Dumping   | 16223 DES MOINES MEMORIAL DR S<br>Illegal Dump / Heera | Case Received        | 04/06/2009 | Open   |
| 25       | Code Enforcement | CAR-09-0130 | 04/06/2009    | Planning / Zoning | 151 S 136TH ST<br>Vehicle Repair-Parking / Tran        | Site Investigation   | 04/21/2009 | Open   |
| 25       | Code Enforcement | CAR-09-0135 | 04/06/2009    | Nuisance          | 1235 S 134TH ST<br>Nuisance / Arntz                    | Enforcement Letter 1 | 04/13/2009 | Open   |
| 25       | Code Enforcement | CAR-09-0136 | 04/06/2009    | Nuisance          | 638 SW 137TH ST<br>Nuisance / Lunt                     | Case Received        | 04/06/2009 | Open   |

| Days Old | Department       | CAR #       | Date Received | Nature of Request | Complaint Information  | Last Action          | Date       | Status |
|----------|------------------|-------------|---------------|-------------------|--|----------------------|------------|--------|
| 24       | Code Enforcement | CAR-09-0138 | 04/07/2009    | Planning / Zoning | 620 SW 134TH ST<br>Planning-Zoning / Business                | Enforcement Letter 1 | 04/13/2009 | Open   |
| 24       | Planning         | CAR-09-0142 | 04/07/2009    | Planning / Zoning | 1003 SW 158TH ST<br>Planning Zoning ADU / Boban Cris         | Meeting              | 05/01/2009 | Open   |
| 24       | Public Works     | CAR-09-0143 | 04/07/2009    | ROW Issue         | 14925 22ND AV SW<br>ROW / Church vehicle parking             | Other - See Notes    | 04/16/2009 | Open   |
| 21       | Planning         | CAR-09-0146 | 04/10/2009    | Planning / Zoning | 12605 SHOREWOOD DR SW<br>Cutting in Critical area / Knowlton | Case Received        | 04/10/2009 | Open   |
| 17       | Planning         | CAR-09-0152 | 04/14/2009    | Planning / Zoning | 11911 14TH AV SW<br>Zoning / Critical Area cutting           | Enforcement Letter 1 | 04/20/2009 | Open   |
| 15       | Code Enforcement | CAR-09-0153 | 04/16/2009    | Nuisance          | 13240 10TH AV S<br>Nuisance / Phu                            | Case Received        | 04/16/2009 | Open   |
| 15       | Code Enforcement | CAR-09-0154 | 04/16/2009    | Parking           | 13234 10TH AV S<br>Parking / Nguyen                          | Case Received        | 04/16/2009 | Open   |
| 15       | Code Enforcement | CAR-09-0155 | 04/16/2009    | Nuisance          | 14017 1ST AV S<br>Nuisance / Trash, Barrels                  | Enforcement Letter 1 | 04/23/2009 | Open   |
| 15       | Code Enforcement | CAR-09-0159 | 04/16/2009    | Nuisance          | Nuisance / Enterprise  | Case Received        | 04/16/2009 | Open   |
| 14       | Code Enforcement | CAR-09-0157 | 04/17/2009    | Sign Violation    | 15614 1ST AV S<br>Sign / Proflig Hair                        | Case Received        | 04/17/2009 | Open   |
| 11       | Code Enforcement | CAR-09-0158 | 04/20/2009    | Nuisance          | 848 SW 139TH ST<br>Nuisance / Salmeron-Vehicles              | Case Received        | 04/20/2009 | Open   |
| 11       | Code Enforcement | CAR-09-0160 | 04/20/2009    | Sign Violation    | 15216 1ST AV S<br>Sign Violation / T-Auto                    | Enforcement Letter 1 | 04/23/2009 | Open   |

| Days Old | Department       | CAR #       | Date Received | Nature of Request | Complaint Information                                 | Last Action          | Date       | Status |
|----------|------------------|-------------|---------------|-------------------|---|----------------------|------------|--------|
| 10       | Building         | CAR-09-0161 | 04/21/2009    | Building          | 145 SW 153RD ST<br>Building / MAX dance               | Enforcement Letter 1 | 04/23/2009 | Open   |
| 9        | Code Enforcement | CAR-09-0166 | 04/22/2009    | Business License  | 15409 1ST AV S<br>Business License / Clearwire        | Case Received        |            |        |
| 9        | Code Enforcement | CAR-09-0167 | 04/22/2009    | Housing Concerns  | 415 SW 156TH ST<br>Housing / Vagrant                  | Case Received        | 04/22/2009 | Open   |
|          |                  |             |               |                   |   |                      | 04/24/2009 | Open   |
| 7        | Code Enforcement | CAR-09-0170 | 04/24/2009    | Graffiti          | 146 SW 152ND ST<br>Graffiti / Wayne's Grocery         | Case Received        | 04/28/2009 | Open   |
| 6        | Code Enforcement | CAR-09-0173 | 04/25/2009    | Nuisance          | 16008 9TH AV SW<br>Nuisance / Korga                   | Case Received        | 04/28/2009 | Open   |
| 6        | Code Enforcement | CAR-09-0174 | 04/25/2009    | Sign Violation    | 302 SW 146TH ST<br>Sign Violation / Elderly Care      | Case Received        | 04/28/2009 | Open   |
| 6        | Code Enforcement | CAR-09-0176 | 04/25/2009    | Sign Violation    | 14613 12TH AV SW<br>Sign Violation / Good Guys Const. | Case Received        | 04/30/2009 | Open   |
| 2        | Code Enforcement | CAR-09-0175 | 04/29/2009    | Nuisance          | 11921 AMBAUM BL SW<br>Nuisance / Torzecka             | Case Received        | 04/29/2009 | Open   |



**CITY OF BURIEN  
AGENDA BILL**

|  |   |  |
|--|---|--|
| <b>Agenda Subject:</b> Council Review of Proposed Council Agenda Schedule  |   | <b>Meeting Date:</b> May 11, 2009  |
| <b>Department:</b><br>City Manager   | <b>Attachments:</b><br><u>Proposed Meeting Schedule</u>   | <b>Fund Source:</b> N/A<br><b>Activity Cost:</b> N/A<br><b>Amount Budgeted:</b> N/A<br><b>Unencumbered Budget Authority:</b> N/A |
| <b>Contact:</b><br>Monica Lusk, City Clerk   |   |  |
| <b>Telephone:</b> (206) 248-5517   |   |  |
| <b>Adopted Work Plan Priority:</b> Yes No <input checked="" type="checkbox"/> X  | <b>Work Plan Item Description:</b> N/A  |  |
| <b>PURPOSE/REQUIRED ACTION:</b>  |   |  |
| <p>The purpose of this agenda item is for Council to review the proposed City Council meeting schedule. New items or items that have been rescheduled are in bold.</p> |   |  |
| <b>BACKGROUND (Include prior Council action &amp; discussion):</b>   |   |  |
| <p>According to City Council policies, the proposed meeting schedule is reviewed during the last meeting of each month.</p>  |   |  |
| <b>OPTIONS (Including fiscal impacts):</b>   |   |  |
| <ol style="list-style-type: none"> <li>1. Review the schedule, and add, delete, or move items.</li> <li>2. Review the schedule and make no modifications.</li> </ol>   |   |  |
| <b>Administrative Recommendation:</b> Review the Proposed Council Agenda Schedule.   |   |  |
| <b>Committee Recommendation:</b> N/A   |   |  |
| <b>Advisory Board Recommendation:</b> N/A  |   |  |
| <b>Suggested Motion:</b> None required.  |   |  |
| Submitted by: Monica Lusk<br><b>Administration</b>                                  | Mike Martin<br><b>City Manager</b>  |  |
| <b>Today's Date:</b> May 6, 2009   | <b>File Code:</b> R:/CC/AgendaBill2009/051109cm-1<br>proposedagendareview.doc   |  |



CITY OF BURIEN  
PROPOSED COUNCIL AGENDA SCHEDULE  
2009

**2<sup>ND</sup> QUARTER**

1. Presentations of the 2008 Arts Commission and Parks and Recreation Advisory Board Annual Reports.  
*(Scheduled on 6/1 – Parks)*
2. Update on Outreach Plan with Diverse Groups  
*(Scheduled on 6/1 - City Manager)*
3. **Discussion on Proposed 2009 Budget Amendments.**  
*(Scheduled on 6/1 – Council direction on 5/4)*
4. Discussion on Proposed Ordinance Related to Illicit Discharge.  
*(Scheduled on 6/1 - Public Works)*
5. Presentation of Civic Award to City by U.S. Mexico Chamber of Commerce.  
*(Scheduled on 6/15 – City Manager)*
6. **Motion to Adopt Ordinance No. xxx, Amending the 2009 Budget.**  
*(Scheduled on 6/15 – Council direction on 5/4)*
7. **Discussion on Proposed Ordinance Relating to Regulation of Firearms.**  
*(Scheduled on 6/15 - City Manager)*
8. Discussion on a Parks Board Recommendation to Name the 141<sup>ST</sup> Street Stormwater Pond Park.  
*(Rescheduled from 4/27 to 6/15 – Parks)*
9. Update on NERA Redevelopment Strategy.  
*(Scheduled on 6/15 – Community Development)*
10. Update on Downtown Parking Study Implementation.  
*(Scheduled on 6/15 – Community Development)*
11. Update on the Wellness Cluster.  
*(Scheduled on 6/15) - City Manager)*
12. **Discussion on Proposed Ordinances Relating to Tenant Protection Program**  
*(Rescheduled from 5/11 to 6/15 - Council direction on 4/27)*



**CITY OF BURIEN  
AGENDA BILL**

|   |   |  |
|---|---|--|
| <b>Agenda Subject:</b><br>Motion to Adopt Ordinance No. 511, Establishing a Special Events Permit Code  |   | <b>Meeting Date:</b> May 11, 2009  |
| <b>Department:</b><br>Legal   | <b>Attachments:</b><br>1. <u>Proposed Ordinance No. 511, noting changes.</u><br>2. <u>Proposed Ordinance No. 511, final.</u><br>3. <u>Draft rules and regulations.</u><br>4. <u>Summary by City Attorney.</u> | <b>Fund Source:</b> N/A<br><b>Activity Cost:</b> N/A<br><b>Amount Budgeted:</b> N/A<br><b>Unencumbered Budget Authority:</b> N/A |
| <b>Contact:</b><br>Chris Bacha, Interim City Attorney   |   |  |
| <b>Telephone:</b><br>(206) 248-5535   |   |  |
| <b>Adopted Work Plan Priority:</b> Yes    No <input checked="" type="checkbox"/> X  | <b>Work Plan Item Description:</b>  |  |
| <b>PURPOSE/REQUIRED ACTION:</b><br>The purpose of this agenda item is for Council to consider Ordinance No. 511 that would adopt procedures governing application for and issuance of special events permits.   |   |  |
| <b>BACKGROUND (Include prior Council action &amp; discussion):</b><br>The City currently does not have a comprehensive and detailed process for submittal and processing of applications for use of public property for special events such as, carnivals, markets, festivals, street fairs, parades, rallies, marches and demonstrations and there is no clear process for issuing events permits associated with use of public parks that will impact public rights-of-way or emergency services. As a result, the City is not consistently able to permit such events in a way that provides for cost recovery or protects the City from liability. Further, the current review process does not ensure that applications for special events are reviewed by all necessary departments such as police, fire, the health department, community development, public works, and legal. WCIA has also recommended that the City adopt comprehensive rules and regulations to set forth the standards for issuance of special events permits to reduce risk to the City associated with such uses of public property. The proposed special events permit ordinance would establish detailed application and review requirements and modify existing procedures set forth in the right-of-way code. The proposed ordinance would also authorize the City Manager to establish administrative rules and regulations governing the application and review process. Companion Ordinance No. 512 would amend the right-of-way code to reflect the new process for issuance of special event permits.<br><br>In response to a Council question, the definition of "expressive activity" is intended to establish different requirements for commercial and non-commercial speech.<br><br>After reviewing the revisions to Ordinance No. 511 at the May 5 meeting, Council requested placing the ordinance on the May 11 agenda for final consideration. |   |  |
| <b>OPTIONS (Including fiscal impacts):</b><br>1. Adopt Ordinance No. 511 as presented.<br>2. Refer the ordinance to City staff for further revisions and discussion and place on future Council Agenda.<br>3. Do not adopt Ordinance No. 511.   |   |  |
| <b>Administrative Recommendation:</b> Adopt Ordinance No. 511.  |   |  |
| <b>Committee Recommendation:</b> N/A  |   |  |
| <b>Advisory Board Recommendation:</b> N/A   |   |  |
| <b>Suggested Motion:</b> Move to adopt Ordinance No. 511, relating to special event permits.  |   |  |
| Submitted by: Christopher Bacha<br>Administration <i>CB</i>   |   | Mike Martin<br>City Manager <i>MM</i>  |
| <b>Today's Date:</b> May 6, 2009  |   | <b>File Code:</b> R/CC/AgendaBill2009/051109ls-1 special events  |



**CITY OF BURIEN**  
**WASHINGTON**  
**ORDINANCE NO.       511**

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**AN ORDINANCE OF THE CITY OF BURIEN,  
WASHINGTON, RELATING TO SPECIAL EVENTS;  
ADDING A NEW CHAPTER TO TITLE 12;  
ESTABLISHING REQUIREMENTS FOR OBTAINING A  
SPECIAL EVENTS PERMIT; PROVIDING FOR  
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE  
DATE**

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**WHEREAS**, the City of Burien is host to many special events throughout the year; and

**WHEREAS**, the City Council recognizes the value of special events as it relates to the positive promotion of commerce and tourism within the City and the creation of unique venues for expression and entertainment that are not normally provided as part of governmental services; and

**WHEREAS**, the City Council also recognizes that special events may impact the operations of the City including the provisioning of its emergency services, safe travel upon the public rights of way, and the availability of use of public property including public parks and facilities; and

**WHEREAS**, the City Council finds that the City should have a comprehensive procedure for permitting of special events which: (1) establishes a process for the coordinated review and permitting of special events, (2) provides the City with the ability to monitor special events to make sure that any city department that may be affected has the opportunity to review and comment, (3) provides the City with the opportunity to review plans for special events to make sure that they are in compliance with the municipal code, (4) encourages responsible planning prior to the holding of special events, (5) provides adequate protection to residents, visitors and property owners who may be adversely effected by such special events, including, ensuring that special events do not create disturbances, become nuisances, menace or threaten life, health, and property, disrupt traffic or threaten or damage private or public property, (6) decreases any liability risk, (7) protects the rights and interests granted a special event permit holder, (8) establishes a mechanism for the City to be able to recover all or any part of the added costs incurred by the provision of additional or extraordinary support services, and (9) protects the rights of its residents and visitors to engage in protected free speech expression activities and yet allow for the least restrictive and reasonable, time, place and manner regulation of those activities within the overall context of rationally regulating special events that have an impact upon public facilities and services; and

**WHEREAS**, it is not the intent of the City Council to regulate in any manner the content of speech or infringe upon the right to assemble, except for the time, place and manner of speech and assembly, and this ordinance should not be interpreted, nor construed otherwise; and

**WHEREAS**, the City Council finds that it is in the best interest of the public health, safety and welfare to adopt a new chapter relating to special events permitting; and

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

**Section 1. Special Events Permitting Established.** Title 12 of the Burien Municipal Code is hereby amended by the addition of new Chapter 12.15 to be known as Special Events Permitting Code to read as follows:

**Section 2. Definitions.**

“Activity” shall, for purposes of the definition of “special event”, mean and refer to any one or more of the following: outdoor athletic events, promotional or fund-raising events, weddings, block parties, socials, street dances, parades, marches, rallies, demonstrations, public assemblies, performances, exhibitions, entertainment or amusement events, farmers markets, public markets, craft fairs, parking lot sales, public street or public sidewalk sales, tent sales, displays, filming of movies, taping of video or television shows, fireworks displays, motorcades, motorized vehicle races or contests, soapbox derbies, rodeos, and tournaments.

“Building” means any fully enclosed permanent structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind. It includes push carts or sidewalk cafes for which the sale of goods, food, or beverages has been authorized.

“Demonstration” means a public display of group opinion as by a rally or march, the principal purpose of which is expressive activity.

“Departmental service charges” means the actual costs which a department of the city incurs in connection with activities for which a permit is required under this article, including, but not limited to, costs associated with fire safety, traffic and/or pedestrian control, water safety, the closure of streets or intersections, the diverting of traffic, the salaries of city personnel involved in administration or coordination of city services for the event, the cost to the city to provide support personnel, equipment, materials and supplies, and related city costs such as fringe benefits or employee overtime.

“Event Organizer” means any person who conducts, manages, promotes, presents, sponsors, organizes, aids, or solicits attendance at a special event.

“Expressive Activity” includes conduct, the sole or principal object of which is the

expression, dissemination, or communication by verbal, visual, literary, or auditory means of opinion, views, or ideas and for which no fee or donation is charged or required as a condition of participation in or attendance at such activity. For purposes of this chapter, expressive activity does not include activities for which the principal purpose is entertainment.

"Exhibition, Entertainment or Amusement events" shall have their ordinary meanings and shall include the following organized events: arts and craft shows, concerts, carnivals, circuses, fairs, shows, theatrical performances, musical performances, and festivals, including any exhibition involving amusement attractions or rides, spectacles, animals, side shows, games, and the like

"Extraordinary services" shall mean and refer to services above and beyond those routinely performed by the city police, fire and/or public works, and parks departments as a normal course of regular duty. Extraordinary services include but are not limited to those involving the closing of public streets, crowd control and security, and traffic control.

"March" means an organized walk or event whose principal purpose is expressive activity in service of a public cause.

"Organized" in addition to its ordinary meaning shall mean, functioning within a formal structure, as in the coordination and direction of planned and controlled activities.

"Outdoor Athletic event" means an organized competitive or recreational activity in which a group of persons collectively engage in a sport or form of physical exercise that takes place in whole or in part outdoors including, by way of example and not limitation, team sports, tournaments, races, marathons, volksmarches and volkssports. Sport or form of physical exercise includes, by way of example and not limitation, bicycling, walking, running, sprinting, jogging, skateboarding, rollerblading and roller skating.

"Parade" means an organized group of persons, animals, bicycles, vehicles, carts, balloons, musical units and/or floats, or any combination thereof, travelling in public procession and having a common purpose, design, destination or goal, and the principal purpose of which is not expressive activity.

"Person" means any natural person, firm, association, joint venture, joint stock company, partnership, organization, club, company, corporation, business trust or manager, lessee, agent, servant, officer or employee or any of them, except where the context clearly requires a different meaning.

"Promotional or Fund-Raising Events" shall have their ordinary meanings and shall mean and refer to organized activities intended to promote causes, products, or services or raise funds primarily for charitable purposes, and shall include, by way of example and not limitation, bike-a-thons, walk-a-thons, and fun runs.

“Rally” means a gathering whose principal purpose is expressive activity, especially one intended to inspire enthusiasm for a cause.

Right-of-way” means, within the City of Burien, all public right-of-way and property granted or reserved for, or dedicated to, public use for street purposes, together with public property granted or reserved for, or dedicated to, public use for walkways, paths, trails, sidewalks, bikeways and horse trails, whether improved, unimproved, or unopened, including the air rights, sub-surface rights and easements related thereto, and over which the City of Burien has authority and control.

“Sidewalk” means that portion of a right-of-way, other than the roadway, set apart by curbs, barriers, markings, or other delineation for pedestrian travel.

“Sign” means any sign, pennant, flag, banner, inflatable display, or other attention-seeking device.

“Special event” shall mean any temporary organized activity sponsored by an event organizer which takes place, in whole or in part, outdoors, will result in people congregating at the event location for a particular and limited purpose and time, and meets any one or more of the following criteria:

- (1) City Property. The activity will be conducted in whole or in part on city owned or controlled land that is not a City park or right-of-way;
- (2) City Parks. The activity will be conducted within a City park or facility, as those terms are defined at Section 7.10.020 of the Burien Municipal Code as now or hereafter amended, and the parks director determines that the activity requires a special events permit because,
  - (a) The activity is likely to obstruct, delay or interfere with the free and normal use of public rights-of-way or other public property of the city within the vicinity of the event; or
  - (b) The activity is likely to result in the need for the City to provide extraordinary services in response to or arising out of the special event; or
  - (c) The activity will require exclusive use of all or a substantial portion of a City park.

Criteria to be considered include by way of example, and not limitation, available parking capacity in the vicinity of the special event, likely pedestrian and vehicular routes for travel to and from the special event, availability of public

transportation, the number of days of the special event, the hours of the special event, the number of people anticipated to attend the special event, the capacity and safety of the permanent and temporary structures intended to house the special event, the proximity and availability of health and sanitation services, the proximity and availability of emergency services, the activity(ies) to be engaged in as part of the special event, the historical impacts of the special event or comparable special events, if known, upon use of public rights of way and public property and public services including police and fire, and other similar considerations;

(3) Rights-of-Way. The activity will be conducted in whole or in part on city rights-of-way;

(4) Sales Not Already Permitted. The activity will involve the sale of merchandise, food or beverages outdoors where not already permitted by city code; whether by for profit or nonprofit organizations;

(5) Public Disturbance Noise. The activity will include use of sound amplification, public address, loud speaker, audio, video, or television systems or other devices likely to result in public disturbance noise in violation of Chapter 9.105 BMC as now or hereafter amended.

“Special event permit” means a permit issued under this chapter.

“Special event venue” means that area for which a special event permit has been issued.

“Tax-exempt nonprofit organization” means an organization that is exempted from payment of income taxes by federal or state law and has been in existence for a minimum of six months preceding the date of application for a special event permit.

“Vendor” means any person who sells or offers to sell any goods, food, or beverages within a special event venue.

### **Section 3. Special Event Permit Required/Purpose.**

(1) Purpose. It is the purpose of the City to establish a process for permitting special events that impact City right-of-way, public property, other facilities or services. It is recognized that these special events enhance the Burien lifestyle and provide benefits to the citizens through the creation of venues for expression and entertainment that are not normally provided as a part of governmental services. By recognizing special event venues, it is further intended to supplement land use and street right-of-way regulations, to provide a coordinated process for the regulation of certain activities to be conducted in conjunction with special events, to ensure the health and safety of patrons of special events, to prohibit illegal activity from occurring within

special event venues, and to protect the rights and interests granted to a special event permit holder. It is further intended to create a mechanism for cost recovery without having an adverse effect on those events that contribute to the community. It is also the intent of the City to protect the rights of its citizens to engage in protected free speech expression activities and yet allow for the least restrictive and reasonable, time, place and manner regulation of those activities.

(2) Permit Required. Except as provided elsewhere in this chapter, an event organizer shall obtain a special event permit from the City Clerk for all special events.

(3) City Clerk. The City Clerk, in coordination with other involved City Departments and public agencies, is authorized to issue permits for special events occurring within the City limits, pursuant to the procedures established in this chapter and the rules and regulations promulgated by the City Manager. The City Clerk is authorized to determine the special event venue. The City Clerk shall set reasonable boundaries for the special event venue, balancing the special event requirements and public health, safety, and welfare. The City Clerk is authorized to coordinate the issuance of a special event permit with other public agencies through whose jurisdiction or property the special event or portion thereof occurs and to issue a special event permit upon the concurrence of other public agencies involved.

(4) Rules and Regulations. The City Manager is authorized to promulgate additional rules and regulations that are consistent with and that further the terms and requirements set forth within this chapter and the provisions of law that pertain to the conduct and operation of a special event.

#### **Section 4. Exceptions To Special Event Permit Requirement.**

A special event permit is not required for any of the following activities, provided that, the special event shall be conducted in accordance with all laws and regulations governing public safety or health:

(1) Funeral Procession. Funeral processions by a licensed mortuary or funeral home;

(2) Wedding processions. Wedding processions conducted on public rights-of-way wherein applicable traffic regulations, laws or controls are complied with;

(3) School, Church & Governmental Events. Any special events held or conducted by or on behalf a public or private school, college or school district, the State of Washington or other governmental entity or any church that is legally operated in the city, so long as the activity or event is conducted on property owned, used, or leased by the entity or its sponsor and is for the benefit of the entity that owns, uses, or leased the property on which the activity takes place;

(4) Expressive Activities on Sidewalks. Rallies, marches, demonstrations and picketing which take place on public sidewalks crossing streets only at pedestrian crosswalks in

accordance with traffic regulations and controls and laws applicable to use of public sidewalks;

(5) Special Event Facilities. Events conducted at a facility designed for the special event purpose or upon facilities where such events are normally held, such as churches, events/convention centers, schools, athletic fields, auditoriums, stadiums, and theaters, etc.;

(6) Regularly Scheduled Athletic Events. Regularly scheduled outdoor athletic events conducted on property where such events are normally held.

(7) Outdoor Demonstrations on Public Property. Demonstrations on publicly owned property (other than public rights of way), unless,

(a) The activity is likely to obstruct, delay or interfere with the free and normal use of such public property or the public rights-of-way; or

(b) The activity is likely to result in the need for the City to provide extraordinary services in response to or arising out of the special event;

(8) Other Authorized Uses. Authorized uses of public property permitted by other provisions of the Burien Municipal Code; and

(9) Governmental Activities. Activities conducted by a governmental agency acting within the scope of its authority.

#### **Section 5. Issuance Of A Special Event Permit Does Not Obligate City Services.**

Issuance of a special event permit pursuant to this chapter does not obligate or require the City of Burien to provide City services, equipment, funding or personnel in support of a special event.

#### **Section 6. Time For Filing Application For Special Event Permit.**

(1) Except as provided at subsection 2 below, application for a special event permit shall be filed with the City Clerk not less than 45 calendar days, nor more than two years, before the time when it is proposed to conduct the special event. Upon good cause shown and provided that no risk or burden to the City ensues, the City Clerk has discretion to allow a later filing.

(2) Application for an expressive activity special event permit shall be filed with the City Clerk not less than seven calendar days, nor more than two years, before the time when it is proposed to conduct the expressive activity special event. Upon good cause shown and provided that no risk or burden to the City ensues, the City Clerk has discretion to allow a later filing.

(3) Except as otherwise provided herein, applications for a special event at City

owned buildings and City parks shall be submitted to officials responsible for such buildings and in accordance with such time limits and procedures as may be established for such buildings and parks and are not subject to the provisions of this chapter.

**Section 7. When Application For Special Event Permit Is Deemed Complete.**

An application for a special event permit is deemed completed when the applicant has provided all of the information required pursuant to the Special Event Permit Rules and Regulations.

**Section 8. Date Of Special Event Not Confirmed Until Permit Issued.**

Notwithstanding the City Clerk's acceptance of a completed application, no date shall be considered confirmed until a special event permit is issued.

**Section 9. Special Event Permit Application.**

The application for a special event permit shall be submitted and processed in accordance with the special permit rules and regulations promulgated by the City Manager.

**Section 10. Denial Of A Special Event Permit Application; Appeals From Denial.**

(1) If the City Clerk denies the application for the special event permit he or she shall notify the applicant in writing as soon as is reasonably practical.

(2) The denial of a special event permit may be appealed to the City Manager or his or her designee.

(3) An appeal shall be made in writing within five calendar days of the date of the written denial. An appeal is made by filing a written petition with the City Clerk, setting forth the grounds for appeal.

(4) The City Manager, or his or her designee, shall hear the appeal as soon as is reasonably practicable. The City Manager shall determine if the application was denied by the City Clerk based upon an error of fact or law and shall limit his/her review to the record before the City Clerk; provided that, the City Manager may, in his or her discretion allow submission of additional evidence relevant to the alleged error of fact or law.

**Section 11. Display Of Special Event Permit Required.**

A copy of the special event permit shall be displayed in the special event venue in the method prescribed by the City Clerk applicable to the particular special event and shall be exhibited upon demand of any City official.

**Section 12. City Clerk's Action On Special Event Permit Application.**

(1) Except as provided in Section 12 (2) & (6), the City Clerk shall endeavor to take final action upon a completed application for a special event permit within thirty (30) days of receipt of the completed application.

(2) The City Clerk is not required to take final action upon any special event permit application prior to 180 calendar days before the special event.

(3) The City Clerk is not required to take final action on an incomplete or untimely special event permit application.

(4) The City Clerk is not required to take final action upon two or more special event permit applications submitted by the same applicant unless two or more weeks shall have elapsed between the respective dates of submission of each.

(5) Final action on a completed special event permit application shall consist of one of the following:

(a) Issuance of a special event permit in accordance with the terms of the application; or

(b) Issuance of a special event permit in accordance with the terms of the application, as modified by mutual agreement between the City Clerk and the applicant; or

(c) Denial of the special event permit application by the City Clerk.

(6) The City Clerk shall take final action upon a timely completed application for an expressive activity special event permit as soon as reasonably practicable after receipt of a completed application, and in any event prior to the time set for the expressive activity special event.

**Section 13. Insurance Required To Conduct Special Event.**

The event organizer of a special event must possess or obtain insurance in the form and with coverages and limits as set forth in the Special Events Permit Rules and Regulations promulgated by the City Manager.

**Section 14. Revocation Of Special Event Permit.**

(1) Any special event permit issued pursuant to this chapter is subject to revocation, pursuant to this Section 14.

(2) A special event permit may be revoked if the City Clerk, or his or her designee, or the Burien Police Chief, or his or her designee, or the City Manager, or his or her designee, determines:

(a) That the special event cannot be conducted without violating the standards or conditions for special event permit issuance; or

(b) The special event is being conducted in violation of any condition of the special event permit; or

(c) The special event poses a threat to health or safety; or

(d) The event organizer or any person associated with the special event has failed to obtain any other required permit; or

(e) The special event permit was issued in error or contrary to law.

(3) Except as provided in Section (4) below, notices of revocation shall be in writing and specifically set forth the reasons for the revocation.

(4) If there is an emergency requiring immediate revocation of a special event permit, the City Clerk, or responsible public official, may notify the permit holder verbally of the revocation.

(5) An appeal from a revocation shall be handled in the same manner and under the same time requirements as denials of special event permits, pursuant to Section 10.

(6) It shall be unlawful to operate a special event after revocation of a special event permit.

#### **Section 15. Cost Recovery For Special Events.**

(1) Except as otherwise provided in this chapter or when funded or waived by the City Council by resolution or ordinance, for any special event, the City Clerk shall impose a fee for departmental services charges.

(2) The City Clerk shall require payment of departmental service charges, based upon a reasonable estimate thereof, at the time the completed application is approved, unless the City Clerk for good cause extends time for payment.

(3) If the event organizer fails to clean the special event venue or route of the special event both during and upon completion of the special event and to return the area or route to the

same condition of material preservation and cleanliness as existed prior to the special event, the event organizer will be billed for actual City costs for cleanup and repair of the area or route occasioned by the special event. If the event organizer failed to comply with such requirements under a previously issued special event permit, the City Clerk may require the event organizer to deposit adequate surety in the form of cash or bond.

#### **Section 16. Expressive Activity Special Event.**

When a special event permit is sought for a demonstration, rally, or march, the following exceptions shall apply:

(1) Where the special event will not require temporary street closures, cost recovery shall be limited solely to a fee based on the administrative cost of processing the permit application.

(2) The insurance requirement shall be waived provided that the event organizer or an officer of the event organizer has filed with the application a verified statement that he or she intends the special event purpose to be First Amendment expression and the cost of obtaining insurance is financially burdensome and would constitute an unreasonable burden on the right of First Amendment expression. The verified statement shall include the name and address of one insurance broker or other source for insurance coverage contacted to determine premium rates for coverage.

(3) Where the special event will require temporary street closures and any one or more of the following conditions are met requiring the City to provide services in the interests of public health, safety, and welfare, the City Clerk may condition the issuance of the special event permit upon payment of costs incurred by the City to a maximum of \$500. Any fee schedule adopted by the City will contain a provision for waiver of or a sliding scale for payment of fees for city services, including police costs, on the basis of indigency, so that an indigent applicant's First Amendment rights are not impaired in any fashion due to wealth.:

(a) The special event will substantially interrupt public transportation or other vehicular and pedestrian traffic in the area of its route, and/or

(b) The special event will cause an irresolvable conflict with construction or development in the public right-of-way or at a public park or public facility, and/or

(c) The special event will block traffic lanes or close right-of-way during peak commuter hours on weekdays between 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. on right-of-way designated as arterials by the City's Public Works Department, and/or

(d) The special event will require the diversion of police employees from their normal duties, and/or

(e) The concentration of persons, animals, or vehicles will unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the right-of-way, and/or

(f) The special event will substantially interfere with another special event for which a permit has already been granted or with the provision of City services in support of other scheduled special events, and/or

(g) The special event will have significant adverse impact upon residential or business access and traffic circulation in the same general venue.

(4) With regard to the permitting of expressive activity special events where the provisions in this section conflict with the provisions in any other section of this chapter, the provisions of this section shall prevail.

#### **Section 17. Authorized Special Event Vendors.**

(1) The issuance of a special event permit confers upon the permit holder or event organizer the right to control and regulate the sale of goods, food, and beverages within the special event venue in accordance with the terms and conditions of the special event permit. The permit holder may grant no greater rights or privileges to vendors than the rights or privileges granted to the permit holder pursuant to the special event permit.

(2) Vendors authorized to sell goods, food, or beverages in the special event venue shall display their authorization in the manner required by the City Manager. Only vendors displaying the required authorization shall be allowed to sell goods, food, or beverages in the Special Event Venue.

#### **Section 18. Unlawful To Conduct Or Promote Attendance At Special Event Without Permit.**

(1) It is unlawful for any person to conduct or manage a special event without a special event permit as required pursuant to this chapter.

(2) It is unlawful for any person during the 180 day period prior to a special event that will take place in whole or in part upon the right-of-way or City property, to promote any such special event prior to submittal of a special event permit application.

#### **Section 19. Other Permits And Licenses.**

The issuance of a special event permit does not relieve any person from the obligation to obtain any other permit or license required pursuant to the Burien Municipal Code or any other

applicable law.

**Section 20. Unlawful To Sell Goods In Special Event Venue Without Authorization.**

It is unlawful for any person to sell, resell, or offer to sell or resell, any goods, food, or beverages in a special event venue, except:

1. From any building; or,
2. From any tent, booth, or temporary structure expressly authorized pursuant to a special event permit.

**Section 21. Cost Recovery For Unlawful Special Event.**

Whenever a special event is conducted without a special event permit, when one is required, or a special event is conducted in violation of the terms of an issued special event permit, the event organizer shall be responsible for, and the City shall charge the event organizer for, all City costs incurred for personnel and equipment for a public safety response caused or necessitated by the adverse impacts of the special event or the violation of the special event permit upon public safety.

**Section 22. Violation; Penalties.**

1. Violation of Sections 3(2), 14(6) or 18 of this Chapter is a misdemeanor punishable by a fine of up to \$1000 or by imprisonment for up to 90 days in jail, or by both such fine or imprisonment.
2. Violation of Section 11 and 20 of this Chapter is a Class I civil infraction and punishable by a maximum fine of \$250 for each such violation.

**Section 23. 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 24. Effective Date.** This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five one hundred and twenty (5120) days after the date of publication adoption.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2009, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2009.**

CITY OF BURIEN

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Joan McGilton, Mayor

DRAFT

ATTEST/AUTHENTICATED:

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Monica Lusk, City Clerk

Approved as to form:

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Chris Bacha  
Kenyon Disend, PLLC  
Interim City Attorney

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

DRAFT



**CITY OF BURIEN  
WASHINGTON  
ORDINANCE NO. 511**

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**AN ORDINANCE OF THE CITY OF BURIEN,  
WASHINGTON, RELATING TO SPECIAL EVENTS;  
ADDING A NEW CHAPTER TO TITLE 12;  
ESTABLISHING REQUIREMENTS FOR OBTAINING A  
SPECIAL EVENTS PERMIT; PROVIDING FOR  
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE  
DATE**

---

**WHEREAS**, the City of Burien is host to many special events throughout the year; and

**WHEREAS**, the City Council recognizes the value of special events as it relates to the positive promotion of commerce and tourism within the City and the creation of unique venues for expression and entertainment that are not normally provided as part of governmental services; and

**WHEREAS**, the City Council also recognizes that special events may impact the operations of the City including the provisioning of its emergency services, safe travel upon the public rights of way, and the availability of use of public property including public parks and facilities; and

**WHEREAS**, the City Council finds that the City should have a comprehensive procedure for permitting of special events which: (1) establishes a process for the coordinated review and permitting of special events, (2) provides the City with the ability to monitor special events to make sure that any city department that may be affected has the opportunity to review and comment, (3) provides the City with the opportunity to review plans for special events to make sure that they are in compliance with the municipal code, (4) encourages responsible planning prior to the holding of special events, (5) provides adequate protection to residents, visitors and property owners who may be adversely effected by such special events, including, ensuring that special events do not create disturbances, become nuisances, menace or threaten life, health, and property, disrupt traffic or threaten or damage private or public property, (6) decreases any liability risk, (7) protects the rights and interests granted a special event permit holder, (8) establishes a mechanism for the City to be able to recover all or any part of the added costs incurred by the provision of additional or extraordinary support services, and (9) protects the rights of its residents and visitors to engage in protected free speech expression activities and yet allow for the least restrictive and reasonable, time, place and manner regulation of those activities within the overall context of rationally regulating special events that have an impact upon public facilities and services; and

**WHEREAS**, it is not the intent of the City Council to regulate in any manner the content of

speech or infringe upon the right to assemble, except for the time, place and manner of speech and assembly, and this ordinance should not be interpreted, nor construed otherwise; and

**WHEREAS**, the City Council finds that it is in the best interest of the public health, safety and welfare to adopt a new chapter relating to special events permitting; and

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

**Section 1. Special Events Permitting Established.** Title 12 of the Burien Municipal Code is hereby amended by the addition of new Chapter 12.15 to be known as Special Events Permitting Code to read as follows:

**Section 2. Definitions.**

“Activity” shall, for purposes of the definition of “special event”, mean and refer to any one or more of the following: outdoor athletic events, promotional or fund-raising events, weddings, block parties, socials, street dances, parades, marches, rallies, demonstrations, public assemblies, performances, exhibitions, entertainment or amusement events, farmers markets, public markets, craft fairs, parking lot sales, public street or public sidewalk sales, tent sales, displays, filming of movies, taping of video or television shows, fireworks displays, motorcades, motorized vehicle races or contests, soapbox derbies, rodeos, and tournaments.

“Building” means any fully enclosed permanent structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind. It includes push carts or sidewalk cafes for which the sale of goods, food, or beverages has been authorized.

“Demonstration” means a public display of group opinion as by a rally or march, the principal purpose of which is expressive activity.

“Departmental service charges” means the actual costs which a department of the city incurs in connection with activities for which a permit is required under this article, including, but not limited to, costs associated with fire safety, traffic and/or pedestrian control, water safety, the closure of streets or intersections, the diverting of traffic, the salaries of city personnel involved in administration or coordination of city services for the event, the cost to the city to provide support personnel, equipment, materials and supplies, and related city costs such as fringe benefits or employee overtime.

“Event Organizer” means any person who conducts, manages, promotes, presents, sponsors, organizes, aids, or solicits attendance at a special event.

“Expressive Activity” includes conduct, the sole or principal object of which is the expression, dissemination, or communication by verbal, visual, literary, or auditory means of

opinion, views, or ideas and for which no fee or donation is charged or required as a condition of participation in or attendance at such activity. For purposes of this chapter, expressive activity does not include activities for which the principal purpose is entertainment.

"Exhibition, Entertainment or Amusement events" shall have their ordinary meanings and shall include the following organized events: arts and craft shows, concerts, carnivals, circuses, fairs, shows, theatrical performances, musical performances, and festivals, including any exhibition involving amusement attractions or rides, spectacles, animals, side shows, games, and the like

"Extraordinary services" shall mean and refer to services above and beyond those routinely performed by the city police, fire and/or public works, and parks departments as a normal course of regular duty. Extraordinary services include but are not limited to those involving the closing of public streets, crowd control and security, and traffic control.

"March" means an organized walk or event whose principal purpose is expressive activity.

"Organized" in addition to its ordinary meaning shall mean, functioning within a formal structure, as in the coordination and direction of planned and controlled activities.

"Outdoor Athletic event" means an organized competitive or recreational activity in which a group of persons collectively engage in a sport or form of physical exercise that takes place in whole or in part outdoors including, by way of example and not limitation, team sports, tournaments, races, marathons, volksmarches and volkssports. Sport or form of physical exercise includes, by way of example and not limitation, bicycling, walking, running, sprinting, jogging, skateboarding, rollerblading and roller skating.

"Parade" means an organized group of persons, animals, bicycles, vehicles, carts, balloons, musical units and/or floats, or any combination thereof, travelling in public procession and having a common purpose, design, destination or goal, and the principal purpose of which is not expressive activity.

"Person" means any natural person, firm, association, joint venture, joint stock company, partnership, organization, club, company, corporation, business trust or manager, lessee, agent, servant, officer or employee or any of them, except where the context clearly requires a different meaning.

"Promotional or Fund-Raising Events" shall have their ordinary meanings and shall mean and refer to organized activities intended to promote causes, products, or services or raise funds primarily for charitable purposes, and shall include, by way of example and not limitation, bike-a-thons, walk-a-thons, and fun runs.

“Rally” means a gathering whose principal purpose is expressive activity, especially one intended to inspire enthusiasm for a cause.

“Right-of-way” means, within the City of Burien, all public right-of-way and property granted or reserved for, or dedicated to, public use for street purposes, together with public property granted or reserved for, or dedicated to, public use for walkways, paths, trails, sidewalks, bikeways and horse trails, whether improved, unimproved, or unopened, including the air rights, sub-surface rights and easements related thereto, and over which the City of Burien has authority and control.

“Sidewalk” means that portion of a right-of-way, other than the roadway, set apart by curbs, barriers, markings, or other delineation for pedestrian travel.

“Sign” means any sign, pennant, flag, banner, inflatable display, or other attention-seeking device.

“Special event” shall mean any temporary organized activity sponsored by an event organizer which takes place, in whole or in part, outdoors, will result in people congregating at the event location for a particular and limited purpose and time, and meets any one or more of the following criteria:

(1) City Property. The activity will be conducted in whole or in part on city owned or controlled land that is not a City park or right-of-way;

(2) City Parks. The activity will be conducted within a City park or facility, as those terms are defined at Section 7.10.020 of the Burien Municipal Code as now or hereafter amended, and the parks director determines that the activity requires a special events permit because,

(a) The activity is likely to obstruct, delay or interfere with the free and normal use of public rights-of-way or other public property of the city within the vicinity of the event; or

(b) The activity is likely to result in the need for the City to provide extraordinary services in response to or arising out of the special event; or

(c) The activity will require exclusive use of all or a substantial portion of a City park.

Criteria to be considered include by way of example, and not limitation, available parking capacity in the vicinity of the special event, likely pedestrian and vehicular routes for travel to and from the special event, availability of public transportation, the number of days of the special event, the hours of the special

event, the number of people anticipated to attend the special event, the capacity and safety of the permanent and temporary structures intended to house the special event, the proximity and availability of health and sanitation services, the proximity and availability of emergency services, the activity(ies) to be engaged in as part of the special event, the historical impacts of the special event or comparable special events, if known, upon use of public rights of way and public property and public services including police and fire, and other similar considerations;

(3) Rights-of-Way. The activity will be conducted in whole or in part on city rights-of-way;

(4) Sales Not Already Permitted. The activity will involve the sale of merchandise, food or beverages outdoors where not already permitted by city code; whether by for profit or nonprofit organizations;

(5) Public Disturbance Noise. The activity will include use of sound amplification, public address, loud speaker, audio, video, or television systems or other devices likely to result in public disturbance noise in violation of Chapter 9.105 BMC as now or hereafter amended.

“Special event permit” means a permit issued under this chapter.

“Special event venue” means that area for which a special event permit has been issued.

“Tax-exempt nonprofit organization” means an organization that is exempted from payment of income taxes by federal or state law and has been in existence for a minimum of six months preceding the date of application for a special event permit.

“Vendor” means any person who sells or offers to sell any goods, food, or beverages within a special event venue.

### **Section 3. Special Event Permit Required/Purpose.**

(1) Purpose. It is the purpose of the City to establish a process for permitting special events that impact City right-of-way, public property, other facilities or services. It is recognized that these special events enhance the Burien lifestyle and provide benefits to the citizens through the creation of venues for expression and entertainment that are not normally provided as a part of governmental services. By recognizing special event venues, it is further intended to supplement land use and street right-of-way regulations, to provide a coordinated process for the regulation of certain activities to be conducted in conjunction with special events, to ensure the health and safety of patrons of special events, to prohibit illegal activity from occurring within special event venues, and to protect the rights and interests granted to a special event permit

holder. It is further intended to create a mechanism for cost recovery without having an adverse effect on those events that contribute to the community. It is also the intent of the City to protect the rights of its citizens to engage in protected free speech expression activities and yet allow for the least restrictive and reasonable, time, place and manner regulation of those activities.

(2) Permit Required. Except as provided elsewhere in this chapter, an event organizer shall obtain a special event permit from the City Clerk for all special events.

(3) City Clerk. The City Clerk, in coordination with other involved City Departments and public agencies, is authorized to issue permits for special events occurring within the City limits, pursuant to the procedures established in this chapter and the rules and regulations promulgated by the City Manager. The City Clerk is authorized to determine the special event venue. The City Clerk shall set reasonable boundaries for the special event venue, balancing the special event requirements and public health, safety, and welfare. The City Clerk is authorized to coordinate the issuance of a special event permit with other public agencies through whose jurisdiction or property the special event or portion thereof occurs and to issue a special event permit upon the concurrence of other public agencies involved.

(4) Rules and Regulations. The City Manager is authorized to promulgate additional rules and regulations that are consistent with and that further the terms and requirements set forth within this chapter and the provisions of law that pertain to the conduct and operation of a special event.

#### **Section 4. Exceptions To Special Event Permit Requirement.**

A special event permit is not required for any of the following activities, provided that, the special event shall be conducted in accordance with all laws and regulations governing public safety or health:

(1) Funeral Procession. Funeral processions by a licensed mortuary or funeral home;

(2) Wedding processions. Wedding processions conducted on public rights-of-way wherein applicable traffic regulations, laws or controls are complied with;

(3) School, Church & Governmental Events. Any special events held or conducted by or on behalf a public or private school, college or school district, the State of Washington or other governmental entity or any church that is legally operated in the city, so long as the activity or event is conducted on property owned, used, or leased by the entity or its sponsor and is for the benefit of the entity that owns, uses, or leased the property on which the activity takes place;

(4) Expressive Activities on Sidewalks. Rallies, marches, demonstrations and picketing which take place on public sidewalks crossing streets only at pedestrian crosswalks in accordance with traffic regulations and controls and laws applicable to use of public sidewalks;

(5) Special Event Facilities. Events conducted at a facility designed for the special event purpose or upon facilities where such events are normally held, such as churches, events/convention centers, schools, athletic fields, auditoriums, stadiums, and theaters;

(6) Regularly Scheduled Athletic Events. Regularly scheduled outdoor athletic events conducted on property where such events are normally held.

(7) Outdoor Demonstrations on Public Property. Demonstrations on publicly owned property (other than public rights of way), unless,

(a) The activity is likely to obstruct, delay or interfere with the free and normal use of such public property or the public rights-of-way; or

(b) The activity is likely to result in the need for the City to provide extraordinary services in response to or arising out of the special event;

(8) Other Authorized Uses. Authorized uses of public property permitted by other provisions of the Burien Municipal Code; and

(9) Governmental Activities. Activities conducted by a governmental agency acting within the scope of its authority.

#### **Section 5. Issuance Of A Special Event Permit Does Not Obligate City Services.**

Issuance of a special event permit pursuant to this chapter does not obligate or require the City of Burien to provide City services, equipment, funding or personnel in support of a special event.

#### **Section 6. Time For Filing Application For Special Event Permit.**

(1) Except as provided at subsection 2 below, application for a special event permit shall be filed with the City Clerk not less than 45 calendar days, nor more than two years, before the time when it is proposed to conduct the special event. Upon good cause shown and provided that no risk or burden to the City ensues, the City Clerk has discretion to allow a later filing.

(2) Application for an expressive activity special event permit shall be filed with the City Clerk not less than seven calendar days, nor more than two years, before the time when it is proposed to conduct the expressive activity special event. Upon good cause shown and provided that no risk or burden to the City ensues, the City Clerk has discretion to allow a later filing.

(3) Except as otherwise provided herein, applications for a special event at City owned buildings and City parks shall be submitted to officials responsible for such buildings and

in accordance with such time limits and procedures as may be established for such buildings and parks and are not subject to the provisions of this chapter.

**Section 7. When Application For Special Event Permit Is Deemed Complete.**

An application for a special event permit is deemed completed when the applicant has provided all of the information required pursuant to the Special Event Permit Rules and Regulations.

**Section 8. Date Of Special Event Not Confirmed Until Permit Issued.**

Notwithstanding the City Clerk's acceptance of a completed application, no date shall be considered confirmed until a special event permit is issued.

**Section 9. Special Event Permit Application.**

The application for a special event permit shall be submitted and processed in accordance with the special permit rules and regulations promulgated by the City Manager.

**Section 10. Denial Of A Special Event Permit Application; Appeals From Denial.**

(1) If the City Clerk denies the application for the special event permit he or she shall notify the applicant in writing as soon as is reasonably practical.

(2) The denial of a special event permit may be appealed to the City Manager or his or her designee.

(3) An appeal shall be made in writing within five calendar days of the date of the written denial. An appeal is made by filing a written petition with the City Clerk, setting forth the grounds for appeal.

(4) The City Manager, or his or her designee, shall hear the appeal as soon as is reasonably practicable. The City Manager shall determine if the application was denied by the City Clerk based upon an error of fact or law and shall limit his/her review to the record before the City Clerk; provided that, the City Manager may, in his or her discretion allow submission of additional evidence relevant to the alleged error of fact or law.

**Section 11. Display Of Special Event Permit Required.**

A copy of the special event permit shall be displayed in the special event venue in the method prescribed by the City Clerk applicable to the particular special event and shall be exhibited upon demand of any City official.

**Section 12. City Clerk's Action On Special Event Permit Application.**

(1) Except as provided in Section 12 (2) & (6), the City Clerk shall endeavor to take final action upon a completed application for a special event permit within thirty (30) days of receipt of the completed application.

(2) The City Clerk is not required to take final action upon any special event permit application prior to 180 calendar days before the special event.

(3) The City Clerk is not required to take final action on an incomplete or untimely special event permit application.

(4) The City Clerk is not required to take final action upon two or more special event permit applications submitted by the same applicant unless two or more weeks shall have elapsed between the respective dates of submission of each.

(5) Final action on a completed special event permit application shall consist of one of the following:

(a) Issuance of a special event permit in accordance with the terms of the application; or

(b) Issuance of a special event permit in accordance with the terms of the application, as modified by mutual agreement between the City Clerk and the applicant; or

(c) Denial of the special event permit application by the City Clerk.

(6) The City Clerk shall take final action upon a timely completed application for an expressive activity special event permit as soon as reasonably practicable after receipt of a completed application, and in any event prior to the time set for the expressive activity special event.

**Section 13. Insurance Required To Conduct Special Event.**

The event organizer of a special event must possess or obtain insurance in the form and with coverages and limits as set forth in the Special Events Permit Rules and Regulations promulgated by the City Manager.

**Section 14. Revocation Of Special Event Permit.**

(1) Any special event permit issued pursuant to this chapter is subject to revocation pursuant to this Section 14.

(2) A special event permit may be revoked if the City Clerk, or his or her designee, or the Burien Police Chief, or his or her designee, or the City Manager, or his or her designee, determines:

(a) That the special event cannot be conducted without violating the standards or conditions for special event permit issuance; or

(b) The special event is being conducted in violation of any condition of the special event permit; or

(c) The special event poses a threat to health or safety; or

(d) The event organizer or any person associated with the special event has failed to obtain any other required permit; or

(e) The special event permit was issued in error or contrary to law.

(3) Except as provided in Section (4) below, notices of revocation shall be in writing and specifically set forth the reasons for the revocation.

(4) If there is an emergency requiring immediate revocation of a special event permit, the City Clerk, or responsible public official, may notify the permit holder verbally of the revocation.

(5) An appeal from a revocation shall be handled in the same manner and under the same time requirements as denials of special event permits, pursuant to Section 10.

(6) It shall be unlawful to operate a special event after revocation of a special event permit.

**Section 15. Cost Recovery For Special Events.**

(1) Except as otherwise provided in this chapter or when funded or waived by the City Council by resolution or ordinance, for any special event, the City Clerk shall impose a fee for departmental services charges.

(2) The City Clerk shall require payment of departmental service charges, based upon a reasonable estimate thereof, at the time the completed application is approved, unless the City Clerk for good cause extends time for payment.

(3) If the event organizer fails to clean the special event venue or route of the special event both during and upon completion of the special event and to return the area or route to the same condition of material preservation and cleanliness as existed prior to the special event, the

event organizer will be billed for actual City costs for cleanup and repair of the area or route occasioned by the special event. If the event organizer failed to comply with such requirements under a previously issued special event permit, the City Clerk may require the event organizer to deposit adequate surety in the form of cash or bond.

**Section 16. Expressive Activity Special Event.**

When a special event permit is sought for a demonstration, rally, or march, the following exceptions shall apply:

(1) Where the special event will not require temporary street closures, cost recovery shall be limited solely to a fee based on the administrative cost of processing the permit application.

(2) The insurance requirement shall be waived provided that the event organizer or an officer of the event organizer has filed with the application a verified statement that he or she intends the special event purpose to be First Amendment expression and the cost of obtaining insurance is financially burdensome and would constitute an unreasonable burden on the right of First Amendment expression. The verified statement shall include the name and address of one insurance broker or other source for insurance coverage contacted to determine premium rates for coverage.

(3) Where the special event will require temporary street closures and any one or more of the following conditions are met requiring the City to provide services in the interests of public health, safety, and welfare, the City Clerk may condition the issuance of the special event permit upon payment of costs incurred by the City to a maximum of \$500. Any fee schedule adopted by the City will contain a provision for waiver of or a sliding scale for payment of fees for city services, including police costs, on the basis of indigency, so that an indigent applicant's First Amendment rights are not impaired in any fashion due to wealth:

(a) The special event will substantially interrupt public transportation or other vehicular and pedestrian traffic in the area of its route, and/or

(b) The special event will cause an irresolvable conflict with construction or development in the public right-of-way or at a public park or public facility, and/or

(c) The special event will block traffic lanes or close right-of-way during peak commuter hours on weekdays between 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. on right-of-way designated as arterials by the City's Public Works Department, and/or

(d) The special event will require the diversion of police employees from their normal duties, and/or

(e) The concentration of persons, animals, or vehicles will unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the right-of-way, and/or

(f) The special event will substantially interfere with another special event for which a permit has already been granted or with the provision of City services in support of other scheduled special events, and/or

(g) The special event will have significant adverse impact upon residential or business access and traffic circulation in the same general venue.

(4) With regard to the permitting of expressive activity special events where the provisions in this section conflict with the provisions in any other section of this chapter, the provisions of this section shall prevail.

#### **Section 17. Authorized Special Event Vendors.**

(1) The issuance of a special event permit confers upon the permit holder or event organizer the right to control the sale of goods, food, and beverages within the special event venue in accordance with the terms and conditions of the special event permit. The permit holder may grant no greater rights or privileges to vendors than the rights or privileges granted to the permit holder pursuant to the special event permit.

(2) Vendors authorized to sell goods, food, or beverages in the special event venue shall display their authorization in the manner required by the City Manager. Only vendors displaying the required authorization shall be allowed to sell goods, food, or beverages in the Special Event Venue.

#### **Section 18. Unlawful To Conduct Or Promote Attendance At Special Event Without Permit.**

(1) It is unlawful for any person to conduct or manage a special event without a special event permit as required pursuant to this chapter.

(2) It is unlawful for any person during the 180 day period prior to a special event that will take place in whole or in part upon the right-of-way or City property, to promote any such special event prior to submittal of a special event permit application.

#### **Section 19. Other Permits And Licenses.**

The issuance of a special event permit does not relieve any person from the obligation to obtain any other permit or license required pursuant to the Burien Municipal Code or any other applicable law.

**Section 20. Unlawful To Sell Goods In Special Event Venue Without Authorization.**

It is unlawful for any person to sell, resell, or offer to sell or resell, any goods, food, or beverages in a special event venue, except:

1. From any building; or,
2. From any tent, booth, or temporary structure expressly authorized pursuant to a special event permit.

**Section 21. Cost Recovery For Unlawful Special Event.**

Whenever a special event is conducted without a special event permit, when one is required, or a special event is conducted in violation of the terms of an issued special event permit, the event organizer shall be responsible for, and the City shall charge the event organizer for, all City costs incurred for personnel and equipment for a public safety response caused or necessitated by the adverse impacts of the special event or the violation of the special event permit upon public safety.

**Section 22. Violation; Penalties.**

1. Violation of Sections 3(2), 14(6) or 18 of this Chapter is a misdemeanor punishable by a fine of up to \$1000 or by imprisonment for up to 90 days in jail, or by both such fine or imprisonment.
2. Violation of Section 11 and 20 of this Chapter is a Class I civil infraction and punishable by a maximum fine of \$250 for each such violation.

**Section 23. 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 24. Effective Date.** This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force one hundred and twenty (120) days after adoption.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009.**

CITY OF BURIEN

\_\_\_\_\_  
Joan McGilton, Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Monica Lusk, City Clerk

Approved as to form:

\_\_\_\_\_  
Christopher Bacha  
Kenyon Disend, PLLC  
Interim City Attorney

Filed with the City Clerk: April 29, 2009

Passed by the City Council:

Ordinance No. 511

Date of Publication:

CITY OF BURIEN SPECIAL EVENT PERMIT  
RULES AND REGULATIONS  
PROMULGATED BY THE CITY MANAGER

DATED THIS \*\* DAY OF \*\*\*\*, 2009

The following rules and regulations apply to all applications for a Special Events Permit pursuant to Chapter 12.15 of the Burien Municipal Code (the "Special Events Code") and to all special events as defined therein.

A. DELEGATION OF AUTHORITY: The City Clerk, and in the absence of the City Clerk, the Human Resources Director, and their designees, shall have responsibility for accepting applications for special events permits, processing, issuing or denying such permits, and implementing these rules and regulations.

B. SPECIAL EVENTS PERMIT APPLICATIONS: The City Clerk shall prepare a special events permit application form in conformance with the requirements of the Special Events Permit Code and these rules and regulations. The application code shall require the following information:

(1) The name, address, and telephone number of the applicant and the event organizer if different than the applicant.

(2) A certification that the applicant will be financially responsible for any City fees or costs that may be imposed for the special event.

(3) The name, address, and telephone number of the event organizer, if any, and the chief officer of the event organizer, if any.

(4) If the special event is designed to be held by, on behalf of, or for any organization other than the applicant, the applicant for the special event permit shall file a written communication from such organization:

(a) Authorizing the applicant to apply for the special event permit on its behalf; and

(b) Certifying that the applicant will be financially responsible for any costs or fees that may be imposed for the special event.

(5) A copy of the tax exemption letter issued for any applicant claiming to be a tax-exempt nonprofit organization;

- (6) A statement of the purpose of the special event;
- (7) A statement of fees to be charged for the special event;
- (8) The proposed location for the special event;
- (9) Dates and times when the special event is to be conducted;
- (10) The approximate times when assembly for, and disbanding of, the special event is to take place;
- (11) The proposed locations of the assembly or production area;
- (12) The specific proposed site or route, including a map and written narrative of the route;
- (13) The proposed site of any viewing stands;
- (14) The proposed site for any disbanding area;
- (15) Proposed alternate routes, sites or times, where applicable;
- (16) The approximate number of persons, animals or vehicles that will constitute the special event;
- (17) The kinds of animals anticipated to be part of the special event;
- (18) A description of the types of vehicles to be used in the special event;
- (19) The number of bands or other musical units and the nature of any equipment to be used to produce sounds or noise;
- (20) The number and location of portable sanitation facilities;
- (21) Other equipment or services necessary to conduct the special event with due regard for participant and public health and safety;
- (22) The number of persons proposed or required to monitor or facilitate the special event and provide spectator or participant control and direction for special events using City right-of-way, sidewalks, or facilities;
- (23) Provisions for first aid or emergency medical services, or both, based on special event risk factors;
- (24) Insurance and surety bond information;
- (25) Any special or unusual requirements that may be imposed or created by virtue of the proposed special event activity; and,
- (26) Any other information required by the City that reasonably relates to the special event.

C. ACCEPTANCE AND REVIEW. Applications for special events permits shall be submitted to the City Clerk or the Department of Community Development at City Hall, or electronically through an electronic application made available on the City's website, and upon receipt shall be logged into the City and assigned a permit application number. All applications shall be routed to the City Clerk for initial review. The City Clerk, upon initial review shall determine if the application is complete or requires additional information from the applicant. In making such determination, the City Clerk may route the application to affected departments and other governmental entities to determine if the application is complete and further to determine what additional information may be necessary and what conditions may be required for issuance of the special events permit. Such review may include, but is not limited to, review by the City police department and other impacted law enforcement agencies, applicable fire districts, the Seattle-King County health department, the Community Development Department, the public works department, and the City Attorney.

D. CONDITIONS AFFECTING THE ISSUANCE OF A SPECIAL EVENT PERMIT.

(1) Upon review of the completed application, the City Clerk may issue a special event permit when, all of the conditions below (a-h) are met; the event organizer has not requested City services, equipment, or personnel; and the City Clerk, in consultation with other affected departments, has determined that the special event does not require City services, equipment, or personnel.

(a) The special event will not substantially interrupt public transportation or other vehicular and pedestrian traffic in the area of its route.

(b) The special event will not cause an un-resolvable conflict with construction or development in the public right-of-way or at a public park or public facility.

(c) The special event will not block traffic lanes or close right-of-way during peak commuter hours on weekdays between 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. on right-of-way designated as arterials by the City's Public Works Department.

(d) The special event will not require the diversion of police employees from their normal duties.

(e) The concentration of persons, animals or vehicles will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the right-of-way.

(f) The special event will move from its assembly location to its disbanding location expeditiously and without stopping enroute.

(g) The special event will not substantially interfere with any other special event for which a permit has already been granted or with the provision of City services in support of other scheduled special events or unscheduled governmental functions.

(h) The special event will not have significant adverse impact upon residential or business access and traffic circulation in the same general venue.

(2) In order to ensure that the conditions in D (1) are met, the City Clerk may place conditions on the special event permit.

E. REASONS FOR DENIAL OF A SPECIAL EVENT PERMIT.

- (1) The City Clerk may deny a special event permit to an applicant who has not:
  - (a) Provided for the services of a sufficient number of trained and certified traffic controllers; or
  - (b) Provided sufficient monitors for crowd control and safety; or
  - (c) Provided sufficient safety, health, or sanitation equipment services, or facilities that are reasonably necessary to ensure that the special event will be conducted with due regard for health and safety; or
  - (d) Provided sufficient off-site parking or shuttle service, or both, when required, to minimize any substantial adverse impacts on general parking and traffic circulation in the vicinity of the special event; or
  - (e) Met all of the requirements for submitting an application for a special event permit.
- (2) The City Clerk may deny a special event permit if the City Clerk determines that:
  - (a) The special event will create the imminent possibility of violent disorderly conduct likely to endanger public safety or to result in significant property damage; or
  - (b) The special event will violate public health or safety laws; or
  - (c) The special event fails to conform to the requirements of law or duly established City Policy; or
  - (d) The applicant demonstrates an inability or unwillingness to conduct a special event pursuant to the terms and conditions of chapter 12.15; or
  - (e) The applicant has failed to conduct a previously authorized or exempted special event in accordance with law or the terms of a permit, or both; or
  - (f) The applicant has not obtained the approval of any other public agency within whose jurisdiction the special event or portion thereof will occur; or
  - (g) The applicant has failed to provide an adequate first aid or emergency medical services plan based on special event risk factors.
- (3) The City Clerk may deny a special event permit to an applicant who has failed to comply with any requirement of Chapter 12.15 BMC or with any condition of a special event permit previously issued to the applicant.

F. CONTENTS OF SPECIAL EVENT PERMIT.

A special event permit may contain the following information or conditions:

(1) The location of the special event venue, which may be identified by a map attached to the special event permit;

(2) The date, assembly area, time for assembly, and starting time of the special event;

(3) The specific route plan to the special event;

(4) The minimum and maximum speeds of the special event;

(5) The number and types of persons, animals, and vehicles; the number of bands, other musical units, and equipment capable of producing sound, if any; and limitations thereon pertaining to noise abatement;

(6) The maximum interval of space to be maintained between booths or other structures to be used for the special event;

(7) The portion of the street and sidewalk that is to be occupied by the special event;

(8) The location of reviewing or audience stands, if any;

(9) The number and location of traffic controllers, monitors, other support personnel and equipment, and barricades to be furnished by the special event organizer;

(10) The area and time for disbanding;

(11) The conditions or restrictions on the use of alcoholic beverages and authorization for and conditions of the exclusive control or regulation of vendors and related sales activity by the event organizer during the special event;

(12) The provisions for any required emergency medical services;

(13) Such other information and conditions as are reasonably necessary for the conduct of the special event and the enforcement of Chapter 12.15 BMC, including the requirement for the on-site presence of the event organizer or its designated representative for all special event coordination and management purposes.

(14) As a condition of the issuance of a special event permit, the applicant shall be required to make adequate provisions for cleaning the area or route of the special event both during and upon completion of the special event and to return the area or route to the same condition of material preservation and cleanliness as existed prior to the special event.

#### G. INSURANCE REQUIREMENTS.

A. Comprehensive General Liability Insurance. The event organizer of a special event must possess or obtain comprehensive general liability insurance to protect the City against loss from liability imposed by law for damages on account of bodily injury and property damage arising from the special event. Such insurance shall name the City of Burien, its officers, employees, and agents, and, as required, any other public entity involved in the special event, as an additional insured. Insurance coverage must

be maintained for the duration of the special event. Notice of cancellation shall be provided immediately to the City.

Comprehensive general liability insurance coverage shall be in a combined single limit of at least \$1,000,000. If the special event is of a demonstrated high- or low-risk category, according to recognized insurance and risk management standards, the City's Risk Manager may authorize a greater or lesser amount of coverage or may require a particular type of insurance coverage different from that specified herein.

The required Comprehensive general liability insurance coverage shall encompass all liability insurance requirements imposed for other permits required under other sections of Chapter 12.15 BMC and is to be provided for the benefit of the City and not as a duty, express or implied, to provide insurance protection for spectators or participants.

The event organizer's current effective insurance policy, or copy, along with necessary endorsements, shall be filed with the City Clerk at least 30 calendar days before the special event, unless the City Clerk for good cause modifies the filing requirements.

**B. Waiver Of Insurance Requirements.**

Except for Special Events where the sale of alcoholic beverages is authorized or for traffic control permits issued in conjunction with a Special Event, the insurance requirements of Section A above may be waived by the City Manager. In making the determination of whether to waive insurance, the City Manager shall consider the following factors:

- (a) Whether it is an expressive activity special event;
- (b) Whether it is objectively impossible to obtain insurance coverage;
- (c) Whether the special event will involve the use of equipment (other than sound equipment), vehicles, animals, fireworks, or pyrotechnics;
- (d) Whether a fee or donation is charged or required as a condition of admission or participation in the special event; or
- (e) Whether other factors exist that provide a reasonable basis for waiving the insurance requirements.

To claim that it is objectively impossible to obtain insurance coverage pursuant to Section 18 (1)(a), the applicant shall submit a statement from at least two independent licensed insurance brokers demonstrating the insurance is unavailable in the market place.

Even though insurance is waived, the City may require the event organizer of a special event to defend, indemnify, and hold harmless the City from any claim or liability arising from the special event.

**SPECIAL EVENTS PERMIT****Council Presentation – April 27, 2009, 2009****By: Chris Bacha, Kenyon Disend PLLC  
Interim City Attorney**

1. **PURPOSE:** Reasons for enacting a new ordinance:
  - a. Coordinated Review: establishes a process for the coordinated review and permitting of special events,
  - b. Monitoring: provides the City with the ability to monitor special events to make sure that any city department that may be affected has the opportunity to review and comment,
  - c. Plan Review: provides the City with the opportunity to review plans for special events to make sure that they are in compliance with the municipal code,
  - d. Responsible Planning: encourages responsible planning prior to the holding of special events, and
  - e. Limitations to Protect the Public: provides adequate protection to residents, visitors and property owners who may be adversely effected by such special events, including, ensuring that special events do not create disturbances, become nuisances, menace or threaten life, health, and property, disrupt traffic or threaten or damage private or public property,
  - f. Liability: decreases any liability risk,
  - g. Protection of Permit Holder: protects the rights and interests granted a special event permit holder,
  - h. Cost recovery: establishes a mechanism for the City to be able to recover all or any part of the added costs incurred by the provision of additional or extraordinary support services, and
  - i. Expressive Activity: protects the rights of its residents and visitors to engage in protected free speech expression activities and yet allow for the least restrictive and reasonable, time, place and manner regulation of those activities within the overall context of rationally regulating special events that have an impact upon public facilities and services

## 2. CURRENT PROCESS:

- a. Chapter 12.18; right of way Use Code – Permits. Requires all persons to obtain a permit before making a private use of the ROW.
- b. Application: Applies to anyone wanting to temporarily block or shut down a public ROW. No clear definition of the type of events covered and no deference to expressive activity. The application does not require specific information regarding the proposed event other than the route. The information required is more particular to installation of utility lines.
- c. Types:
  - i. Type A. Short-Term Nonprofit for less than 72 continuous hours.
  - ii. Type B. Similar but for for-profits.
  - ii. Type C. Disturbance of ROW
  - iv. Type D. Annual ROW permit.
  - v. Type E. Hauling Loaded Vehicles
  - vi. Type F. Equivalent of a facilities lease
- d. Process: The process requires an application and review through public works and other impacted departments. No specific criteria to be considered, timelines, or information to be submitted.
- e. Focus: The focus of the ROW permit is primarily upon construction activity in the ROW and not upon special events.

## 3. PROPOSED PROCESS:

- a. The proposed special events permit ordinance and the companion ordinance would amend the Type A and Type B permit requirements and refer to the special events provisions under a new chapter of title 12.
- b. New Chapter 12.38 would control over all special events except as to those regulated under the zoning code such as outdoor sales that are authorized under the zoning code. Changes to the zoning code might be addressed in the future as necessary.
- c. What would the ordinance do:
  - i. Where to File. Removes the application process from Public Works to the City Clerk
  - ii. Scope Broadened. Broadens the permit process to include City Parks and City Property not part of the public right of way and to include outdoor sales not already permitted by City Code (zoning code) and public disturbance noise activities (in the event an event on private property will exceed limitations upon noise contained in our nuisance code (Ch. 9.105 BMC).

- iii. Private Property. Does not otherwise apply to events held solely on private property. Earlier versions included such limitations but it was felt that there was not sufficient information gathered to implement this provision so it was removed.
- iv. Defined Terms. Early comments were that the definition of special events was not clear defined. This draft is intended to include detailed definitions for key terms used in the ordinance.
- v. Exemptions. It was felt that we needed to clearly identify those activities that were exempt from the special events permit requirements, so Section 4 identifies these properties. These exemptions focus on expressive activities, governmental activities, activities for which special events were specifically designed (some of these might have been more important when private property was originally included in the special events permit requirements), and funeral and wedding processions (common exclusions in other jurisdictions and often require compliance with traffic codes).
- vi. City Services. Wanted to clarify that issuance of a permit does not obligate the city to provide provisioning of services by the City.
- vii. Time Period For Application. We wanted to include provisions that ensure timely application for a permit. (Minimum of 45 days with 30 days to respond).
- viii. Appeals. We wanted to include a process for appeals of such permits. The appeal will go to the City Manager.
- ix. Rules and Regulations. The ordinance authorizes the City Manager to establish and impose rules and regulations governing the form of the application, the content of the application, the process for review, the factors that will be considered by the City when reviewing the application, the reasons that may support denial of a permit, the conditions that may be included in the special events permit, and the insurance requirements including under what conditions insurance may be waived.
- x. Revocation. Includes authority to revoke a permit and the conditions that would support revocation.
- xi. Cost recovery. Includes provisions allowing the City to recover costs the processing the permit as well as providing services and cleaning up after the event.
- xii. Expressive Activity. Includes provisions that allow expressive activity events still subject to the permit requirement (will not comply with traffic regulations) under less restrictive time, place and manner regulations. Provides for reduction or waiver of fees and insurance requirements.
- xiii. Vendors. Allows the event organizer to control the individual vendors rather than requirement permits for each vendor.
- xiv. Penalties. Establishes penalties for violation

The first part of the report deals with the general situation of the country and the position of the various groups of the population. It is a very interesting and detailed study of the social and economic conditions of the country.

The second part of the report deals with the political situation of the country and the position of the various political parties. It is a very interesting and detailed study of the political conditions of the country.

The third part of the report deals with the economic situation of the country and the position of the various economic groups. It is a very interesting and detailed study of the economic conditions of the country.

The fourth part of the report deals with the social situation of the country and the position of the various social groups. It is a very interesting and detailed study of the social conditions of the country.

The fifth part of the report deals with the cultural situation of the country and the position of the various cultural groups. It is a very interesting and detailed study of the cultural conditions of the country.

The sixth part of the report deals with the educational situation of the country and the position of the various educational groups. It is a very interesting and detailed study of the educational conditions of the country.

The seventh part of the report deals with the health situation of the country and the position of the various health groups. It is a very interesting and detailed study of the health conditions of the country.

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The fourteenth part of the report deals with the future situation of the country and the position of the various future groups. It is a very interesting and detailed study of the future conditions of the country.

**CITY OF BURIEN  
AGENDA BILL**

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|--|---|--|
| <b>Agenda Subject:</b><br>Motion to Adopt Ordinance No. 512, Amending Chapter 12.18 BMC of the City Right-of-Way Code  |   | <b>Meeting Date:</b> May 11, 2009  |
| <b>Department:</b><br>Legal  | <b>Attachments:</b><br>1. <u>Proposed Ordinance No. 512, Amending Right-of-Way Permits.</u><br>2. <u>Ordinance No. 502.</u> | <b>Fund Source:</b> N/A<br><b>Activity Cost:</b> N/A<br><b>Amount Budgeted:</b> N/A<br><b>Unencumbered Budget Authority:</b> N/A |
| <b>Contact:</b><br>Chris Bacha, Interim City Attorney  |   |  |
| <b>Telephone:</b><br>(206) 248-5535  |   |  |
| <b>Adopted Work Plan Priority:</b> Yes No <input checked="" type="checkbox"/> X  | <b>Work Plan Item Description:</b>  |  |
| <b>PURPOSE/REQUIRED ACTION:</b><br><br>The purpose of this agenda item is for Council to consider Ordinance No. 512 that would amend the right-of-way code to conform to changes made to Title 12 of the Burien City Code.   |   |  |
| <b>BACKGROUND (Include prior Council action &amp; discussion):</b><br><br>The City has previously adopted Ordinance No. 502, relating to street trees and will consider for adoption Ordinance No. 511 relating to special events permits. Ordinance No 502 clarifies the procedures for issuance of street tree permits and supersedes certain provisions of Chapter 12.18 BMC related to issuance of a right-of-way permit. Proposed Ordinance No. 511, to be adopted contemporaneously with this ordinance, will add a new chapter to Title 12 BMC relating to issuance of special events permits for use of the public rights-of-way and will supersede certain provisions of Chapter 12.15 BMC. This ordinance is intended to amend Chapter 12.18 BMC to reflect the changes made to the Burien Municipal Code pursuant to Ordinance No. 502 and the changes proposed to be made pursuant to Ordinance No. 511.<br><br>After reviewing the revisions to companion Ordinance No. 511 at the May 5 meeting, Council requested placing Ordinance No. 512 on the May 11 agenda for final consideration. |   |  |
| <b>OPTIONS (Including fiscal impacts):</b><br><br>1. Adopt Ordinance No. 512 as presented.<br>2. Refer the ordinance to City staff for further revisions and discussion and place on future Council Agenda.<br>3. Do not adopt Ordinance No. 512.  |   |  |
| <b>Administrative Recommendation:</b> Adopt Ordinance No. 512.   |   |  |
| <b>Committee Recommendation:</b> N/A   |   |  |
| <b>Advisory Board Recommendation:</b> N/A  |   |  |
| <b>Suggested Motion:</b> Move to adopt Ordinance 512, relating to issuance of right of way permits.  |   |  |
| Submitted by: Christopher Bacha<br>Administration <i>CB/ml</i>   |   | Mike Martin<br>City Manager <i>[Signature]</i>   |
| Today's Date: May 6, 2009  |   | <b>File Code:</b> R:/CC/AgendaBill2009/051109ls-2 Ord512 row   |



## CITY OF BURIEN, WASHINGTON

## ORDINANCE NO. 512

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**AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, RELATING TO RIGHT OF WAY PERMITS; AMENDING CHAPTER 12.15 BMC TO CONFORM TO NEW CHAPTER 12.15 BMC (SPECIAL EVENTS PERMITS) AND CHAPTER 12.38 BMC (STREET TREES AND TREES ON CITY PROPERTY); AND PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY**

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WHEREAS, the City Council has adopted a new Chapter 12.15 of the Burien Municipal Code that implements new requirements for the issuance of special events permits that will supercede certain parts of the right of way use permit requirements; and

WHEREAS, the City Council has previously adopted Chapter 12.38 of the Burien Municipal Code addressing use of the right of way for the maintenance, removal, pruning or windowing of trees and/or vegetation in the right of way; and

WHEREAS, it is necessary to amend Chapter 12.18 of the Burien Municipal Code to conform to the foregoing changes to the Burien Municipal Code;

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

Section 1. Amending Section 12.18.010 BMC (Permit Requirements). Section 12.18.010 of the Burien Municipal Code is hereby amended (as shown with legislative revisions marks) to read as follows:

12.18.010 Permit requirements.

(1) Except as otherwise provided at Section 12.18.030 BMC for special events and Chapter 12.38 BMC for maintenance, removal, pruning or windowing of trees and/or vegetation in the right of way, it is unlawful for anyone to make private use of any public right-of-way without first having obtained a right-of-way use permit issued by the city or to use any right-of-way without complying with all the provisions of such right-of-way use permit issued by the city.

(2) Pursuant to BMC 12.18.030(6), any telecommunications carrier or provider who desires to construct, install, operate, maintain, or otherwise locate telecommunications facilities in, under, over or across any right-of-way of the city for the purpose of providing telecommunications services shall first obtain authorization in the form of a franchise authorizing the use of such right-of-way consistent with the requirements and conditions of such franchise.

(3) All permit applicants shall, before commencing any construction in city rights-of-way, comply with all requirements of Chapter 19.122 RCW, the one number locator service.

(4) Use of the right-of-way of the City for special events shall be governed by Chapter 12.15 BMC; provided that, all special events that may alter the appearance of or disturb the surface or subsurface of the right-of-way shall be subject to the requirements for a type C permit in addition to the requirements for a special events permits.

(5) A permit shall not be required under this Chapter 12.18 BMC for the maintenance, removal, pruning or windowing of trees and/or vegetation in the right of way of the City that is subject to the requirements of Chapter 12.38 BMC; provided that, maintenance, removal, pruning or windowing of trees and/or vegetation in the right of way of the City that is part of other work or activities to be performed in the right-of-way of the City shall be subject to the this Chapter 12.18 BMC.

Section 2. Amending Section 12.18.030 BMC (Right-of-way use permits). Section 12.18.030 of the Burien Municipal Code is hereby amended (as shown with legislative revisions marks) to read as follows:

(1) Type A – Short-Term Nonprofit.

(a) Type A permits are issued for use of a right-of-way for 72 or less continuous hours for nonprofit purposes that are not classified as special events pursuant to Chapter 12.15 BMC, and which do not involve any alteration to the appearance of or a physical disturbance to the surface or subsurface of the right-of-way or any improvements located in, over, under and upon the right of way.

(b) This type of use may involve disruption of pedestrian and vehicular traffic or access to private property, and may require inspections, cleanup and police surveillance. For periods longer than 72 hours, these uses may be required to obtain a Type D annual right-of-way permit. If any of these uses are for profit, and are not classified as special events pursuant to Chapter 12.15 BMC, a Type B permit will be required.

(c) ~~Type A permits include but are not limited to the following, when for nonprofit purposes:~~

~~(i) Assemblies;~~

~~(ii) Bike races;~~

~~(iii) Block parties;~~

- ~~(iii) Block parties;~~
- ~~(iv) Parades/processions;~~
- ~~(v) Fairs, shows and exhibitions;~~
- ~~(vi) Parking;~~
- ~~(vii) Nonmotorized vehicle races;~~
- ~~(viii) Street dances;~~
- ~~(ix) Street runs or walks.~~

(2) Type B – Short-Term Profit.

(a) Type B permits are issued for uses of right-of-way for 72 or less continuous hours for profit purposes, which do not involve the physical disturbance of the right-of-way and are not classified as special events pursuant to Chapter 12.15 BMC.

(b) This type of use may involve disruption to pedestrian and vehicular traffic or access to private property, and may require inspections, cleanup and police surveillance. For periods longer than 72 consecutive hours, a Type D annual right-of-way permit may be required.

(c) Type B permits include, but are not limited to, the following when they are for profit purposes:

- ~~(i) Fairs, carnivals, shows and exhibitions;~~
- ~~(ii) House or large structure moves other than those which require a Type E permit;~~
- ~~(iii) Temporary sale of goods;~~
- ~~(iv) Temporary street closures.~~

(3) Type C – Disturbance of City Right-of-Way.

(a) Type C permits are issued for use of a right-of-way, for a period not in excess of 180 continuous days, for activities that may alter the appearance of or disturb the surface or subsurface of the right-of-way but do not necessarily involve the installation of permanent structures.

(b) Type C permits include but are not limited to:

- (i) Boring;

(ii) Culverts;

(iii) Curb cuts;

(iv) Paving;

(v) Drainage facilities;

(vi) Driveways;

(vii) Fences;

(viii) Landscaping;

(ix) Painting/stripping;

(x) Sidewalks;

(xi) Street trenching;

(xii) Utility installation, repair, replacement.

(c) Permanent structures not included in the above list that are placed in the right-of-way for a period over 72 hours may require a Type D annual right-of-way use permit, below. The director shall have the discretion to determine whether a Type C or D permit, or a facilities lease shall be required for any particular use or uses.

(4) Type D – Annual Right-of-Way Permit.

(a) Type D annual right-of-way permits are issued for uses in excess of 72 hours that will not physically disturb the right-of-way and are associated with long-term use of the right-of-way.

(b) The use of the right-of way for structures, facilities, and uses that involve capital expenditures and long-term commitments require this type of permit; provided, however, that more intensive long-term uses of the right-of-way such as the location of facilities and permanent structures on the right-of-way will require a facilities lease (Type F permit).

(c) Type D permits include, but are not limited to:

(i) Air rights and aerial facilities;

(ii) Bus shelters and stops;

(iii) Access to construction sites and haul roads;

- (iv) Loading zones;
  - (v) Newspaper sale, distribution, and storage facilities;
  - (vi) Recycling facilities;
  - (vii) Sales structures;
  - (viii) Sidewalk cafes;
  - (ix) Special and unique structures, such as awnings, benches, clocks, decorations, flagpoles, fountains, kiosks, marquees, private banners, public mailboxes, and street furniture;
  - (x) Underground rights;
  - (xi) Utility facilities;
  - (xii) Waste facilities.
- (d) The director shall have the discretion to determine whether a Type C or D permit or a facilities lease shall be required for any particular use or uses.

(5) Type E – Hauling Loaded Vehicles.

(a) Type E permits are issued for uses of right-of-way, for a period not in excess of 180 continuous days, for those activities that have the potential of altering the appearance of, or disturbing the surface or subsurface of, the right-of-way due to hauling large quantities.

(b) Type E permits include, but are not limited to:

(i) Frequent use hauling involving an average of six loaded vehicles per hour during any eight-hour period in one day, for two or more consecutive days.

(ii) Any hazardous waste hauling.

(c) Type E permits may be issued to a general contractor to authorize construction and fill activities by the said general contractor and by subcontractors.

(6) Type F Permits – Facilities Lease or Franchise. A Type F permit (facilities lease or franchise) is issued for use of a right-of-way for a period in excess of 180 continuous days, for those activities that have the potential of altering the appearance of or disturbing the surface or subsurface of the right-of-way or for the location of permanent structures on the right-of-way. Uses requiring a facilities lease or franchise shall include, but are not necessarily limited to the following:

- (a) Location of garages, buildings, or other structures within the right-of-way;
- (b) Location of telecommunications facilities within the right-of-way;
- (c) Location of utility infrastructure within the right-of-way.

The director shall have the discretion to determine whether a franchise will be required rather than a facilities lease. The city council reserves the sole discretion to lease city property and other facilities, and no vested or other right shall be created by this section or any provision of this chapter applicable to such facilities leases. The terms of such facilities leases and franchises, including the fees associated with such lease or franchise, shall be negotiated with the lessee or franchisee on a case-by-case basis.

Section 3. 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 4. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force one hundred and twenty (120) days after the date of adoption.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009.**

CITY OF BURIEN

\_\_\_\_\_  
Joan McGilton, Mayor

ATTEST/AUTHENTICATED:

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Monica Lusk, City Clerk

Approved as to form:

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Christopher Bacha  
Kenyon Disend, PLLC  
Interim City Attorney

Filed with the City Clerk: April 30, 2009

Passed by the City Council:

Ordinance No. 512

Date of Publication:



**CITY OF BURIEN**  
**WASHINGTON**  
**ORDINANCE NO. 502**

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**AN ORDINANCE OF THE CITY OF BURIEN,  
WASHINGTON, RELATING TO TREES ON CITY  
PROPERTY; AMENDING CHAPTER 12.38 BMC TO  
CLARIFY MAINTENANCE RESPONSIBILITIES AND  
CLARIFY PROCESS FOR AND FURTHER RESTRICT  
APPLICATIONS FOR PRUNING, CROWN TOPPING AND  
REMOVAL OF STREET TREES; PROVIDING FOR  
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE  
DATE**

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WHEREAS, the City Council has previously enacted chapter 12.38 of the Burien Municipal Code (the "Tree Code") to regulate the pruning, care and removal of trees and other vegetation on City property; and

WHEREAS, the City Council desires to amend the Tree Code to clarify the portion of the public right of way that adjacent property owners have the right and obligation to maintain; and

WHEREAS, the City Council finds it to be in the best interest of the public health, safety and welfare to amend the Tree Code;

NOW, THEREFORE, the City Council of the City of Burien, Washington, do ordain as follows:

Section 1. Amendment of Section 12.38.040 BMC (Tree Protection, Maintenance and Permit Requirements). Section 12.38.040 of the Burien Municipal Code is hereby repealed and re-enacted to read as follows:

12.38.040 Tree Protection, Maintenance and Permit Requirements

A. The City shall maintain all trees and Other Vegetation on the City Maintenance Responsibility List established pursuant to this Chapter. No person shall prune or remove trees or Other Vegetation on the City Property identified on the City Maintenance Responsibility List.

B. The owner of property adjacent to an Improved or Unimproved Right-of-Way not listed on the City Maintenance List shall maintain Street Trees and Other Vegetation located within the maintenance area. Maintenance Area shall mean that area of the Right-of-Way described as follows: the right-of-Way area bounded by the property owner's boundary line contiguous to the Right-of-Way extending perpendicular on either

end to the centerline of the Right-of-Way. Maintenance Area within an Improved Right-of-Way shall include the Planting Strip between the sidewalk and curb, and the strip between the property line and the sidewalk or, if no sidewalk exists, the strip between the property line and the shoulder of the street; provided that, it shall not include the planting area within a center median.

C. The owner of property adjacent to an Improved or Unimproved Right-of-Way, may Prune trees within the owner's Maintenance Area provided that the best practices, policies, techniques and methods for pruning trees established by the International Society of Arboriculture are followed, including Crown Cleaning, Crown Thinning, Crown Raising and Windowing. Crown Topping is not permissible. The City shall prepare and distribute educational materials describing best practices, policies, techniques, methods and procedures for pruning trees.

D. Public utilities shall maintain any vegetation that interferes with their utilities and may Prune trees provided that the best practices, policies, techniques and methods for pruning trees established by the International Society of Arboriculture are followed.

E. No person shall perform Pruning other than that permitted by this Chapter or remove trees in Planting Strips, Improved or Unimproved Right-of-Way without an approved Tree Permit. A Tree Permit will not be issued to a private individual for the pruning or removal trees or Other Vegetation on City Property identified on the City Maintenance Responsibility List, including streets, parks and open spaces. The issuance of a Tree Permit shall be based on the following:

1. The applicant demonstrates in the following order that all of the following conditions have been satisfied:

- a) The applicant establishes that the tree is located on a Right-of-Way;
- b) The applicant submits a valid petition executed by at least sixty percent (60%) of the property owners located within a three hundred foot (300') radius of the subject tree(s) in favor of the proposed Pruning of the tree;
- c) The applicant pays a fee to cover all costs associated with reviewing the pruning request; and
- d) The Pruning is performed by the City but at the sole cost and expense of the applicant.

2. The City Arborist determines that the requested action or treatment is necessary based upon meeting one of the following criteria:

- a) Consideration of generally accepted arboriculture standards established by the International Society of Arboriculture;

b) Determination that the tree is a "Nuisance Tree," i.e. a tree which is causing physical damage to property or has been damaged by past maintenance practices, and for which generally accepted arboriculture practices cannot correct the problem;

c) Action or treatment can be performed without adversely affecting the health of the tree or adjacent tree(s);

d) Action or treatment can be performed without adversely affecting Geologically Hazardous Areas; or

e) Determination that the existing trees and Other Vegetation are appropriate for the location.

3. A Tree Permit shall not be granted if the sole purpose of the proposed action is the removal of a tree for view enhancement.

4. When the City Arborist determines that the removal of a tree is necessary in connection with a Tree Permit, the tree(s) shall be replanted or replaced. The cost of the removal and replacement of the tree shall be the responsibility of the permittee. Replacement Trees shall meet the following guidelines:

a) All Replacement Trees shall be at least six feet tall coniferous tree or have a minimum 2-inch caliper deciduous tree, unless a smaller size tree or shrub is approved by the City Arborist;

b) The number of replacement trees shall be at the ratio of three Replacement Trees for every one tree removed;

c) In lieu of planting Replacement Trees, and at the sole discretion of the City Arborist, the permittee may contribute to the City's tree fund a dollar amount equal to the value of the Replacement Trees, including installation costs; and

d) The permittee may be required to maintain all Replacement Trees in a healthy condition for period of two years after planting. The permittee may be obligated to replant any Replacement Tree that dies, becomes diseased or is removed during this two-year time period.

F. Permission to Crown Top healthy trees shall not be granted. Trees that are severely damaged by storms or other causes, or certain trees under utility wires, or other obstructions where other pruning practices are impractical, may be topped for public safety.

G. The removal of trees in Geologically Hazardous Areas is subject to the requirements contained in BMC Chapter 19.40, Critical Areas. No cutting of trees in "Geologically Hazardous Areas" is allowed between October 1 and April 1 of any calendar year unless approved by the Public Works Director, or is required due to an emergency-situation involving immediate danger to life and property.

H. In addition to the requirements of this Chapter, persons must comply with all applicable federal and state laws, rules and regulations including, without limitation, the Endangered Species Act, the Bald Eagle Protection Act and the Migratory Bird Treaty Act, as now existing or herein adopted or amended.

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 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 29<sup>TH</sup> DAY OF DECEMBER, 2008, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 29<sup>TH</sup> DAY OF DECEMBER, 2008.**

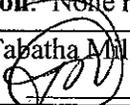
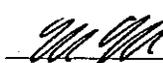
CITY OF BURIEN  
/s/ Joan McGilton, Mayor

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

Approved as to form:  
/s/ Chris D. Bacha  
Kenyon Disend, PLLC  
Interim City Attorney

Filed with the City Clerk: December 9, 2008  
Passed by the City Council: December 29, 2008  
Ordinance No. 502  
Date of Publication: January 1, 2009

**CITY OF BURIEN  
AGENDA BILL**

|  |  |  |
|--|--|--|
| <b>Agenda Subject:</b> Financial Update and Budget Revisions   |  | <b>Meeting Date:</b> May 11, 2009  |
| <b>Department:</b> Finance<br>Department   | <b>Attachments:</b><br>1. PowerPoint Presentation<br>2. KCSO 2009 Appendix B<br>3. KCSO 5-yr Unit Cost Comparison<br>4. 2008 Law Enforcement Cost Comparison Study | <b>Fund Source:</b> N/A<br><b>Activity Cost:</b> N/A<br><b>Amount Budgeted:</b> N/A<br><b>Unencumbered Budget Authority:</b> N/A |
| <b>Contact:</b> Tabatha Miller,<br>Finance Director  |  |  |
| <b>Telephone:</b> (206) 439-3150   |  |  |
| <b>Adopted Work Plan<br/>Priority:</b> Yes No X  | <b>Work Plan Item Description:</b> N/A   |  |
| <p><b>PURPOSE/REQUIRED ACTION:</b> The purpose of this agenda item is to provide the Council with additional information on potential adjustments to the 2009-2010 budget.</p> <p><b>BACKGROUND (Include prior Council action &amp; discussion):</b></p> <p>In response, to the ongoing recession in the greater Puget Sound area, staff suggested budget adjustments to the 2009/2010 biennial budget on May 4, 2009. The revisions include reductions in expenditures and in some cases service levels, reallocation of revenues to the general fund, and use of one-time discretionary fund balance. None of these adjustments are considered easy and many will have longer term consequences.</p> <p>During the presentation, the Council asked staff to provide additional detailed information on each of the proposed adjustments including:</p> <ul style="list-style-type: none"> <li>• Current budget levels vs. proposed reductions in both dollars and percentages for each proposed adjustment</li> <li>• Impact of each adjustment on current service levels</li> <li>• Impact of each adjustment on future service levels</li> <li>• More information on the King County Sheriff's Contract</li> <li>• Impact of adjustments on the Capital Improvements Program</li> <li>• Director response to the adjustments</li> <li>• Deferred purchases or programs, necessitated by the adjustments</li> <li>• Potential additional revenue sources</li> <li>• Impact on Annexation</li> </ul> <p>Staff has attached additional documents and is continuing to compile and prepare information in response to the Council's requests.</p> <p><b>OPTIONS (Including fiscal impacts):</b></p> <p>N/A</p> |  |  |
| <b>Administrative Recommendation:</b> Hold discussion on proposed budget adjustments and provide additional feedback and guidance to staff.  |  |  |
| <b>Committee Recommendation:</b> N/A   |  |  |
| <b>Advisory Board Recommendation:</b> N/A  |  |  |
| <b>Suggested Motion:</b> None required.  |  |  |
| Submitted by: Tabatha Miller, Finance Director<br>Administration    |  | City Manager                                 |
| Today's Date: May 5, 2009  |  | File Code: R:\CC\Agenda Bill 2009\051109ad-1 Budget Adjustment Review.docx   |





*Burien*  
WASHINGTON

# Budget Adjustment Discussion

Finance Department

May 11, 2009

# Council Direction from May 4th

- Budget Reductions
  - More information (the details)
  - Immediate or Direct Impact
  - Long Term Impact
  - Other Options
  - Impact on Annexation
- Revenue Re-allocation
  - Impact on Capital Improvement Program
  - Additional Taxes or Sources

# Tonight...

- Staff providing more details and impacts
- Respond to Council inquiries
- Council provide additional direction to staff
- No formal action requested
  - If desired special session on May 25<sup>th</sup> or June 8<sup>th</sup>?
  - June 1<sup>st</sup> meeting available for additional discussion
  - Action tentatively scheduled for June 15<sup>th</sup> meeting

# Proposed General Fund Budget Adjustments

| <b>Expenditure Budget Reductions</b>                   | <b>2009</b>        | <b>2010</b>        |
|--|--------------------|--------------------|
| Office Supplies  | \$17,702           | \$32,115           |
| Professional Services                                  | \$189,851          | \$370,893          |
| Department Travel                                      | \$5,170            | \$14,263           |
| Sheriff's Contract                                     | \$110,000          | \$470,000          |
| Benefit & Salary Controls                              | \$140,680          | \$263,574          |
| Community Support                                      | -                  | \$81,600           |
| Memberships  | -                  | \$77,848           |
| Econ. Develop. Activities from Bus. License Funds      | <u>\$40,000</u>    | <u>\$40,000</u>    |
| Total Expenditures Reductions                          | \$503,403          | \$1,350,293        |
| <b>Re-allocation of Budgeted Revenues</b>              | <b>2009</b>        | <b>2010</b>        |
| Garbage Utility Tax                                    | \$360,000          | \$372,600          |
| Cable Franchise Fees                                   | <u>\$360,000</u>   | <u>\$372,600</u>   |
| Total Revenues Re-Allocations                          | \$720,000          | \$745,200          |
| <b>One-Time Resources (\$2 million Discretionary )</b> | <b>2009</b>        | <b>2010</b>        |
| Discretionary Fund Balance                             | <u>\$900,597</u>   | <u>\$403,507</u>   |
| Total Budget Adjustments                               | <u>\$2,124,000</u> | <u>\$2,499,000</u> |

# Office & Operating Supplies

|   | 2009             | 10%<br>Reduction  | 2010             | 20%<br>Reduction  |
|---|------------------|-------------------|------------------|-------------------|
| City Council                              | \$1,000          | (\$100)           | \$1,035          | (\$207)           |
| City Manager's Office                     | \$6,825          | (\$683)           | \$7,064          | (\$1,413)         |
| Economic Development                      | \$500            | (\$50)            | \$518            | (\$104)           |
| Human Resources ( <i>Reduce to Use</i> )* | \$5,000          | (\$3,000*)        | \$5,000          | (\$3,000*)        |
| Finance                                   | \$10,500         | (\$1,050)         | \$6,868          | (\$1,374)         |
| Legal Services                            | \$500            | (\$50)            | \$518            | (\$104)           |
| Police Services                           | \$2,000          | (\$200)           | \$2,070          | (\$414)           |
| Public Works                              | \$6,100          | (\$610)           | \$6,314          | (\$1,263)         |
| Community Development -Plan               | \$5,175          | (\$518)           | \$5,356          | (\$1,071)         |
| Community Development - Build             | \$10,000         | (\$1,000)         | \$10,350         | (\$2,070)         |
| Parks, Rec. & Cultural Services           | <u>\$104,410</u> | <u>(\$10,441)</u> | <u>\$105,477</u> | <u>(\$21,095)</u> |
| TOTAL                                     | <u>\$151,510</u> | <u>(\$17,702)</u> | <u>\$150,570</u> | <u>(\$32,115)</u> |

# Travel/Conference Expenditures

|                                       | 2009            | 10%<br>Reduction | 2010            | 25%<br>Reduction  |
|---------------------------------------|-----------------|------------------|-----------------|-------------------|
| City Council                          | \$20,000        | (\$2,000)        | \$20,000        | (\$5,000)         |
| City Manager's Office                 | \$8,000         | (\$800)          | \$8,000         | (\$2,000)         |
| Economic Development                  | \$1,000         | (\$100)          | \$1,000         | (\$250)           |
| Human Resources                       | \$1,500         | (\$150)          | \$1,500         | (\$375)           |
| Finance                               | \$3,800         | (\$380)          | \$3,800         | (\$950)           |
| Legal Services                        | \$100           | (\$10)           | \$104           | (\$26)            |
| Police Services (50% Reduction 2010)* | \$5,000         | (\$500)          | 5,174           | (\$2,587*)        |
| Public Works                          | \$3,100         | (\$310)          | \$3,100         | (\$775)           |
| Community Development -Plan           | \$2,700         | (\$270)          | \$2,700         | (\$675)           |
| Community Development - Build         | \$3,500         | (\$350)          | \$3,500         | (\$875)           |
| Parks, Rec. & Cultural Services       | <u>\$3,000</u>  | <u>(\$300)</u>   | <u>\$3,000</u>  | <u>(\$750)</u>    |
| TOTAL                                 | <u>\$46,700</u> | <u>(\$5,170)</u> | <u>\$46,704</u> | <u>(\$14,263)</u> |

# Professional Services

- Management Information Systems (MIS) Plan
  - Citywide technology plan
  - Citywide software, licenses and support
  - New software solutions
- Impact of \$50,000 Adjustment
  - No new software solutions
  - Maintain only necessary existing licenses at reduced level of support

|                       | <b>2009</b>       | <b>2010</b>       |
|-----------------------|-------------------|-------------------|
| Current Budget Levels | \$130,000         | \$120,000         |
| Reduction             | <u>(\$50,000)</u> | <u>(\$50,000)</u> |
| Reduced Budget Level  | <u>\$80,000</u>   | <u>\$70,000</u>   |
| Percent Change        | 38%               | 42%               |

# Professional Services

- Parks Maintenance
  - Maintenance on 668 Acres of parks
  - Increased in 2009 by 13% for additional parks (2008 = \$326,139)
  - In 2009 brought contract position (Parks Maintenance Worker) in-house to add additional hours at same cost
- Impact
  - Reduce regularity of landscape servicing, stop maintaining certain portions of parks, less detail work, maintenance deferred

|                       | <b>2009</b>       | <b>2010</b>       |
|-----------------------|-------------------|-------------------|
| Current Budget Levels | \$368,214         | \$393,402         |
| Reduction             | <u>(\$36,821)</u> | <u>(\$73,643)</u> |
| Reduced Budget Level  | <u>\$331,393</u>  | <u>\$319,759</u>  |
| Percent Change        | 10%               | 18.7%             |

# Professional Services

- State & Federal Lobbyist
  - State: Reduce work when Legislature out of session
  - Federal: Eliminate monthly retainer and replace with hourly work on specific projects
  - Impact = Reduced presence and narrower focus

|                                 | 2009              | 2010              |
|---------------------------------|-------------------|-------------------|
| Current Budget Levels - State   | \$44,169          | \$45,715          |
| Reduction                       | <u>(\$5,000)</u>  | <u>(\$10,000)</u> |
| Reduced Budget Level            | <u>\$39,169</u>   | <u>\$35,715</u>   |
| Percent Change                  | 11%               | 22%               |
| Current Budget Levels – Federal | <b>\$112,860</b>  | <b>\$116,810</b>  |
| Reduction                       | <u>(\$35,000)</u> | <u>(\$70,000)</u> |
| Reduced Budget Level            | <u>\$77,860</u>   | <u>\$46,810</u>   |
| Percent Change                  | 31%               | 60%               |

# Purchased Services 2009

|   | 2009 Budget | Reduction        | Percent | Reduced Budget |
|---|-------------|------------------|---------|----------------|
| City Manager's Office (Community Outreach & Communications)       | \$142,000   | (\$10,000)       | 7%      | \$132,000      |
| Human Resources (Citywide Training)                               | \$23,200    | (\$2,000)        | 8.6%    | \$25,200       |
| Finance (Misc. – Citywide catch all)                              | \$10,000    | (\$5,000)        | 50%     | \$5,000        |
| General Legal Services(Attorney @ Council meetings)               | \$140,000   | (\$10,530)       | 7.5%    | \$129,470      |
| Police EOC Services (Misc. EOC)                                   | \$25,000    | (\$10,000)       | 40%     | \$15,000       |
| Public Works (Outside Engineering)                                | \$25,000    | (\$12,500)       | 50%     | \$12,500       |
| Community Development –Plan (Outside Planning Consultants)        | \$145,000   | (\$9,000)        | 6.2%    | \$136,000      |
| Community Development – Build (Outside Building Inspect Services) | \$20,000    | <u>(\$4,000)</u> | 20%     | \$16,000       |
| Total   |             | <u>\$63,030</u>  |         |                |

# Purchased Services 2010

|   | <b>2010<br/>Budget</b> | <b>Reduction</b>   | <b>Percent</b> | <b>Reduced<br/>Budget</b> |
|---|------------------------|--------------------|----------------|---------------------------|
| City Manager's Office (Community Communications & Outreach)       | \$153,573              | (\$30,000)         | 20%            | \$123,573                 |
| Human Resources (Citywide Training)                               | \$24,312               | (\$15,000)         | 62%            | \$9,312                   |
| Finance (Misc. – Citywide catch all)                              | \$10,350               | (\$5,000)          | 48%            | \$5,350                   |
| Legal Services(Attorney @ meetings)                               | \$144,900              | (\$21,000)         | 15%            | \$123,900                 |
| Police Services (Misc. EOC)                                       | \$25,000               | (\$10,000)         | 40%            | \$15,000                  |
| Public Works (Outside Engineering)                                | \$25,875               | (\$15,000)         | 50%            | \$10,875                  |
| Community Development –Plan (Outside Planning Consultant)         | \$145,000              | (\$50,000)         | 35%            | \$95,000                  |
| Community Development – Build (Outside Building Inspect Services) | \$20,700               | (\$10,350)         | 50%            | \$10,350                  |
| Parks (Misc. including fee studies, appraisals, outside services) | \$47,217               | <u>(\$10,900)</u>  | 23%            | \$36,317                  |
| Total Reductions  |                        | <u>(\$167,250)</u> |                |                           |

# Benefit & Salary Controls

- Hiring freeze on open positions
  - Accountant (Reduction in reporting, no updates to fixed asset system, delayed billing)
  - Project Manager (PW director double duty – less management time)
  - Public Works Development Inspector (never filled)
- No COLA in 2010 (Salaries may become uncompetitive in market)
- Voluntary Furloughs (Potential for service level)

|                                     | <b>2009</b>        | <b>2010</b>        |
|-------------------------------------|--------------------|--------------------|
| General Fund Salaries & Benefits    | \$3,534,063        | \$3,722,778        |
| No COLA                             | -                  | (\$151,512)        |
| Hiring Freeze – Hold Open Positions | (\$115,680)        | (\$87,062)         |
| Voluntary Furloughs                 | <u>(\$25,000)</u>  | <u>(\$25,000)</u>  |
| Reduced Budget Level                | <u>\$3,393,383</u> | <u>\$3,459,204</u> |
| Percent Change                      | 4.0%               | 7.1%               |

# King County Sheriff's Contract

- Current Contract
  - 33 Dedicated Personnel
  - 2009 Cost of Reactive Deputy \$155,112 (8.74% increase)
  - Average increase over 5 years 5.88%
- Impact: Reduction in Expenditure = Reduction in Officers
- Seek Grants and other sources of alternative fund
  - 2009 Reduction = ½ School Resource Officer + Overtime or ¼ Reactive Deputy
  - 2010 Reduction = 2 ½ Reactive Deputies

|                       | <b>2009</b>        | <b>2010</b>        |
|-----------------------|--------------------|--------------------|
| Current Contract Cost | \$7,300,498        | \$7,595,000        |
| Reduction             | <u>(\$110,000)</u> | <u>(\$470,000)</u> |
| Reduced Budget Level  | <u>\$7,190,498</u> | <u>\$7,125,000</u> |
| Percent Change        | 1.5%               | 6.2%               |

# Community Support

| Program                       | 2010 Budget | Reduction         | Impact/History  |
|-------------------------------|-------------|-------------------|---|
| Human Service Grants          | \$170,790   | (\$20,000)        | 12% Reduction to each organization in compliance with Council Policy that 1% of GF Revenue to HS Grants. Increased from \$145,000 to \$170,000 in 2009. |
| Japanese Garden               | \$5,000     | (\$5,000)         | Discontinue funding program. The gardens while located in the Highline community are outside of the City of Burien.                                     |
| Strawberry Festival           | \$33,017    | (\$17,600)        | Reduce City Support of this community event to 2008 level. Budget was doubled in 2009.  |
| Event Security                | \$9,315     | (\$4,000)         | Reduce City Support to 2008 level. Budget increased 79% in 2009.  |
| Arts & Culture Funding        | \$30,000    | (\$10,000)        | Reduce City Support 33%. 2008 level was \$15,000. Budget increased 133% in 2009.  |
| Burien/Highline Joint Venture | \$20,250    | (\$10,000)        | Reduce Highline program support by 50%. Program funding began 2008.   |
| Council Misc. Funds           | \$20,000    | <u>(\$15,000)</u> | Created in 2009 for additional community project funding.   |
| Total                         |             | <u>(\$81,600)</u> |   |

# Council Memberships & Associations

| Membership                            |                         | 2010 Budget     |
|---------------------------------------|-------------------------|-----------------|
| Association of WA Cities              | Regional Representation | \$22,680        |
| Puget Sound Regional Council          | Regional Representation | \$11,130        |
| Suburban Cities Association           | Regional Representation | \$16,800        |
| ICLEI – Cities for Climate Protection | Regional Representation | \$630           |
| National League of Cities             | Regional Representation | \$3,360         |
| Puget Sound Clean Air Agency          | Regional Representation | <u>\$15,292</u> |
|                                       | Total                   | <u>\$69,892</u> |
|                                       | Proposed Reduction      | (\$36,000)      |
|                                       | Percent Change          | 52%             |

*Council & Staff prioritize memberships and associations for 2010.*

# Economic Development Memberships & Associations

| <b>Membership</b>                        |                      | <b>2010 Budget</b> |
|--|----------------------|--------------------|
| Seattle Southside Business Attraction    | Economic Development | \$15,000           |
| Enterprise Seattle                       | Economic Development | \$5,305            |
| SW King Co. Chamber of Commerce          | Economic Development | \$22,770           |
| Small Business Development Center        | Economic Development | \$10,619           |
| Misc. Marketing & Econ Develop.<br>Funds | Economic Development | <u>\$30,000</u>    |
|  | Total                | <u>\$83,695</u>    |
|  | Proposed Reduction   | (\$41,848)         |
|  | Percent Change       | 50%                |

*Economic Development Director will recommend priorities for 2010 funding.*

# Transportation CIP

| <b>Revenues</b>   | <b>2009<br/>Budget</b> | <b>2010<br/>Budget</b> |
|---|------------------------|------------------------|
| Transfer from Street Fund   | \$947,502              | \$1,052,676            |
| Reduction Due to Revenue Re-Allocation                                | <u>(\$720,000)</u>     | <u>(\$745,200)</u>     |
| Revised Transfer from Street Fund to Transportation CIP               | <u>\$227,502</u>       | <u>\$307,476</u>       |
|   |                        |                        |
| <b>Projects Funded w/ Street Fund Transfer:</b>                       |                        |                        |
| 1 <sup>st</sup> Ave Phase 2 (Majority of funding from pending grants) | \$313,656              | -                      |
| 4 <sup>th</sup> Ave SW/SW 148 <sup>th</sup> Street Intersection       | -                      | \$254,400              |
| Pedestrian & Bicycle Facilities Plan                                  | \$131,654              | \$135,604              |
| Street Overlay Program  | <u>\$394,960</u>       | <u>\$406,809</u>       |
| Total Funding from Street Fund Transfer                               | \$840,270              | \$796,813              |
| Revenue Shortfall   | <u>(\$612,768)</u>     | <u>(\$489,337)</u>     |

# Annexation Impact

- The revenue projections in the annexed area will be impacted by the current recession and our estimates will need to be adjusted.
- Likewise, the annexed area service levels will need to be reduced to fit within the adjusted revenues – in the same manner King County is revising budgets and expenditures.

Exhibit B

Input Adopted cost Book

| Dedicated Police Services                                     | Units | Salary    | Benefits | Other | Total Cost         | FTEs         |
|---|-------|-----------|----------|-------|--------------------|--------------|
| Police Chief  | 1.0   | \$119,209 | \$34,154 |       | \$153,363          | 1.00         |
| Patrol or Admin Sergeants *                                   | 1.0   | \$96,118  | \$33,863 |       | \$129,981          | 1.00         |
| Officers *  | 19.0  | \$77,321  | \$31,399 |       | \$2,065,669        | 19.00        |
| School Resource Officers                                      | 1.0   | \$77,321  | \$31,399 |       | \$108,719          | 1.00         |
| Crime Prevention Officers                                     | 1.0   | \$78,542  | \$31,559 |       | \$110,101          | 1.00         |
| Detectives  | 4.0   | \$79,928  | \$31,741 |       | \$446,674          | 4.00         |
| Street Crimes Detectives                                      | 5.0   | \$79,928  | \$31,741 |       | \$558,343          | 5.00         |
| Community Service Officer                                     | 1.0   | \$56,567  | \$24,370 |       | \$80,937           | 1.00         |
| Overtime  |       |           |          |       | \$191,726          | --           |
| <b>Cost of Dedicated Personnel, Subject to Reconciliation</b> |       |           |          |       | <b>\$3,845,513</b> | <b>33.00</b> |

|  |   |  |  |           |                    |              |
|--|---|--|--|-----------|--------------------|--------------|
| Uniform, Equipment, and Supplies           |   |  |  |           | \$82,511           | --           |
| Additional Wireless Cards                  | 2 |  |  | \$670     | \$1,341            | --           |
| Vehicles                                   |   |  |  |           | \$357,941          | --           |
| Vehicle Adjustments                        | Y |  |  | -\$12,244 | -\$12,244          | --           |
| Insurance, 800 MHz, etc.                   |   |  |  |           | \$158,804          | --           |
| <b>Subtotal, Dedicated Police Services</b> |   |  |  |           | <b>\$4,433,865</b> | <b>33.00</b> |

| Additional Police Services                  | Units  | Salary           | Benefits    | Other      | City Cost          | FTEs         |
|---|--------|------------------|-------------|------------|--------------------|--------------|
| Precinct Command Staff                      | 32.97% | \$238,417        | \$68,308    | \$26,010   | \$109,687          | 0.66         |
| Patrol Supervision                          | 27.69% | \$768,942        | \$270,904   | \$211,760  | \$284,675          | 1.82         |
| Detective Supervision                       | 36.36% | \$98,725         | \$34,205    | \$19,662   | \$55,488           | 0.36         |
| Street Crimes Supervision                   | 33.33% | \$98,725         | \$34,205    | \$22,959   | \$51,963           | 0.33         |
| Precinct Major                              | 10.00% | \$135,315        | \$34,812    | \$13,005   | \$18,313           | 0.10         |
| Precinct Support Staff                      | 36.28  | Per Precinct FTE |             | \$2,569    | \$93,206           | 0.95         |
| Communications/Dispatch                     | 9.39%  | \$4,739,018      | \$1,992,569 | \$574,233  | \$686,024          | 8.78         |
| Hostage Negotiation Team                    | 4.73%  | \$5,960          | \$1,708     | \$1,585    | \$438              | 0.00         |
| Major Crimes Investigation                  | 14.30% | \$2,061,203      | \$814,509   | \$660,964  | \$505,871          | 3.83         |
| MARR Unit                                   | 7.82%  | \$624,047        | \$246,663   | -\$257,457 | \$47,973           | 0.63         |
| SWAT (TAC-30) Team                          | 9.09%  | \$308,090        | \$90,325    | \$130,057  | \$48,043           | 0.22         |
| <b>Subtotal, Additional Police Services</b> |        |                  |             |            | <b>\$1,901,679</b> | <b>17.69</b> |

Police Support Services

|   |               |  |  |          |                  |             |
|---|---------------|--|--|----------|------------------|-------------|
| Payroll, crime analysis, evidence, recruiting computers, records, personnel, etc. | Per All FTE   |  |  | \$11,258 | \$559,860        | 4.32        |
| Criminal intelligence, training, firing range                                     | Per Sworn FTE |  |  | \$5,375  | \$210,943        | 1.21        |
| <b>Subtotal, Police Support Services</b>  |               |  |  |          | <b>\$770,804</b> | <b>5.53</b> |

Additional Credits and Charges

|   |       |  |  |  |                  |             |
|---|-------|--|--|--|------------------|-------------|
| Overhead Charges                                |       |  |  |  | \$75,323         |             |
| Facility Charges                                | 38.2% |  |  |  | \$90,188         |             |
| <b>Subtotal, Additional Credits and Charges</b> |       |  |  |  | <b>\$165,510</b> | <b>0.00</b> |

Total, Police Services

|   |  |  |  |  |                    |              |
|---|--|--|--|--|--------------------|--------------|
| Fire Investigation charge                           |  |  |  |  | \$28,640           |              |
| <b>TOTAL CONTRACT COST, WITH FIRE INVESTIGATION</b> |  |  |  |  | <b>\$7,300,498</b> | <b>56.21</b> |

Notes

Total Wireless Cards: 22.00 Positions marked with \* include wireless card & access.



**KCSO Five-year Unit Cost Comparison  
Adopted/Proposed Books for Reactive Deputy**

|                     | 2004<br>Adopted   | 2005<br>Proposed  | 2005<br>Adopted   | 2006<br>Proposed  | 2006<br>Adopted   | 2007<br>Proposed  | 2007<br>Adopted   | 2008<br>Proposed  | 2008<br>Adopted   | 2009<br>Proposed  | 2009<br>Adopted   | 2004 -2009<br>Adopted<br>Annual Avg. %<br>Increase 5 yrs. |
|---------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|---|
| Salary              | \$ 57,730         | \$ 59,462         | \$ 59,008         | \$ 60,778         | \$ 60,778         | \$ 62,842         | 62,842            | 64,935            | 65,410            | 69,283            | 69,283            | 4.00%   |
| Benefits            | 20,468            | 23,927            | 21,273            | 24,555            | 23,455            | 26,456            | 26,054            | 26,750            | 26,662            | 28,043            | 30,345            | 9.65%   |
| Special Pays        | 6,836             | 6,736             | 6,445             | 6,493             | 6,474             | 6,821             | 6,775             | 6,899             | 6,579             | 8,419             | 9,091             | 6.60%   |
| Overtime            | 4,460             | 4,547             | 4,686             | 4,814             | 4,891             | 5,101             | 5,095             | 5,402             | 5,441             | 5,664             | 5,987             | 6.85%   |
| Quartermaster       | 424               | 422               | 421               | 420               | 418               | 415               | 415               | 403               | 405               | 405               | 412               | -0.59%  |
| Supplies            | 790               | 770               | 764               | 669               | 675               | 640               | 641               | 715               | 699               | 789               | 967               | 4.47%   |
| Services            | 544               | 528               | 522               | 533               | 538               | 538               | 540               | 535               | 506               | 508               | 698               | 5.67%   |
| Telephone           | 399               | 411               | 401               | 417               | 449               | 471               | 474               | 469               | 435               | 562               | 600               | 10.06%  |
| Motor Pool          | 8,328             | 8,661             | 8,512             | 9,108             | 9,228             | 10,151            | 9,876             | 11,160            | 11,304            | 12,756            | 12,753            | 10.63%  |
| Insurance           | 1,946             | 2,428             | 1,713             | 1,913             | 1,643             | 1,702             | 1,628             | 1,780             | 1,819             | 2,748             | 2,450             | 5.18%   |
| 800 MHz             | 1,577             | 1,594             | 1,598             | 1,626             | 1,613             | 1,683             | 1,687             | 1,932             | 1,919             | 2,046             | 1,784             | 2.62%   |
| Wireless Data       | 0                 | 0                 | 0                 | 0                 | 0                 | 1,272             | 1,272             | 1,128             | 1,128             | 1,120             | 670               | -9.46%  |
| MARR                | 124               | 129               | 125               | 132               | 131               | 139               | 137               | 136               | 133               | 117               | 150               | 4.16%   |
| Div. Admn. Chg.     | 1,176             | 1,216             | 1,187             | 1,253             | 1,327             | 1,394             | 1,392             | 1,090             | 1,173             | 1,193             | 1,146             | -0.50%  |
| Departmentwide Chg. | 7,568             | 7,971             | 8,032             | 8,611             | 8,569             | 9,183             | 9,128             | 11,117            | 11,130            | 11,626            | 11,258            | 9.75%   |
| Sworn Admn. Chg.    | 6,872             | 6,820             | 6,796             | 7,754             | 7,546             | 7,976             | 7,870             | 5,656             | 5,437             | 5,225             | 5,375             | -4.36%  |
| Pct. Support        | 2,857             | 2,641             | 2,573             | 2,728             | 2,785             | 2,945             | 2,894             | 3,052             | 3,004             | 2,715             | 2,569             | -2.01%  |
| Revenue Credit      | (675)             | (276)             | (279)             | (436)             | (435)             | (540)             | (540)             | (537)             | (532)             | (559)             | (426)             | -7.37%  |
| <b>Total</b>        | <b>\$ 121,424</b> | <b>\$ 127,987</b> | <b>\$ 123,777</b> | <b>\$ 131,368</b> | <b>\$ 130,085</b> | <b>\$ 139,189</b> | <b>\$ 138,175</b> | <b>\$ 142,622</b> | <b>\$ 142,649</b> | <b>\$ 152,660</b> | <b>\$ 155,112</b> |   |
| Adopted to Proposed |                   | 5.41%             |                   | 6.13%             |                   | 7.00%             |                   | 3.22%             |                   | 7.02%             |                   |   |
| Proposed to Adopted | -0.18%            |                   | -3.29%            |                   | -0.98%            |                   | -0.78%            |                   | -0.02%            |                   | -1.72%            |   |
| Adopted to Adopted  | 4.17%             |                   | 1.94%             |                   | 5.10%             |                   | 6.22%             |                   | 3.24%             |                   | 8.74%             | 5.88%   |

**Notes:**

- Over the last five years, the Adopted to Adopted unit cost of a Reactive Patrol Deputy has increased on an average of 5.88%. 2009 Proposed Book is lower than Adopted due to unexpected increase in benefits and higher special pays related to the Guild labor agreement.
- Direct Salary, Pays, and Benefits line items reflect more than 75% of this increase  
Beginning in 2007, computer replacement costs moved from separate line-item into department wide overhead, and wireless data services were added. These changes increased avg costs separate from inflation.



### Methodology

#### 41 comparison cities were studied for 2008:

|               |             |                  |               |              |
|---------------|-------------|------------------|---------------|--------------|
| Algona        | Covington   | Kirkland         | Newcastle     | Seattle      |
| Auburn        | Des Moines  | Lake Forest Park | Normandy Park | Shoreline    |
| Beaux Arts    | Duvall      | Lynnwood         | North Bend    | Skykomish    |
| Bellevue      | Federal Way | Maple Valley     | Puyallup      | Snoqualmie   |
| Black Diamond | Hunts Point | Medina           | Redmond       | Sumner       |
| Bothell       | Issaquah    | Mercer Island    | Renton        | Tukwila      |
| Burien        | Kenmore     | Mill Creek       | Sammamish     | Woodinville  |
| Carnation     | Kent        | Mukilteo         | SeaTac        | Yarrow Point |
| Clyde Hill    |             |                  |               |              |

#### Data gathered for each city

- City police budget, general fund, total expenditures
- Number of budgeted sworn officers
- Crime rates
- Population
- Average response times
- Dispatched calls for service per sworn officer
- Cost per capita over time
- Sworn per capita over time

#### Analysis of city police budgets

- As close to apples-to-apples comparison as possible
- Subtracted: detention/corrections, court, animal control, public defense, prosecution, capital costs
- Included: criminal justice funds, communications

### Calculations

|                 | Average<br>DCFS/Sworn | Average<br>Cost/Capita | Average<br>Cost/Sworn | Average<br>Sworn/1000 | Average<br>crime rate |
|-----------------|-----------------------|------------------------|-----------------------|-----------------------|-----------------------|
| Contract cities | 221                   | \$171                  | \$163,776             | 1.04                  | 36.34                 |
| Other Cities    | 330                   | \$332                  | \$178,010             | 1.86                  | 41.92                 |

### Suggestions for future studies?

- Change to methodology?
- Change to mix of cities?
- Helpful to have general fund & total expenditure amounts?
- Different way to present data to make it more digestible for city?

### 2009 Study

- Estimated production in 2<sup>nd</sup> & 3<sup>rd</sup> quarter.
- Distribution end of 3<sup>rd</sup> quarter.

City Chiefs and Finance Directors,

Updated: April 6, 2009

Enclosed are the 2008 KCSO contract city cost comparables. In 2008, 41 comparable cities were selected from King, Pierce, and Snohomish Counties. Comparables include:

- City police general fund total expenditure comparisons
- Number of budgeted sworn officers
- Crime rates
- Population
- Average response times
- Dispatched calls for service per sworn officer
- Cost per sworn officer
- Cost per capita over time
- Sworn per capita over time

Calculation pages are shown with red tabs. Blue-tabbed data worksheets are hidden to make the document more navigable. However, they can be unhidden (*Format > Sheet > Unhide*) to show the data feeding the results pages.

While all information was requested of each city, not all cities responded. Likewise, some cities were not listed in certain state reports. Missing information is indicated by a blank cell.

There may be caveats to consider when comparing information between cities. Please see the "Notes to Consider" at the bottom of each calculation page for this information.

Comments and questions about presentation or how we arrived at calculations are encouraged. Please feel free to contact Robin Rask at (206) 205-0470 or [robin.rask@kingcounty.gov](mailto:robin.rask@kingcounty.gov).

Other City Comparables

|                 | Average DCFS/Sworn | Average Cost/Capita | Average Cost/Sworn | Average Sworn/1000 | Average crime rate |
|-----------------|--------------------|---------------------|--------------------|--------------------|--------------------|
| Contract cities | 221                | \$171               | \$163,776          | 1.04               | 36.34              |
| Other Cities    | 330                | \$332               | \$178,010          | 1.86               | 41.92              |

| Year: 2008       | Data               |                 |                     |               |                            |                 | Data Calculations |              |                  |                  |
|------------------|--------------------|-----------------|---------------------|---------------|----------------------------|-----------------|-------------------|--------------|------------------|------------------|
|                  | 2008 Police Budget | 2008 Population | 2008 Budgeted Sworn | 2007 DCFS     | 2007 Average Response Time | 2007 Crime rate | DCFS/ Sworn*      | Cost/Capita  | Cost/Sworn       | Total Sworn/1000 |
| Algona           | \$947,221          | 2,740           | 7.00                | 5,027         | 3.00                       | 29.00           | 718               | \$346        | \$135,317        | 2.55             |
| Auburn           | \$15,923,245       | 67,005          | 114.00              | 55,553        | 3.01                       | 69.40           | 487               | \$238        | \$139,678        | 1.70             |
| Beaux Arts       | \$14,500           | 310             | 0.07                | 40            |                            |                 | 571               | \$47         | \$207,143        | 0.23             |
| Bellevue         | \$37,801,001       | 119,200         | 182.00              | 61,750        | 3.93                       | 36.70           | 339               | \$317        | \$207,698        | 1.53             |
| Black Diamond    | \$1,566,071        | 4,155           | 12.00               | 2,513         |                            | 13.80           | 209               | \$377        | \$130,506        | 2.89             |
| Bothell          | \$10,603,869       | 32,860          | 58.00               | 23,214        | 6.03                       | 24.60           | 400               | \$323        | \$182,825        | 1.77             |
| Burien           | \$6,987,800        | 31,540          | 42.67               | 10,896        | 3.28                       | 60.70           | 255               | \$222        | \$163,764        | 1.35             |
| Carnation        | \$468,831          | 1,905           | 3.50                | 944           | 4.00                       | 5.80            | 270               | \$246        | \$133,952        | 1.84             |
| Clyde Hill       | \$938,200          | 2,805           | 9.00                |               |                            | 13.90           |                   | \$334        | \$104,244        | 3.21             |
| Covington        | \$2,603,802        | 17,360          | 16.18               | 3,837         | 3.49                       | 31.10           | 237               | \$150        | \$160,927        | 0.93             |
| Des Moines       | \$9,372,497        | 29,180          | 47.00               | 21,672        | 3.09                       | 34.60           | 461               | \$321        | \$199,415        | 1.61             |
| Duvall           | \$1,792,879        | 5,925           | 11.50               | 2,918         |                            | 5.80            | 254               | \$303        | \$155,903        | 1.94             |
| Federal Way      | \$20,039,662       | 88,040          | 136.00              | 59,593        | 3.53                       | 58.90           | 438               | \$228        | \$147,350        | 1.54             |
| Hunts Point      | \$250,000          | 475             |                     |               | 3.00                       |                 |                   | \$526        |                  |                  |
| Issaquah         | \$5,558,325        | 26,320          | 33.00               | 15,564        | 3.50                       | 35.30           | 472               | \$211        | \$168,434        | 1.25             |
| Kenmore          | \$2,782,510        | 20,220          | 16.78               | 3,604         | 3.56                       | 24.10           | 215               | \$138        | \$165,823        | 0.83             |
| Kent             | \$27,400,220       | 86,980          | 130.00              | 94,065        | 3.50                       | 62.60           | 724               | \$315        | \$210,771        | 1.49             |
| Kirkland         | \$13,276,154       | 48,410          | 69.00               | 37,590        | 6.00                       | 40.90           | 545               | \$274        | \$192,408        | 1.43             |
| Lake Forest Park |                    | 12,810          | 22.00               | 9,874         |                            | 20.00           | 449               |              |                  | 1.72             |
| Lynnwood         | \$11,369,500       | 35,680          | 79.00               |               |                            | 85.00           |                   | \$319        | \$143,918        | 2.21             |
| Maple Valley     | \$2,192,818        | 20,480          | 12.94               | 3,162         | 4.47                       | 19.00           | 244               | \$107        | \$169,460        | 0.63             |
| Medina           | \$1,827,941        | 2,955           | 12.94               | 3,162         | 4.47                       | 22.70           | 244               | \$619        | \$141,263        | 4.38             |
| Mercer Island    | \$4,681,174        | 22,650          | 35.50               | 9,825         | 4.00                       | 18.10           | 277               | \$207        | \$131,864        | 1.57             |
| Mill Creek       | \$3,082,888        | 17,770          | 26.00               | 11,478        |                            | 33.80           | 441               | \$173        | \$118,573        | 1.46             |
| Mukilteo         | \$3,878,951        | 20,050          | 29.00               | 13,818        | 3.39                       | 30.10           | 476               | \$193        | \$133,757        | 1.45             |
| Newcastle        | \$1,321,953        | 9,720           | 8.64                | 1,404         | 3.80                       | 23.80           | 163               | \$136        | \$153,004        | 0.89             |
| Normandy Park    | \$1,637,270        | 6,425           | 12.00               | 2,724         | 2.50                       | 21.30           | 227               | \$255        | \$136,439        | 1.87             |
| North Bend       | \$1,309,310        | 4,710           | 7.75                | 1,393         | 4.89                       | 33.40           | 180               | \$278        | \$168,943        | 1.65             |
| Puyallup         | \$12,905,584       | 36,930          | 58.00               | 56,345        | 3.50                       | 86.70           | 971               | \$349        | \$222,510        | 1.57             |
| Redmond          | \$12,726,052       | 51,320          | 42.50               | 28,055        | 4.50                       | 34.90           | 660               | \$248        | \$299,437        | 0.83             |
| Renton           | \$18,617,149       | 78,780          | 123.00              | 53,570        | 2.73                       | 71.60           | 436               | \$236        | \$151,359        | 1.56             |
| Sammamish        | \$3,916,490        | 40,550          | 25.76               | 3,797         | 4.59                       | 14.00           | 147               | \$97         | \$152,038        | 0.64             |
| SeaTac           | \$7,795,040        | 25,720          | 46.08               | 10,858        | 3.97                       | 74.80           | 236               | \$303        | \$169,163        | 1.79             |
| Seattle          | \$235,716,886      | 592,800         | 1,308.00            | 233,948       | 7.00                       | 64.50           | 179               | \$398        | \$180,212        | 2.21             |
| Shoreline        | \$9,037,739        | 53,440          | 54.53               | 12,096        | 3.75                       | 34.30           | 222               | \$169        | \$165,739        | 1.02             |
| Skykomish        | \$18,155           | 210             | 0.12                | 15            |                            |                 | 125               | \$86         | \$151,292        | 0.57             |
| Snoqualmie       | \$2,724,905        | 9,360           |                     |               |                            | 15.60           |                   | \$291        |                  |                  |
| Sumner           | \$4,011,830        | 9,060           |                     |               |                            | 59.20           |                   | \$443        |                  |                  |
| Tukwila          | \$11,752,739       | 18,080          | 68.00               | 33,985        | 2.82                       | 170.70          | 500               | \$650        | \$172,834        | 3.76             |
| Woodinville      | \$2,110,721        | 10,560          | 13.27               | 2,989         | 3.58                       | 48.20           | 225               | \$200        | \$159,060        | 1.26             |
| Yarrow Point     | \$318,850          | 970             |                     |               |                            | 8.20            |                   | \$329        |                  |                  |
|                  |                    | <b>Average</b>  | <b>77.64</b>        | <b>25,465</b> | <b>3.90</b>                | <b>40.45</b>    | <b>371</b>        | <b>\$275</b> | <b>\$164,639</b> | <b>1.65</b>      |
|                  |                    | <b>Median</b>   | <b>33.00</b>        | <b>10,896</b> | <b>3.67</b>                | <b>34.05</b>    | <b>277</b>        | <b>\$265</b> | <b>\$162,345</b> | <b>1.56</b>      |

\*Notes to Consider

- 1) Weighted averages are used beginning in the 2008 cost comparison study.
- 2) Cities that do not have reported information are not included in averages.
- 3) City budgets are 2008 budgets, found on city websites or via city finance personnel.
- 4) Population is from WA OFM 2008 population estimates.
- 5) Total sworn numbers are from 2008 city budgets.
- 6) DCFS = Dispatched Call for Service. Agencies count this differently. While KCSO records call receipt to officer arrival, other agencies record only officer travel time. Where known, differences have been noted where possible on the hidden "DCFS & ART" tab.
- 7) Average Response Times are for highest priority calls. Noted here in minutes. Note that Beaux Arts and Skykomish did not have any calls of the highest priority.
- 8) Crime rates are from WASPC, Washington Association of Sheriffs and Police Chiefs.
- 9) Per Finance Director suggestion in 2006, we are now using the budgeted city FTEs (under hidden "CityBudgetFTE#" tab) to calculate sworn/1,000. WASPC FTE numbers (under hidden "Sworn" tab) are used prior to 2006.
- 10) DCFS/Sworn here compares 2007 DCFS to 2008 budget sworn counts. 2008 DCFS was not yet available at the time this report was produced.

City Police, General Fund, and Total Expenditure Comparisons

| Year: 2008       | 2008 Police Budget | 2008 General Fund Expenditures | 2008 Total Expenditures | Police as % of General Expenditures | Police as % of Total Expenditures |
|------------------|--------------------|--------------------------------|-------------------------|-------------------------------------|-----------------------------------|
| Algona           | \$947,221          | \$4,034,195                    | \$12,784,677            | 23.48%                              | 7.41%                             |
| Auburn           | \$15,923,245       | \$55,928,400                   | \$126,620,600           | 28.47%                              | 12.58%                            |
| Beaux Arts       | \$14,500           | \$195,365                      | \$302,175               | 7.42%                               | 4.80%                             |
| Bellevue         | \$37,801,001       | \$145,177,501                  | \$489,998,912           | 26.04%                              | 7.71%                             |
| Black Diamond    | \$1,566,071        | \$4,059,175                    | \$6,782,354             | 38.58%                              | 23.09%                            |
| Bothell          | \$10,603,869       | \$64,502,164                   | \$164,770,650           | 16.44%                              | 6.44%                             |
| Burien           | \$6,987,800        | \$15,733,386                   | \$31,095,948            | 44.41%                              | 22.47%                            |
| Carnation        | \$468,831          | \$1,075,052                    | \$10,138,258            | 43.61%                              | 4.62%                             |
| Clyde Hill       | \$938,200          | \$3,113,600                    | \$4,566,000             | 30.13%                              | 20.55%                            |
| Covington        | \$2,603,802        | \$6,477,116                    | \$22,512,716            | 40.20%                              | 11.57%                            |
| Des Moines       | \$9,372,497        | \$17,807,543                   | \$48,200,395            | 52.63%                              | 19.44%                            |
| Duvall           | \$1,792,879        | \$5,051,071                    | \$20,513,292            | 35.50%                              | 8.74%                             |
| Federal Way      | \$20,039,662       | \$44,294,639                   | \$99,147,554            | 45.24%                              | 20.21%                            |
| Hunts Point      | \$250,000          |                                |                         |                                     |                                   |
| Issaquah         | \$5,558,325        | \$31,117,540                   | \$110,431,816           | 17.86%                              | 5.03%                             |
| Kenmore          | \$2,782,510        | \$10,279,083                   | \$51,794,054            | 27.07%                              | 5.37%                             |
| Kent             | \$27,400,220       | \$82,380,945                   | \$154,307,931           | 33.26%                              | 17.76%                            |
| Kirkland         | \$13,276,154       | \$53,118,158                   | \$97,426,440            | 24.99%                              | 13.63%                            |
| Lake Forest Park |                    | \$6,651,257                    | \$20,950,611            |                                     |                                   |
| Lynnwood         | \$11,369,500       | \$42,427,618                   | \$68,994,401            | 26.80%                              | 16.48%                            |
| Maple Valley     | \$2,192,818        | \$8,333,893                    | \$21,928,999            | 26.31%                              | 10.00%                            |
| Medina           | \$1,827,941        | \$4,821,759                    | \$7,284,275             | 37.91%                              | 25.09%                            |
| Mercer Island    | \$4,681,174        | \$21,489,007                   | \$52,430,078            | 21.78%                              | 8.93%                             |
| Mill Creek       | \$3,082,888        | \$9,873,894                    | \$17,551,205            | 31.22%                              | 17.57%                            |
| Mukilteo         | \$3,878,951        | \$13,579,641                   | \$32,521,794            | 28.56%                              | 11.93%                            |
| Newcastle        | \$1,321,953        | \$7,240,235                    | \$39,252,984            | 18.26%                              | 3.37%                             |
| Normandy Park    | \$1,637,270        | \$3,869,902                    | \$8,229,585             | 42.31%                              | 19.89%                            |
| North Bend       | \$1,309,310        | \$4,752,190                    | \$18,000,000            | 27.55%                              | 7.27%                             |
| Puyallup         | \$12,905,584       | \$57,486,627                   | \$159,911,581           | 22.45%                              | 8.07%                             |
| Redmond          | \$12,726,052       | \$64,600,754                   | \$299,731,407           | 19.70%                              | 4.25%                             |
| Renton           | \$18,617,149       | \$95,092,183                   | \$246,808,359           | 19.58%                              | 7.54%                             |
| Sammamish        | \$3,916,490        | \$29,337,557                   | \$67,888,834            | 13.35%                              | 5.77%                             |
| SeaTac           | \$7,795,040        | \$28,114,180                   | \$54,714,458            | 27.73%                              | 14.25%                            |
| Seattle          | \$235,716,886      | \$925,687,000                  | \$3,510,513,000         | 25.46%                              | 6.71%                             |
| Shoreline        | \$9,037,739        | \$27,857,741                   | \$89,729,946            | 32.44%                              | 10.07%                            |
| Skykomish        | \$18,155           | \$1,352,663                    | \$6,742,054             | 1.34%                               | 0.27%                             |
| Snoqualmie       | \$2,724,905        | \$10,057,721                   | \$62,051,924            | 27.09%                              | 4.39%                             |
| Sumner           | \$4,011,830        | \$13,355,390                   | \$20,346,440            | 30.04%                              | 19.72%                            |
| Tukwila          | \$11,752,739       | \$44,849,643                   | \$136,431,760           | 26.20%                              | 8.61%                             |
| Woodinville      | \$2,110,721        | \$7,888,319                    | \$20,127,920            | 26.76%                              | 10.49%                            |
| Yarrow Point     | \$318,850          | \$924,965                      | \$1,673,827             | 34.47%                              | 19.05%                            |
| <b>Average</b>   |                    | <b>\$49,349,727</b>            | <b>\$160,380,230</b>    | <b>28.27%</b>                       | <b>11.57%</b>                     |
| <b>Median</b>    |                    | <b>\$13,467,516</b>            | <b>\$43,726,690</b>     | <b>27.09%</b>                       | <b>10.00%</b>                     |

**Notes to Consider**

- 1) City budgets are 2008 budgets, found on city websites or via city finance personnel.
- 2) Some cities include previous year fund balances in their total budget amounts. Wherever possible, fund balances (those not planned for expenditure) were deducted from the total budget amounts.
- 3) For police budgets, we may have subtracted specific budget items in an effort to allow for the best comparison to KCSO police contract budgets. Such items include jail services/corrections/detention, animal control, and police capital improvements, which are not included in KCSO police contract budgets. Not all cities itemize these services in their budgets; therefore, some police budgets still may contain these items. See hidden "PoliceBudget" cell notes for specific information.
- 4) Some police budgets included police capital improvement costs while others did not. Where these amounts were found, they were deducted from the total budget.

**Cost per Capita over Time**

| Municipality     | 2000            | 2001            | 2002            | 2003            | 2004            | 2005            | 2006            | 2007            | 2008            | Average         |
|------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Algona           | \$260.68        | \$251.09        | \$270.83        | \$260.10        | \$272.37        | \$304.68        | \$323.16        | \$260.52        | \$345.70        | \$283.24        |
| Auburn           |                 |                 |                 | \$280.21        | \$310.10        | \$259.96        | \$264.75        | \$311.38        | \$237.64        | \$277.34        |
| Beaux Arts       | \$34.57         | \$35.08         | \$42.12         | \$40.41         | \$39.01         | \$40.78         | \$42.13         | \$69.81         | \$46.77         | \$43.41         |
| Bellevue         | \$354.70        | \$362.26        | \$363.85        | \$333.16        | \$332.87        | \$325.72        | \$331.19        | \$308.95        | \$317.12        | \$336.65        |
| Black Diamond    |                 |                 |                 |                 | \$296.90        | \$295.66        | \$349.82        |                 | \$376.91        | \$329.82        |
| Bothell          |                 | \$242.68        | \$254.09        | \$223.63        | \$256.63        | \$259.06        | \$263.28        | \$317.75        | \$322.70        | \$267.48        |
| Burien           | \$139.83        | \$156.00        | \$174.55        | \$173.37        | \$191.87        | \$204.35        | \$212.99        | \$221.50        | \$221.55        | \$188.45        |
| Carnation        | \$128.17        | \$166.15        | \$218.09        | \$201.42        | \$228.76        | \$200.41        | \$209.07        | \$214.96        | \$246.11        | \$201.46        |
| Clyde Hill       |                 | \$266.41        | \$283.74        | \$304.07        | \$333.08        | \$350.63        | \$395.19        | \$434.32        | \$334.47        | \$337.74        |
| Covington        | \$93.75         | \$116.56        | \$112.35        | \$110.60        | \$120.29        | \$113.48        | \$118.51        | \$130.38        | \$149.99        | \$118.43        |
| Des Moines       | \$163.49        | \$184.09        | \$191.97        | \$197.24        | \$221.99        | \$235.07        | \$228.98        | \$282.44        | \$321.20        | \$225.16        |
| Duvall           | \$155.91        | \$168.56        | \$185.54        | \$190.18        | \$182.55        | \$200.50        | \$220.10        | \$268.84        | \$302.60        | \$208.31        |
| Federal Way      |                 |                 | \$169.85        | \$176.64        | \$191.36        | \$180.80        | \$186.20        | \$221.23        | \$227.62        | \$193.39        |
| Hunts Point      |                 |                 |                 |                 |                 |                 |                 |                 | \$526.32        | \$526.32        |
| Issaquah         | \$262.32        | \$248.43        | \$251.61        | \$243.00        | \$253.44        | \$237.97        | \$244.81        | \$215.48        | \$211.18        | \$240.91        |
| Kenmore          | \$80.25         | \$90.85         | \$114.74        | \$106.45        | \$111.01        | \$117.55        | \$123.13        | \$132.76        | \$137.61        | \$112.71        |
| Kent             |                 |                 | \$181.45        | \$186.02        | \$188.07        | \$220.55        | \$247.00        | \$268.33        | \$315.02        | \$229.49        |
| Kirkland         |                 | \$197.68        | \$203.52        | \$231.33        | \$237.39        | \$253.21        | \$252.85        | \$269.15        | \$274.24        | \$239.92        |
| Lake Forest Park | \$177.54        | \$171.29        | \$169.21        | \$180.60        | \$187.04        | \$193.06        | \$206.68        | \$221.55        |                 | \$188.37        |
| Lynnwood         |                 | \$213.97        | \$223.56        | \$243.96        | \$250.99        | \$271.34        | \$276.30        | \$305.78        | \$318.65        | \$263.07        |
| Maple Valley     | \$98.25         | \$100.79        | \$107.75        | \$103.06        | \$103.68        | \$101.56        | \$101.29        | \$104.90        | \$107.07        | \$103.15        |
| Medina           |                 |                 |                 |                 |                 |                 |                 |                 | \$618.59        | \$618.59        |
| Mercer Island    |                 |                 |                 | \$199.02        | \$198.75        | \$200.47        | \$204.05        | \$221.85        | \$206.67        | \$205.14        |
| Mill Creek       |                 |                 |                 |                 |                 |                 |                 |                 | \$173.49        | \$173.49        |
| Mukilteo         | \$110.01        | \$116.07        | \$127.46        | \$131.78        | \$134.22        | \$144.87        | \$153.68        | \$164.76        | \$193.46        | \$141.81        |
| Newcastle        | \$88.28         | \$104.42        | \$129.08        | \$127.17        | \$131.68        | \$129.80        | \$132.67        | \$134.93        | \$136.00        | \$123.78        |
| Normandy Park    | \$153.17        | \$165.80        | \$176.14        | \$186.83        | \$214.11        | \$236.39        | \$235.66        | \$274.71        | \$254.83        | \$210.85        |
| North Bend       | \$175.86        | \$197.86        | \$203.03        | \$186.84        | \$231.95        | \$239.64        | \$245.89        | \$267.25        | \$277.99        | \$225.14        |
| Puyallup         | \$233.36        | \$240.09        | \$246.73        | \$231.66        | \$287.28        | \$359.96        | \$357.27        | \$331.05        | \$349.46        | \$292.98        |
| Redmond          | \$194.63        | \$206.13        | \$209.78        | \$218.28        | \$222.82        | \$221.59        | \$217.76        | \$243.79        | \$247.97        | \$220.31        |
| Renton           | \$219.46        | \$218.73        | \$219.15        | \$224.35        | \$218.98        | \$230.14        | \$265.29        | \$272.47        | \$236.32        | \$233.88        |
| Sammamish        | \$75.03         | \$88.52         | \$79.45         | \$84.31         | \$92.69         | \$93.60         | \$95.18         | \$96.99         | \$96.58         | \$89.15         |
| SeaTac           | \$224.70        | \$229.91        | \$229.14        | \$231.74        | \$243.64        | \$250.40        | \$272.29        | \$288.99        | \$303.07        | \$252.65        |
| Seattle          | \$274.11        | \$296.96        | \$305.74        | \$321.82        | \$307.20        | \$311.87        | \$328.79        | \$355.42        | \$397.63        | \$322.17        |
| Shoreline        | \$110.53        | \$118.55        | \$127.24        | \$126.12        | \$138.61        | \$145.32        | \$153.69        | \$161.03        | \$169.12        | \$138.91        |
| Skykomish        | \$47.57         | \$44.06         | \$122.64        | \$70.94         | \$71.43         | \$76.30         | \$58.97         | \$100.30        | \$86.45         | \$75.41         |
| Snoqualmie       | \$700.01        | \$476.25        | \$428.51        | \$427.15        | \$394.38        | \$310.70        | \$261.89        | \$275.06        | \$291.12        | \$396.12        |
| Sumner           | \$243.51        | \$259.04        | \$285.10        | \$294.09        | \$317.29        | \$353.09        | \$380.18        | \$397.82        | \$442.81        | \$330.33        |
| Tukwila          | \$490.89        | \$510.11        | \$529.25        | \$550.78        | \$596.23        | \$613.90        | \$620.75        | \$623.55        | \$650.04        | \$576.17        |
| Woodinville      | \$138.67        | \$147.49        | \$144.28        | \$147.12        | \$156.59        | \$155.72        | \$179.87        | \$197.15        | \$199.88        | \$162.98        |
| Yarrow Point     |                 |                 |                 |                 |                 |                 |                 |                 | \$328.71        | \$328.71        |
| <b>Average</b>   | <b>\$193.90</b> | <b>\$199.75</b> | <b>\$208.28</b> | <b>\$209.60</b> | <b>\$223.44</b> | <b>\$228.11</b> | <b>\$236.79</b> | <b>\$249.09</b> | <b>\$275.02</b> | <b>\$244.72</b> |
| <b>Median</b>    | <b>\$159.70</b> | <b>\$190.89</b> | <b>\$197.50</b> | <b>\$198.13</b> | <b>\$221.99</b> | <b>\$230.14</b> | <b>\$235.66</b> | <b>\$263.88</b> | <b>\$264.54</b> | <b>\$225.16</b> |

| Contract | Non-Contract |
|----------|--------------|
|          | \$283        |
|          | \$277        |
| \$43     |              |
|          | \$337        |
|          | \$330        |
|          | \$267        |
| \$188    |              |
|          | \$201        |
|          | \$338        |
| \$118    |              |
|          | \$225        |
|          | \$208        |
|          | \$193        |
|          | \$526        |
|          | \$241        |
| \$113    |              |
|          | \$229        |
|          | \$240        |
|          | \$188        |
|          | \$263        |
| \$103    |              |
|          | \$619        |
|          | \$205        |
|          | \$173        |
|          | \$142        |
| \$124    |              |
|          | \$211        |
| \$225    |              |
|          | \$293        |
|          | \$220        |
|          | \$234        |
| \$89     |              |
| \$253    |              |
|          | \$322        |
| \$139    |              |
| \$75     |              |
|          | \$396        |
|          | \$330        |
|          | \$576        |
| \$163    |              |
|          | \$329        |

|          |              |
|----------|--------------|
| \$136    | \$290        |
| Contract | Non-Contract |

**Notes to Consider**

1) Averages exclude zero values.

## Sworn per Thousand over Time

| Municipality     | 2000        | 2001        | 2002        | 2003        | 2004        | 2005        | 2006        | 2007        | Average     |
|------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Algona           | 2.44        | 2.40        | 2.38        | 2.32        | 1.54        | 2.26        | 2.23        | 2.20        | 2.22        |
| Auburn           | 1.86        | 1.86        | 1.84        | 1.83        | 1.80        | 1.79        | 1.70        | 1.74        | 1.80        |
| Beaux Arts       | 0.26        | 0.26        | 0.31        | 0.17        | 0.23        | 0.24        | 0.23        | 0.23        | 0.24        |
| Bellevue         | 1.48        | 1.52        | 1.44        | 1.50        | 1.51        | 1.49        | 1.43        | 1.45        | 1.48        |
| Black Diamond    | 2.52        | 2.49        | 2.49        | 3.00        | 2.50        | 2.70        | 2.45        | 2.91        | 2.63        |
| Bothell          | 1.53        | 1.64        | 1.72        | 1.71        | 1.71        | 1.71        | 1.70        | 1.70        | 1.68        |
| Burien           | 1.07        | 1.14        | 1.25        | 1.26        | 1.26        | 1.25        | 1.27        | 1.26        | 1.22        |
| Carnation        | 1.58        | 1.65        | 1.60        | 1.66        |             |             |             |             | 1.62        |
| Clyde Hill       | 2.42        | 2.76        | 2.79        | 2.47        | 2.15        | 2.52        | 2.50        | 3.20        | 2.60        |
| Covington        | 0.87        | 0.92        | 0.85        | 0.85        | 0.83        | 0.75        | 0.73        | 0.76        | 0.82        |
| Des Moines       | 1.33        | 1.49        | 1.46        | 1.48        | 1.48        | 1.35        | 1.27        | 1.24        | 1.39        |
| Duvall           | 1.95        | 2.06        | 1.93        | 1.83        | 2.16        | 2.32        | 2.27        | 2.74        | 2.16        |
| Federal Way      | 1.25        | 1.25        | 1.30        | 1.35        | 1.36        | 1.29        | 1.34        | 1.46        | 1.33        |
| Hunts Point      |             |             |             |             |             |             |             |             |             |
| Issaquah         | 2.50        | 2.16        | 2.03        | 1.85        | 1.81        | 1.64        | 1.58        | 1.30        | 1.86        |
| Kenmore          | 0.80        | 0.77        | 0.79        | 0.77        | 0.77        | 0.77        | 0.75        | 0.76        | 0.77        |
| Kent             | 1.53        | 1.50        | 1.44        | 1.41        | 1.40        | 1.37        | 1.46        | 1.45        | 1.44        |
| Kirkland         | 1.38        | 1.35        | 1.38        | 1.42        | 1.40        | 1.38        | 1.44        | 1.38        | 1.39        |
| Lake Forest Park | 1.71        | 1.71        | 1.71        | 1.73        | 1.72        | 1.73        | 1.64        | 1.64        | 1.70        |
| Lynnwood         | 1.89        | 1.91        | 1.94        | 1.94        | 1.85        | 1.92        | 1.90        | 2.00        | 1.92        |
| Maple Valley     | 0.83        | 0.88        | 0.86        | 0.81        | 0.77        | 0.65        | 0.61        | 0.59        | 0.75        |
| Medina           | 3.32        | 3.68        | 2.99        | 3.37        | 2.71        | 3.07        | 3.06        | 2.71        | 3.11        |
| Mercer Island    | 1.45        | 1.41        | 1.46        | 1.37        | 1.37        | 1.29        | 1.42        | 1.34        | 1.39        |
| Mill Creek       |             |             |             |             |             |             |             | 1.25        | 1.25        |
| Mukilteo         | 1.22        | 1.20        | 1.30        | 1.25        | 1.20        | 1.19        | 1.12        | 1.25        | 1.22        |
| Newcastle        | 1.03        | 0.99        | 0.95        | 0.92        | 0.93        | 0.88        | 0.86        | 0.83        | 0.92        |
| Normandy Park    | 1.88        | 1.87        | 2.03        | 2.05        | 2.03        | 1.88        | 2.03        | 2.02        | 1.97        |
| North Bend       | 1.47        | 1.44        | 1.30        | 1.34        | 1.45        | 1.52        | 1.41        | 1.47        | 1.43        |
| Puyallup         | 1.51        | 1.47        | 1.46        | 1.58        | 1.43        | 1.42        | 1.51        | 1.41        | 1.48        |
| Redmond          | 1.57        | 1.49        | 1.54        | 1.64        | 1.49        | 1.49        | 1.48        | 1.52        | 1.53        |
| Renton           | 1.70        | 1.66        | 1.62        | 1.60        | 1.59        | 1.55        | 1.58        | 1.63        | 1.61        |
| Sammamish        | 0.69        | 0.66        | 0.65        | 0.64        | 0.63        | 0.62        | 0.60        | 0.59        | 0.63        |
| SeaTac           | 1.76        | 1.69        | 1.68        | 1.73        | 1.71        | 1.67        | 1.71        | 1.73        | 1.71        |
| Seattle          | 2.26        | 2.27        | 2.22        | 2.15        | 2.17        | 2.24        | 2.20        | 2.17        | 2.21        |
| Shoreline        | 0.90        | 0.90        | 0.93        | 0.92        | 0.94        | 0.93        | 0.95        | 0.96        | 0.93        |
| Skykomish        | 0.42        | 0.37        | 0.98        | 0.52        | 0.71        | 0.48        | 0.33        | 0.62        | 0.55        |
| Snoqualmie       | 9.81        | 4.39        | 3.33        | 2.93        | 2.54        | 2.05        | 1.54        | 1.28        | 3.48        |
| Sumner           | 2.12        | 2.10        | 1.96        | 2.16        | 2.04        | 2.13        | 1.88        | 1.99        | 2.05        |
| Tukwila          | 4.13        | 4.06        | 4.05        | 3.83        | 3.71        | 3.92        | 3.74        | 3.72        | 3.90        |
| Woodinville      | 1.06        | 0.99        | 1.00        | 1.01        | 1.01        | 1.00        | 1.03        | 1.12        | 1.03        |
| Yarrow Point     |             |             |             |             |             |             |             |             |             |
| <b>Average:</b>  | <b>1.83</b> | <b>1.69</b> | <b>1.66</b> | <b>1.64</b> | <b>1.57</b> | <b>1.58</b> | <b>1.54</b> | <b>1.57</b> | <b>1.63</b> |
| <b>Median:</b>   | <b>1.53</b> | <b>1.51</b> | <b>1.50</b> | <b>1.59</b> | <b>1.49</b> | <b>1.49</b> | <b>1.48</b> | <b>1.45</b> | <b>1.48</b> |

### Notes to Consider

- 1) Calculated using SEA report figures and WASPC sworn numbers. "Other Comps" page uses budgeted city FTEs, per Oyster recommendation, from 2006 on.