



CITY COUNCIL MEETING AGENDA

September 14, 2009

SPECIAL MEETING, Miller Creek Conference Room, 3rd Floor

For the purpose of holding an Executive Session to discuss real estate per RCW 42.30.110(1b)

6:00 p.m.

and

Council Meeting, 1st Floor

7:00 p.m.

Burien City Hall, Council Chambers

400 SW 152nd Street, 1st Floor

Burien, Washington 98166

PAGE NO.

1. CALL TO ORDER

2. EXECUTIVE SESSION

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

5. AGENDA CONFIRMATION

6. 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.

7. CORRESPONDENCE FOR THE RECORD

- a. Letter Dated July 22, 2009, from Nandhni (Nan) Maharaj Regarding Wah Long Sports Bar Complaint with Response from Scott Kimerer, Police Chief. 3.
- b. Letter Dated July 22, 2009, from Jordan Pomeroy Regarding Wah Long Sports Bar Complaint with Response from Scott Kimerer, Police Chief. 7.
- c. Letter Received July 27, 2009, from Ben Seaman Regarding Wah Long Sports Bar Complaint with Response from Scott Kimerer, Police Chief. 13.
- d. Letter Dated August 20, 2009, from Fredrick G. Novota Regarding "New Library Needs Pay Phone," Letters to Editor, (Article in Highline Times, August 19th, 2009) with Response from Mike Martin, City Manager. 17.

COUNCILMEMBERS

Joan McGilton, Mayor
Kathy Keene

Sue Blazak, Deputy Mayor
Lucy Krakowiak

Rose Clark
Sally Nelson
Gordon Shaw

CITY COUNCIL MEETING AGENDA

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7. CORRESPONDENCE FOR THE RECORD (cont'd.)	e. Email Dated August 23, 2009, from Troy Rimmelspacher Regarding Burien "Timed" Stop Lights, How Silly are You Guys? with Response from Doug Lamothe, Interim Public Works Director.	21.
	f. Email Dated August 26, 2009, from Sue Love Regarding Sidewalks and Bike Pathways with Response from Jenn Ramirez Robson, Management Analyst.	23.
	g. Email Dated August 27, 2009, from Erik Utter Regarding KUOW Weekday.	25.
	h. Email Dated September 5, 2009, from Tim Eyman Regarding Unable to Attend Your I-1033 Hearing on 9/28, However, We Ask... .	27.
8. PRESENTATIONS	a. Introduction of New Employee Larry Blanchard, Public Works Director.	
	b. Proponents of Initiative Measure No. 1033 Concerns State, County and City Revenue	
	c. Opponents of Initiative Measure No. 1033 Concerns State, County and City Revenue.	
	d. Presentation by David Johnson, Navos, and Alice Madsen, Highline Community College, on the Wellness Cluster.	
9. CONSENT AGENDA	a. Approval of Vouchers: Numbers 22970 - 23121 in the Amount of \$1,548,559.89.	33.
	b. Approval of Council Meeting Minutes: August 17, 2009, and August 24, 2009.	55.
10. BUSINESS AGENDA	a. City Manager's Report.	67.
	b. Motion to Adopt Proposed Resolution No. 303, Entering Findings of Fact and Conclusions of Law and Regarding Preliminary Approval of the Walker Creek Ridge Subdivision (NW corner of Des Moines Memorial Drive & South 176 th Street).	99.
	c. Discussion on and Possible Approval of 2010 SKCEDI Legislative Positions Proposed.	111.
	d. Discussion of Draft 2010 Key Legislative Policies and Draft 2010 Legislative Priorities.	115.
	e. Discussion on Resolution No. 304, Authorizing an Amendment to the SCORE Interlocal Agreement.	121.
	f. Discussion on SW 153 rd Street Path Forward.	147.
	g. Continued Discussion on Proposed Ordinance No. 517, Amending the Burien Municipal Code (BMC) Relating to the Disclosure of Public Records.	161.
11. COUNCIL REPORTS		
12. ADJOURNMENT		

RECEIVED

3

July 22, 2009

JUL 27 2009

CITY OF BURIEN

Mike Martin
400 SW 152nd Street
Suite 300
Burien, WA 98166

CC: Jim Bibby, Joan McGilton, Sue Blazak,
Rose Clark, Kathy Keene, Lucy Krakowiak,
Sally Nelson, Gordon Shaw, Scott Kimerer, Binod Prasad

This is a Formal complaint for Wah Long sports bar. I am a property manager for the AJ Prasad Building located at 645 SW 153rd Street in Burien across the street from the Wah Long sport bar. I am writing this letter also on behalf of the owner of the AJ Prasad Building Mr. Binod Prasad.

Over the years I have had numerous complaints from the tenants about the bar across the street but now it has gotten to the point the tenants are leaving. Here are several complaints that I have heard of and seen myself since being the property manager.

1. Loud music, nuisance after the 2am curfew.
2. During the business hours of 4-5pm, people are drunk and annoying the business at the AJ Prasad Building while there are clients there such as the Edward Jones office and the Law office. People leaving WAH LONG are forcing entry into the building during the afternoon and night time hours.
3. Drug dealings going on during the day light hours and at night. (numerous times Burien Police has been called but no action has been taken)
4. The portable tent is certainly a violation but it has yet not been removed. This was the result of the no smoking law for restaurants that went into effect many years ago. When people are out in the tenant, they play loud music, yell, fight and of course they are smoking and who knows what they are smoking. This issue has been brought up but again no resolution.
5. I have had two tenants that have left and another one threatening to leave because of this problem. It is now getting out of control.
6. Every morning trash is blown from the WAH LONG such as beer cans, garbage such as wrappers paper and even broken glass I have found in front of the AJ Prasad Building.

I live in the city of Burien and have been part of the Citizens Police Academy as well as Homeowners association and part of block watch.

I brought up this question of WAH LONG with Deputy Henry McLaughlin and he said "that is a separate issue".

CFTR: 9-14-09
PC: 7-28-09
CC: Chief Kimerer for response

I thought the city of Burien wants to be prime example of a safe and wholesome community where people can live and work without hassles, but as long as places like WAH LONG are in business and not following the rules and codes then it will never be a good place to do business or live.

I am always willing to work with the City and staff to promote the wellness of our community.

In addition to my letter several of the tenants have written letters to these concerns, which they will send directly to the city. Edward Jones has mailed out the letters to the Mayor, city council members and police chief. I am also including a letter from tenant in A1 Mr. Ben Seaman with my letter.

Please let me know how we can resolve these issues and problems that are out of control.

Thank you for your time.

Sincerely



Nandhni (Nan) Maharaj
Manager
VN Management Group
206-920-3563

VN Management Group
PO Box 48238
Burien, WA 98148



Burien

Washington, USA

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

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

www.burienwa.gov

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August 14, 2009

TO: Nandhni Maharaj
FROM: Chief K. Scott Kimerer, Burien Police Department
RE: **COMPLAINT REGARDING WAH LONG SPORTS BAR**

Dear Mr. Maharaj,

I appreciate your correspondence regarding issues at the Wah Long Sports Bar. We have begun an investigation of the complaints and will be working with other affected Burien City Departments to address any violations. In reviewing the calls for service over the last two years, the number of calls is not extraordinary, however the types of calls the police have responded to are concerning. We will also be working with the State Liquor Control Board to ensure compliance with their license. Finally, we will be meeting in the future with the owner to let him know of the problem and work with them on developing a good neighbor relationship.

Please continue to call the police when necessary to help us track the number of complaints generated by Wah Long. Generally, these issues are not resolved overnight but be assured we understand and respect the problems you are experiencing and will work toward a resolution. Please call Sergeant Henry McLauchlan at 206-296-3350 if you have additional questions.

Sincerely,

K. Scott Kimerer
Chief of Police, City of Burien

RECEIVED

7

JUL 28 2009

July 22, 2009

Joan McGilton
400 SW 152nd St
Burien WA 98166

CITY OF BUR.

CC: Sue Blazak, Rose Clark,
Kathy Keene, Lucy Krakowiak,
Sally Nelson, Gordon Shaw,
Mike Martin, Scott Kimerer

I write this letter knowing full well the business in question represents the livelihood of someone and their family. But I can no longer remain quiet. I would like to take a moment and express my frustration with the city of Burien for their complete lack of oversight of the Wah Long Sports Bar located at the corner of 153rd and Ambaum. This bar is a public nuisance and is wasting the precious resources of the city. I say this as someone who has lived in the community my entire life, went to high school in Burien, and now owns a business in Burien across from the bar. I have a front row seat to daily occurrences of illegal activity.

Here are just some of the recent examples that I have encountered.

- 1) Several months ago a glass beer bottle was thrown at the door of our building and shattered on the sidewalk in front of the door. It was thrown by a car speeding out of the Wah Long parking lot.
- 2) Four weeks ago in the middle of an appt. with clients, a drunken man exited Wah Long and proceeded to walk across the street and knock on my window. He rambled on about something, yelling at the top of his lungs that he needed to get into my office. I knew he was intoxicated because I could smell the alcohol through the locked door! This all happened in front of my clients. I told him to leave or I would call the police. He left.
- 3) Three weeks ago, a girl walked up and down the sidewalks of 153rd talking about how she was the devil and asking people if they believed in God. And guess where she walked in to? Wah Long. The police were called by someone else and they were looking for her up and down 153rd. I tried to wave them down twice to let them know that she had gone into the bar but they didn't understand or didn't care.
- 4) About a year ago, the secretary in the attorney's office across the hall had an intoxicated man walk across the street and make inappropriate and sexually suggestive remarks to her. She was so afraid she asked me to wait with her in case he came back. I told her to call the police and she did. The man came from and went back into Wah Long Sports Bar.

CFTR: 9-14-09

PC: 7-28-09

cc: Chief Kimerer for response.

- 5) One of the homeless men that frequent the streets of Burien, the one with curly hair about 35 that often has violent conversations with himself (ask any Burien police officer and they will know who), usually goes into Wah Long and has a few drinks. When he leaves the conversations are often louder and more violent. I have seen the police called on him 3 times in the last 3 months. I personally called 911 on him myself. I was worried he was going to get hit by a car in the street.
- 6) And today I watched two cars pull up in the parking lot. One with three individuals and the other car with two. A man got out of the one car and got into the back seat of the other, handed the driver something, and ten seconds later was out of the car. The cars then left in separate directions. It doesn't take an intuitive person to figure out that that was a drug deal.

There have been fights. There is noise coming from what I have heard is an illegal outdoor bar that the city turns a blind eye to. There are often what look to be drug transactions taking place. There are beer bottles and trash every night from Wah Long. After Friday and Saturday it is far worse. In fact, ask the people who pick up garbage on the streets of Burien where they often have to spend the most time. The answer is Wah Long. Often times there are open, half drunken beer bottles left on benches and in the parking lot or on the sidewalk. They are there for any old person including a child to find.

This says nothing of the fact that alcohol is clearly being removed from the premises. There is clearly no control on the amount of consumption at the bar. People "burn out" of the parking lot. They speed on 153rd. And the worst part is you know many of them are beyond the legal limit. I even had a Burien police officer joke with me once that if they sat there at midnight to 2 am on a Saturday they would probably get 5 DUI's no problem. My thought was why aren't you? Is this really what Burien stands for? And if so, why am I involved in this community? The city can enforce laws on signage of businesses but not drunk driving? Isn't that a little backwards?

I have more examples if you need them. But my question to the elected officials of Burien is what more do you need? How many hours of wasted, valuable police time have been caused by this bar? Is it going to take a drunk driver from Wah Long killing someone before you do something about this? Because I can tell it isn't a question of if, it is a question of when.

This is a major corner of our city. You have to go by it to get to the Town Square. You can build as many new shiny buildings as you want in Burien but the fact is as long as this type of stuff is going on in the community and places like Wah Long exist it is not going to get any better. And Burien's reputation will remain where it is today.

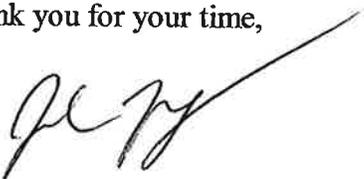
The Burien Town square was supposed to be about a new beginning for Burien. I can tell you that if a business like Wah Long Sports Bar has a place in the revitalized Burien and is a valued pillar of our community I want nothing to do with that community anymore. And my business will be yet another office that sits vacant on 153rd. But hey at

least the city gets to collect the sales tax revenue from Wah Long. That should probably allow it to recoup about 70% of the money the city spends on the officers responding to incidents at Wah Long or incidents that indirectly relate and originate from Wah Long.

If it takes me having every business owner on 153rd sign a petition repeating what I have told you, so be it. If it takes me picking up the trash and beer bottles from the Wah Long parking lot and 153rd on Sunday evening and delivering it to the Mayor's office on Monday morning, so be it. If it takes me videotaping the drug transactions, drunk drivers, and reckless behavior and bringing it to the next city council meeting to be viewed, so be it. But I would hope a city that is so interested in changing its image would be concerned enough that this is happening in the community that it wouldn't come to that. I hope I am right. I want to stay in Burien and continue to build a rich, diverse, and vibrant community. But to me, I don't want to be here if I have to combat this everyday. There are other places I can go with my business and it is not okay that I have drunk people knocking on my door in the middle of appointments with clients.

I challenge any elected official of Burien to come down to Wah Long on a Friday night at midnight, pull up a chair, and see for yourself what is going on. It will shock you. And the worst part is sometimes it's that bad at 3 pm in the afternoon with children walking home from school to witness all of the things I described for you above. That is not okay.

Thank you for your time,



Jordan Pomeroy

Edward Jones Financial Advisor
And Exchange Club of Highline member

Edward Jones

Jordan Pomeroy
Financial Advisor
645 SW 153rd St Suite C-1
Burien, WA 98166
(206) 246-5109



Burien

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August 14, 2009

TO: Jordan Pomeroy

FROM: Chief K. Scott Kimerer, Burien Police Department

RE: **COMPLAINT REGARDING WAH LONG SPORTS BAR**

Dear Mr. Pomeroy,

I appreciate your correspondence regarding issues at the Wah Long Sports Bar. We have begun an investigation of the complaints and will be working with other affected Burien City Departments to address any violations. In reviewing the calls for service over the last two years, the number of calls is not extraordinary, however the types of calls the police have responded to are concerning. We will also be working with the State Liquor Control Board to ensure compliance with their license. Finally, we will be meeting in the future with the owner to let him know of the problem and work with them on developing a good neighbor relationship.

Please continue to call the police when necessary to help us track the number of complaints generated by Wah Long. Generally, these issues are not resolved overnight but be assured we understand and respect the problems you are experiencing and will work toward a resolution. Please call Sergeant Henry McLauchlan at 206-296-3350 if you have additional questions.

Sincerely,

K. Scott Kimerer
Chief of Police, City of Burien

RECEIVED

13

Ben Seaman
695 S.W. 153rd Street
A-1
Burien, WA 98166

JUL 27 2009

CITY OF BURIEN

TO WHOM IT MAY CONCERN:

My wife, daughter and I moved into our present location in September of 2004. Initially, everything was fine, the building was new, and our landlord, Binod Prasad, is everything you'd want in a landlord-tenant arrangement. But with time, and this is certainly no fault of Binod's, the situation we find ourselves in is untenable at best. Directly across the street from our residence, the W.H. Long Sports Bar has become our nightmare. Each evening, and this is without fail, incredibly loud music, ringtones, drunken as well as drug-induced behavior, along with either a series of yelling or talking well above what is considered to be normal, emanates from there on a nightly basis. Furthermore, even though curfew for such establishments is a well-known fact, two a.m., I've witnessed on several occasions patrons exiting the bar as late as three o'clock in the morning. People who drive away from this bar are clearly drunk, squealing their tires, swerving all over the road, creating a danger to anybody unfortunate to be on the road at the same time. And although during the summer months, when we'd like to keep our windows open at night to keep things reasonably cool, with the constant blaring of noise confronting us, we have absolutely no choice but to forgo even that small expectation.

What has been the response of the City of Burien and the Police? At best, the police respond less than thirty percent of the time when I call to complain and ask for some kind of reasonable action to curb this disorderly behavior. You must understand, I'm not calling any earlier in the evening than midnight, well beyond a time when we should expect to be free of such shenanigans. And when the police do respond, it's as if there giving the situation nothing more than lip service, and nothing changes. I can't even be sure the police aren't in collusion with the bar, seeing they do nothing more than show up, sometimes as many as five patrol cars arrive, but then they leave without any action being taken. This despite the fact that there is clearly drug activity going on and God knows what else. You only have to look at the clientele to recognize this.

In closing, nobody should have to endure what we have been forced to live with during the course of the last five years. Due to the inaction of the police as well as the City of Burien, what should be a nice place to live, clearly has been anything but. Your lack of action regarding this matter has been reprehensible. Any other municipality wouldn't tolerate this foolishness for a second. Please do the right thing and put an end to what has become our nightmare.

Sincerely,


Ben Seaman

CFTR : 9-14-09
PC : 7/28/09
CC : Chief Kemmerer for response



Burien

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August 14, 2009

TO: Ben Seaman

FROM: Chief K. Scott Kimerer, Burien Police Department

RE: COMPLAINT REGARDING WAH LONG SPORTS BAR

Dear Mr. Seaman,

I appreciate your correspondence regarding issues at the Wah Long Sports Bar. We have begun an investigation of the complaints and will be working with other affected Burien City Departments to address any violations. In reviewing the calls for service over the last two years, the number of calls is not extraordinary, however the types of calls the police have responded to are concerning. We will also be working with the State Liquor Control Board to ensure compliance with their license. Finally, we will be meeting in the future with the owner to let him know of the problem and work with them on developing a good neighbor relationship.

Please continue to call the police when necessary to help us track the number of complaints generated by Wah Long. Generally, these issues are not resolved overnight but be assured we understand and respect the problems you are experiencing and will work toward a resolution. Please call Sergeant Henry McLauchlan at 206-296-3350 if you have additional questions.

Sincerely,

K. Scott Kimerer
Chief of Police, City of Burien

RECEIVED

August 20, 2009

AUG 25 2009

CITY OF BURIEN

To: Joan McGilton, Mayor
Burien City Hall
15811 Ambaum Blvd. SW
Burien, WA 98166

Re: "New Library Needs Pay Phone", Letters to Editor, (Article in Highline Times, August 19th, 2009)

Honorable Mayor,

The recent Letters to Editor, "New Library Needs Pay Phone", is outrageous and shows how selfish and petty our society has become. The library is one of the centers for community gathering in Burien and now with City Hall above it, it should espouse the clear and rational thinking of a thriving community.

So when a youngster of eleven asks to use a phone as assurance that he has arrived to his destination safely, as would have been possible at the previous library location, he should not be told to go blocks away in the hopes of finding a public phone.

But never should the concerned mother of the boy have been told that "the library was not a baby sitter....", and that "the library never claimed to be a safe place". This public announcement is now know around the community and speaks as to the type of community Burien has become, that the Burien library will not lend help to anyone, least of all children, and that it is not a safe place to be.

Is this the image you as Mayor are sending to every mother in our city? I hope not. I believe the librarian should be reprimanded, and advised she has a duty to be civil and helpful to the community.

Secondly, the library needs a public phone in the lobby, or a sign which says there is public telephone service on the third floor were it is safe. Thirdly, the elevator needs a permanent sign along side the number three button telling people which floor city hall resides on.

Respectfully,



Fredrick G. Novota

Enclosed: Highline Times Article.....

CFTR: 9/14/09
CC: City Manager for response
Ltr: 8/27/09



New library needs pay phone

I am a mother of an 11-year-old boy. Our family lives in the Three Tree Point/Seahurst area.

Our son loved to ride his bike into Old Burien and visit the Farmer's Market. We've been trying to build up responsibility and trust for our son.

This last Thursday our son asked if he could ride his bike to the NEW library to use the computer and then get a hot dog at the new Farmer's Market before heading home. I told him he had 15 minutes to get to the library and call home and let us know he got there. (This was a big deal, it was the furthest he'd ever rode alone on his bike, and he was earning our trust.)

Twenty-five minutes later (10 minutes late) as I was backing out of my driveway, scared, to go search for him, he called nearly crying. There was no pay phone at the library, and the librarian wouldn't let him use the facility phone. When he told the librarian why he had to call home she sent him to Staples, which is even further from where he was supposed to be.

When he got to Staples, there was no phone there, either. Luck-

ily, he saw a stranger holding a phone as he walked into Staples, so my son in a panic asked if he could use the person's phone to call me, having to disregard "don't talk to strangers."

I am extremely upset, as are most of our peers that we've shared this story with and are also parents in the Burien area.

I called the library and spoke to a librarian. While I was trying to share with her my dismay that a child wouldn't be allowed to call home to check in, for safety sake, she told me that the library wasn't a baby sitter and that parents need to monitor their own children.

I was highly dismayed and outraged, and reminded her that the library promotes a safe environment for youth to come in with its after-school and summer programs to which her response was "the library never claimed to be a safe place." Wow.

I don't understand how a public facility that encourages and mainly draws in youth, from young teens to college bound, cannot have telephone access.

I understand that phones get abused. But the young people going to the library are not there to

cause a disturbance, but are there scholastically, in one way or another.

A public phone is needed for rides home, checking in, and emergency purposes!

Heather D. Malo
Burien

Make your piano a star

Burien Little Theatre is looking for a baby grand piano to star in "Christmas with the Crawfords." The piano would be on-stage from November 22 through December 20, 2009.

This season BLT is doing two musical productions, "Christmas with the Crawford" and a 1950's rock 'n roll "A Midsummer Night's Dream." (Theater fans will recognize the latter as Arne Zasllove's adaptation that ran for years at the Bathhouse and at the Moore. In 2008 Arne updated the show with a few "new '50s songs.)

BLT audiences seem to love musicals. They are great fun and a great escape, but they are very expensive to produce. They can eas-

—See LETTERS, page 7



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August 27, 2009

Mr. Fredrick Novota
1612 SW 140th Street
Burien, WA 98166

Dear Mr. Novota:

Thank you for your letter of August 20, 2009, wherein you state your concern over an incident that occurred in the Burien Library.

The response to this incident was not one that the City condones. We understand from the King County Library System that staff has been reminded that they do, in fact, have the authority to allow a child to call home. This was an unfortunate incident, and we hope that it was an isolated one that won't happen in the future.

I have noted that the King County Library System's Director, Bill Ptacek, has responded in this week's edition of the Highline Times, and one of the issues that he brings up is that there are no pay phone providers in Burien. The City of Burien does not have a "public phone" either, but it is our policy to make a phone call for a child (or an adult) in an emergency situation.

Thank you for raising your concern in this matter. Public safety is very important to the City of Burien.

We are still putting finishing touches on our new building more than three months after moving in, and appreciate your suggestion for permanent signage in the elevator. We will look into doing so.

Thank you for being an involved Burien resident.

Sincerely,

Mike Martin
City Manager

Cc: City Council

From: Doug Lamothe
Sent: Thursday, September 03, 2009 5:47 PM
To: 'tar1969@hotmail.com'
Subject: FW: Burien "timed" stop lights, how silly are you guys?

Mr. Rimmelspacher,

Thanks for your question on 1st Ave South traffic signalization in the City of Burien.

All signals on 1st Ave South are installed with sensors to detect traffic in the various lanes coming into each individual intersection. Each intersection signal group is programmed to provide left, right and thru movement for each leg based upon the vehicles being in the specific lanes for those movements. This programming is established in accordance with the Manual for Uniform Traffic Control Devices (MUTCD) which is the accepted standard for the industry. On rare occasions we experience problems in the control boxes for an intersection which require a visit from a traffic technician to make adjustments to the system. Such malfunctions are infrequent.

As a result of your comments, I have questioned our traffic technicians as to any specific problems we might have experienced during the days immediately prior to 23 August, the date on which we received your message. No specific problems were noted during this time. Additionally, I have also made it a point to drive on 1st Ave South, in both directions, at various times of the day. I have found that traveling between S/SW 160th St and S/SW 140th St takes a significantly greater length of time during weekdays in the late afternoon (5:00 to 6:00 PM) than at other times, apparently due to the increased traffic load. At other times of the day traffic seems to move in a smooth and consistent manner as desired. Please be assured that we have attempted to "time" the all city signals to best accommodate the greatest number of drivers at all times. We also keep track of problems and make corrections and repairs as quickly as possible.

My guess is that you have experienced traffic volumes at the busiest times and have thus experienced the longest delays; a situation for which we have little control. If you happen to notice a specific light that is malfunctioning, I would appreciate a call so that we can get it fixed quickly.

I hope this provides an acceptable answer to your question. Thanks again for taking the time to contact us with your concerns. My phone numbers are provided below if you would like to discuss this topic in further detail.

Regards,

Doug Lamothe
Interim Public Works Director
City of Burien
Office: 206.439.3156
Cell: 206.391.3829

From: Council
Sent: Monday, August 24, 2009 12:29 PM
To: 'Troy Rimmelspacher'
Cc: Doug Lamothe
Subject: RE: Burien "timed" stop lights, how silly are you guys?

CFR: 9/14/09

Mr. Rimmelspacher,
22

Your email is being forwarded to our Public Works Director for reply. It will also appear in the Council packet as Correspondence for the Record.

Janet S.

From: Troy Rimmelspacher [mailto:tar1969@hotmail.com]
Sent: Sunday, August 23, 2009 9:46 AM
To: Council
Subject: Burien "timed" stop lights, how silly are you guys?

Hi Burien City Council -

Who messed with the stop lights in/around Burien?

It used to be 10 minutes from one end of 1st Ave to the other, now its 30 minutes (up to 5 minutes per stop lights with absoultely no traffic going the other direction) whats up with that? Have you driven this route daily and noticed it added 10-20 minutes to your route. Just enough to make you want to bypass the city of Burien?

I will start supporting Southcenter businesses which are 5 miles away, because Burien has officially now made it "worse than Renton" to get through the tiny little town and want to shop, eat and enjoy any time there.

Troy (bummed at Burien stop lights)

From: Jenn Ramirez Robson
Sent: Thursday, September 03, 2009 9:46 AM
To: mslove7@comcast.net
Cc: Council
Subject: RE: sidewalks and bike pathways

Dear Ms. Love,

Thank you for contacting the Burien City Council regarding the Transportation Benefit District (TBD) vehicle license fee measure. Your message was forwarded to me and I am happy to respond on their behalf. The two projects to be funded through the TBD are specified in the ordinance that created TBD No. 1 and they are the only projects that can legally be funded using voter-approved vehicle license fees. The Council went through a lengthy process to select these two high-priority projects from the City of Burien Pedestrian and Bicycle Facilities Plan. Both of these projects serve the northeast area of Burien, including Cedarhurst Elementary School. This is an area that has not previously experienced improved sidewalk facilities.

The goal, if the measure is approved by the voters, is to finish these two projects in a timely and economical manner. Once those two projects are completed and paid for TBD No. 1 would be closed out and dissolved. If this first TBD is successful then it is possible that future TBDs could be created to fund projects like the ones you mention below. I would also add that paying for projects using the TBD model adds another option for funding that we didn't have before. We continue to seek out other forms of funding such as grants or partnering with neighboring agencies.

Thank you again for contacting the Burien City Council regarding the proposed TBD vehicle license fee. If you have any additional questions or comments please feel free to contact me.

Sincerely,

Jenn Ramirez Robson
Management Analyst
City Manager's Office
desk: 206-439-3165
cell: 206-391-1855
fax: 206-248-5539
JenniferR@BurienWA.gov

Please note our address change as of 5/19/09:
400 SW 152nd St., Suite 300
Burien, WA 98166

Our Vision: We are Innovative Stewards of Public Trust

From: Sue Love [mailto:mslove7@comcast.net]
Sent: Wednesday, August 26, 2009 11:36 AM
To: Council
Subject: sidewalks and bike pathways

Dear Burien Council,

CFTR 9/14/09

24 I read in the Highline Times that we are proposing to add a tax to license tabs to pay for sidewalks and bike paths North of SW 152. I feel we already did a lot of this several years ago. In fact it looks great in the area around the skate park...but I would like to ask you reconsider. The area's South of SW 152nd also need these improvements.

I think it is important to protect our children with safe walkways around the schools. I propose you support sidewalks and bike paths on 4th Ave between Sylvester and Ambaum Blvd and on 8th Ave SW, 10th Ave SW and 16th Ave SW by Gregory Heights School.

We have invested intense planning and tax dollars in revitalizing Burien to a pedestrian friendly area. We need to continue that vision to include getting our children safely to school and our walking population safely from there neighborhoods to our city's core areas.

Thank you,
Sue Love

From: Council
To: Erik Utter
Subject: RE: KUOW Weekday

Greetings,

Thank you for cc'ing the City Council on your message. In addition to being forwarded to the Council your message will be included in the Council's Correspondence for the Record.

Thank you-

L. Clausen

City Manager's Office

From: Erik Utter [mailto:erik.utter@gmail.com]
Sent: Thursday, August 27, 2009 10:30 AM
To: Mike Martin
Cc: Council
Subject: KUOW Weekday

Hi Mike,

I believe you were on KUOW this morning discussing the annexation. I just wanted to let you know that I think you did a great job representing the city. I was the first caller to the show and had some concerns about the financial burden of annexation that were quite adequately addressed.

I have been a Burien resident on the very north end for nearly ten years and have been very impressed with the changes the city has made in the time I have lived here. Opening new parks, redeveloping downtown, and attracting new businesses to the area all while operating in the black has made me proud to be a resident.

Living on the North end of the city, I have had opportunity to enjoy the diversity of White Center, but was a bit uncomfortable with the annexation. Your vision on the annexation and your ideas about "community" convinced me this is a good thing. I was especially impressed with your ability to articulate those ideas.

Keep up the great work!!

Erik Utter

CFTR: 9/14/09

Subject: FW: Unable to attend your I-1033 hearing on 9/28, however, we ask ...
Attachments: 1033 presentation to Burien's elected officials and citizens.doc; Informational handout on 1033c.doc

From: Tim Eyman [mailto:tim_eyman@comcast.net]
Sent: Saturday, September 05, 2009 10:44 AM
To: Burien; Joan McGilton; Sue Blazak; Rose Clark; Kathy Keene; Lucy Krakowiak; Sally Nelson; Gordon Shaw; Mike Martin
Cc: HTEditor@robinsonnews.com; editor@waterlandblog.com; allisone@robinsonnews.com; michaelh@robinsonnews.com; steves@robinsonnews.com; rosee@robinsonnews.com; tips@robinsonnews.com; kenr@robinsonnews.com; rebekahs@robinsonnews.com
Subject: Unable to attend your I-1033 hearing on 9/28, however, we ask ...

We are unable to attend your I-1033 hearing on Monday, September 28th at 7 pm, however, we ask that the 2 attached files about I-1033 be made available to those in attendance, and, as has been done with other city's public hearings, to have someone read the attached file entitled "1033 presentation to Burien's elected officials and citizens" at the hearing.

If you need to contact me about this, including the evening of 9/28, please call me on my cell phone: 509-991-5295.

Thank you for your consideration.

Regards, Tim Eyman, ph: 425-493-9127, email: tim_eyman@comcast.net

Here's some information about the hearing:

<http://www.b-townblog.com/2009/09/04/burien-wants-its-citizens-to-share-their-thoughts-on-initiative-1033-on-monday-sept-28th/>

CFTR: 9-14-09

We want to start by thanking the 315,000 citizens who voluntarily signed Initiative 1033's petitions, as well as the thousands of volunteers throughout the state who made that possible.

Here's what we're debating with I-1033: how fast should the government grow and who should decide? I-1033 takes the position that the public sector should grow at the same rate as the private sector -- unless voters OK a bigger increase -- and it should be the citizens, and not the politicians, who decide.

I-1033 brings back successful policies passed by the voters previously. In 1993, during tough economic times, voters approved Initiative 601, which put reasonable limits on government's fiscal policies. I-601 established a sustainable rate for government to grow, saying it could grow at the inflation rate plus population growth with faster growth requiring voter approval.

Despite a multi-million-dollar opposition campaign, the voters passed 601.

And I-601 worked very well for many years until the Legislature started putting loopholes in it. It started with the Republicans in 1998, and accelerated with the Democrats in 2000, 2001, 2002, 2005 and 2007. Those loopholes removed I-601's reasonable fiscal discipline and policies.

The result? Two major deficits — \$3.2 billion in 2003 and \$9 billion in 2009.

Those loopholes allowed them to take their budgets on a fiscal roller coaster, overextending themselves in good times — creating unsustainable budgets — which led to slashing during bad times. I-1033 gets us off that fiscal roller coaster by reestablishing I-601's same reasonable allowance for growth while permitting higher increases with voter approval.

I-601 worked, it can work again with the passage of I-1033.

So what happens to excess tax revenues that government collects above I-1033's limit? After a fixed percentage of tax revenue is transferred into the constitutionally-protected rainy day fund, the remainder of excess tax revenues gets refunded back to taxpayers via lower property taxes. Struggling working families and fixed-income senior citizens desperately need relief from our state's crushing property tax burden. Washington shouldn't be a state where only rich people can afford a home. I-1033 provides needed, long-overdue property tax relief.

Opponents want higher taxes and a state income tax. Opponents are against ANY limit on government's growth and against ANY restriction on government's power to take as much as they want from the taxpayers.

I-1033 provides fiscal discipline with flexibility: any revenue from any source deposited into general funds is limited except voter-approved revenues, rainy day funds, and federal funds for the state and except voter-approved revenues for counties & cities.

Putting a reasonable limit on the growth of government, like I-601 previously did, gives politicians the excuse to say 'no' to the special interest groups and encourages them to finally start prioritizing and reforming government.

Opponents have no alternative to I-1033 to lower property taxes. Opponents have no alternative to I-1033 to get government off the fiscal roller coaster. Opponents want us to trust the politicians, despite their insatiable appetite for higher taxes. Opponents ignore the 16 years of positive history with Initiative 601 in Washington state, preferring instead to talk about different tax limits in California, Colorado, and other states. Opponents are against I-1033 because it allows the people, and not the politicians, to decide how fast the government should grow and how big a tax burden we can afford.

Both Forbes magazine and the Tax Foundation rank Washington as the 8th highest taxed state in the nation. I-1033 keeps us from hitting #1.

Property taxes keep going higher and higher and government keeps getting bigger and bigger. The people are losing control. I-1033 allows the state, counties, and cities to grow, but at a rate that citizens can control and taxpayers can afford. I-1033 gets government off the fiscal roller coaster, allowing it to grow at a sustainable rate that doesn't outpace taxpayers' ability to afford it.

I-1033 is needed now more than ever.

We're very proud of our supporters and very hopeful that voters will support controlling the growth of government and lowering property taxes by approving Initiative 1033 in November. Thank you.

Initiative 1033: completing the renewal of I-601

I-1033 reestablishes I-601's reasonable growth limit of inflation plus population growth, maintaining the 'safety valve' of voter approval for bigger increases, and providing 'first bite' to the constitutionally-protected rainy day fund for excess tax revenues with the remainder of excess tax revenues being refunded back to taxpayers via lower property taxes.

The Legislature has done a rolling repeal of I-601

- In the decade before voters approved I-601 in 1993, the average increase in government growth was a ridiculously unsustainable 17.3% (per biennium). In the years following I-601, the growth of government averaged 8.9%, almost half the previous rate. But as time went on, legislators gradually suspended its policies, putting loopholes in I-601.
- There was no single bill or roll call vote that carried an unambiguous "let's repeal I-601" message. Instead, the Legislature employed a rolling repeal of I-601 over many years. It started with the Republicans in 1998 and accelerated under the Democrats in 2000, 2001, 2002, 2005 and 2007 until I-601 became an empty shell with no real effect. Those loopholes removed I-601's reasonable fiscal discipline and policies. The result? Massive deficits -- \$3.2 billion in 2003 and \$9 billion in 2009. Those loopholes allowed them to take their budgets on a fiscal roller coaster, overextending themselves in good times -- creating unsustainable budgets -- and then slashing during bad times (the Washington Policy Center has done extensive research and analysis on the success of I-601 and the negative impacts of the Legislature's loopholes).

I-601 worked and it can work again. And that's exactly what the people have been doing.

In recent years, the people have responded with a rolling renewal of I-601

- It started in 2007. Voters liked the principle of government setting aside money for a rainy day. I-601's original rainy day fund was created by statute, and because it was a law, it was subject to legislative "tickering." And that's exactly what the Legislature did -- to the point that it was effectively repealed. So in 2007, the people created a constitutionally-protected rainy day fund, renewing a critical policy of I-601.
- Voters also liked the principle of making it tougher to raise taxes. I-601 required two-thirds legislative approval for tax increases. But since I-601 was a law, it was subject to legislative suspension. And that's what the Legislature did -- they suspended it every time it stood in the way of raising taxes. So in 2007, the voters passed I-960 and renewed the two-thirds requirement, another critical renewal of I-601.
- Finally, I-601 established a sustainable rate for government to grow, saying it could grow at the inflation rate plus population growth with higher increases allowed with voter approval. And it worked for many years, allowing government to grow but at a reasonable, sustainable rate. But since I-601 was a law, it was subject to legislative change. And that's what the Legislature did. First they created a loophole that violated the so-called "two way" street, shifting money around so they could spend the same money twice (when citizens sued them for violating I-601, the Legislature said that because I-601 never *specifically prohibited* spending the same money twice, it was legal -- Judge Allendorffer didn't buy that argument but the state supreme court eventually did). I-960 closed that loophole, saying money could only be spent once.

I-1033 completes the renewal of I-601 by readopting the growth limit:

- Most significantly, the Democrats in 2005 changed the growth limit for government from inflation-plus-population-growth to a ten-year average of personal income growth -- this was effectively no limit at all (as the Washington Policy Center wrote: *Tying increases in public spending to the growth in the average of personal incomes artificially exaggerates the impact of wealthy people's incomes on state spending. Under this budget rule, state spending and taxation go up for*

everyone, even though not everyone's income has increased to keep pace). That's why Gregoire's first term resulted in government growth exploding to 33% over four years.

- I-1033 reestablishes I-601's reasonable growth limit of inflation plus population growth, maintaining the 'safety valve' of voter approval for bigger increases, and providing 'first bite' to the constitutionally-protected rainy day fund for excess tax revenues with the remainder of excess tax revenues being refunded back to taxpayers via lower property taxes.
- The Legislature gradually took away I-601's fiscal discipline, resulting in massive deficits and a continuation of the fiscal roller coaster that pre-dated I-601 and which reappeared during Gregoire's first four year term. Putting a reasonable limit on the growth of government, like I-601 previously did, gives politicians the excuse to say 'no' to the special interest groups and the courage to finally start prioritizing and reforming government. And if government decides that the automatic increase allowed by I-1033 isn't big enough, government can use its rainy day fund money and/or go to the voters and ask for a bigger increase. That's reasonable, that's sustainable, that's what 315,000 citizens think is a better way to go. I-601 worked and it can work again if the voters approve I-1033 in November.

Opponents of I-1033 want higher taxes and a state income tax – they oppose ANY limit on government's power to take as much as they want – here's several of their false assertions:

- *Opponents claim: "I-1033 is just like Colorado's TABOR amendment."* Not true. Colorado voters approved the Taxpayer's Bill of Rights in 1992 – Washington voters approved I-601 in 1993. They're very different. TABOR was a constitutional amendment -- it couldn't be amended by the Legislature; I-1033, like I-601, is a law, providing the Legislature with flexibility to change it. TABOR encompassed every government – school districts, library districts, fire districts, etc. I-1033 focuses only on the state, counties and cities. TABOR put a limit on every governmental account and every tax dollar received, including transportation funds, pension funds, capital budgets, workman's compensation, unemployment insurance funds, federal funds, etc. I-1033, like I-601, only addresses the general fund. TABOR didn't allow rainy day funds. I-1033, like I-601, gives 'first bite' of excess tax revenues to the rainy day fund. TABOR didn't exclude federal funds; I-1033 explicitly does. TABOR was very, very broad and inflexible – I-1033 is very focused with plenty of flexibility.
- *Opponents claim: "If I-1033 passes, governments will be forced-to base their future budgets on 2009 revenues."* The state, counties, and cities will have to base their future budgets on 2009 revenues with or without I-1033. The question is should taxes be increased during these tough economic times? I-1033 deters tax increases by capping the growth of government to a reasonable, sustainable growth rate that ensures government doesn't get back on the fiscal roller coaster. If government decides that I-1033's automatic increase isn't big enough, then they can use rainy day fund revenues and/or go to the voters and ask for an even bigger increase. It's true that I-1033 discourages tax increases – but that's exactly what Gregoire and the Democrats decided to do during this year's session – all I-1033 does is reinforce their common sense decision.
- *Opponents claim: "I-1033 doesn't allow government's to save for a rainy day."* Not true. Nothing in I-1033 prevents governments from setting aside revenues in a reserve account. In fact, I-1033 specifically carves out exceptions for rainy day funds for the state, counties, and cities.
- *Opponents claim: "I-1033 doesn't allow enough flexibility."* Not true. I-1033 establishes a reasonable, automatic increase in government revenues every year and allows bigger increases if they ask taxpayers' permission. I-1033 provides fiscal discipline with flexibility: any revenue from any source deposited into general funds is limited except voter-approved revenues, rainy day funds, and federal funds for the state and except voter-approved revenues for counties & cities. Opponents want no limits whatsoever.

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 14th day of September, 2009 the FOLLOWING:

CHECK NOS. 22970-23121

IN THE AMOUNTS OF \$1,548,559.89

WITH VOIDED CHECK NOS. _____

Accounts Payable
Checks for Approval



User: liliac
Printed: 09/09/2009 - 9:32 AM

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
22970	08/18/2009	General Fund	Operating Rentals And Leases	IKON Office Solutions	182.32
22970	08/18/2009	General Fund	Operating Rentals And Leases	IKON Office Solutions	182.32
22970	08/18/2009	General Fund	Operating Rentals And Leases	IKON Office Solutions	182.32
22970	08/18/2009	General Fund	Operating Rentals And Leases	IKON Office Solutions	182.32
Check Total:					729.28
22971	08/18/2009	General Fund	Operating Rentals And Leases	Ikon Office Solutions	50.13
22971	08/18/2009	General Fund	Operating Rentals And Leases	Ikon Office Solutions	50.13
22971	08/18/2009	General Fund	Operating Rentals And Leases	Ikon Office Solutions	50.13
22971	08/18/2009	General Fund	Operating Rentals And Leases	Ikon Office Solutions	50.13
Check Total:					200.52
22972	08/18/2009	General Fund	Recreation Guide	Larry Cederblom Design	379.05
22972	08/18/2009	General Fund	Recreation Guide	Larry Cederblom Design	126.35
22972	08/18/2009	General Fund	Recreation Guide	Larry Cederblom Design	1,010.80
22972	08/18/2009	General Fund	Recreation Guide	Larry Cederblom Design	1,010.80
Check Total:					2,527.00
22973	08/21/2009	General Fund	Office And Operating Supplies	CITI BANK	143.31
22973	08/21/2009	General Fund	Admission and Entrance Fees	CITI BANK	313.00
22973	08/21/2009	General Fund	Admission and Entrance Fees	CITI BANK	320.32
22973	08/21/2009	General Fund	Admission and Entrance Fees	CITI BANK	585.00
22973	08/21/2009	General Fund	Other Travel	CITI BANK	48.00
22973	08/21/2009	General Fund	Office And Operating Supplies	CITI BANK	560.26
22973	08/21/2009	General Fund	Admission and Entrance Fees	CITI BANK	269.09
22973	08/21/2009	General Fund	Office And Operating Supplies	CITI BANK	90.50
22973	08/21/2009	General Fund	Office And Operating Supplies	CITI BANK	62.14
22973	08/21/2009	General Fund	Repairs And Maintenance	CITI BANK	231.23
22973	08/21/2009	General Fund	Repairs And Maintenance	CITI BANK	231.22
22973	08/21/2009	General Fund	Professional Services	CITI BANK	400.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
22973	08/21/2009	General Fund	Burien Marketing Strategy	CITI BANK	158.77
22973	08/21/2009	General Fund	Repairs And Maintenance	CITI BANK	87.59
22973	08/21/2009	General Fund	Burien Marketing Strategy	CITI BANK	6.82
22973	08/21/2009	General Fund	Admission and Entrance Fees	CITI BANK	444.00
22973	08/21/2009	General Fund	Office And Operating Supplies	CITI BANK	64.14
22973	08/21/2009	General Fund	Office And Operating Supplies	CITI BANK	3.18
22973	08/21/2009	General Fund	Admission and Entrance Fees	CITI BANK	757.56
22973	08/21/2009	General Fund	Miscellaneous	CITI BANK	14.95
22973	08/21/2009	General Fund	Miscellaneous	CITI BANK	59.95
22973	08/21/2009	General Fund	Miscellaneous	CITI BANK	30.00
22973	08/21/2009	General Fund	Telephone	CITI BANK	414.26
22973	08/21/2009	General Fund	Telephone	CITI BANK	69.49
22973	08/21/2009	Town Square CIP	Office Furniture and Equipment	CITI BANK	184.47
22973	08/21/2009	General Fund	Office/operating Supplies	CITI BANK	65.70
22973	08/21/2009	General Fund	Registration - Trainng/workshp	CITI BANK	397.00
22973	08/21/2009	General Fund	Office And Operating Supplies	CITI BANK	33.53
22973	08/21/2009	General Fund	Office And Operating Supplies	CITI BANK	150.85
22973	08/21/2009	General Fund	Office And Operating Supplies	CITI BANK	150.85
22973	08/21/2009	General Fund	Office And Operating Supplies	CITI BANK	161.31
22973	08/21/2009	General Fund	Office And Operating Supplies	CITI BANK	29.54
22973	08/21/2009	General Fund	Meals	CITI BANK	147.00
Check Total:					6,685.03
22974	08/21/2009	General Fund	Operating Rentals And Leases	IKON Office Solutions	87.93
22974	08/21/2009	General Fund	Operating Rentals And Leases	IKON Office Solutions	87.92
22974	08/21/2009	General Fund	Operating Rentals And Leases	IKON Office Solutions	87.92
22974	08/21/2009	General Fund	Operating Rentals And Leases	IKON Office Solutions	87.92
22974	08/21/2009	General Fund	Operating Rentals And Leases	IKON Office Solutions	321.93
22974	08/21/2009	General Fund	Operating Rentals And Leases	IKON Office Solutions	455.54
Check Total:					1,129.16
22975	08/24/2009	Town Square CIP	Construction	DPK Inc.	22,192.17
22975	08/24/2009	Town Square CIP	Construction	DPK Inc.	2,107.05
22975	08/24/2009	Town Square CIP	Construction	DPK Inc.	71,908.22
22975	08/24/2009	Surface Water Mgmt CIP	Construction	DPK Inc.	4,218.49
Check Total:					100,425.93
22976	08/24/2009	General Fund	City Hall Bldg Maintenance	PRG Investment Company, LLC	2,000.00
Check Total:					2,000.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
22977	08/25/2009	General Fund	Human Svc-family/youth	Highline Schools Foundation	2,000.00
				Check Total:	2,000.00
22978	09/07/2009	General Fund	Operating Rentals And Leases	First Student	984.00
				Check Total:	984.00
22979	09/07/2009	General Fund	Dues/memberships/subscriptions	Attorney & Notary Supply of	115.04
				Check Total:	115.04
22980	09/07/2009	Surface Water Management Fund	Professional services	Affordable Backflow Testing	150.00
				Check Total:	150.00
22981	09/07/2009	General Fund	Small Tools & Minor Equipments	ACE Hardware	13.41
22981	09/07/2009	Street Fund	Office And Operating Supplies	ACE Hardware	66.13
22981	09/07/2009	Surface Water Management Fund	Office And Operating Supplies	ACE Hardware	22.98
22981	09/07/2009	Street Fund	Office And Operating Supplies	ACE Hardware	26.25
				Check Total:	128.77
22982	09/07/2009	General Fund	Repairs And Maintenance	ADT Security Services	88.88
				Check Total:	88.88
22983	09/07/2009	General Fund	Operating Rentals And Leases	AIRGAS-NORPAC, INC.	7.80
22983	09/07/2009	General Fund	Operating Rentals And Leases	AIRGAS-NORPAC, INC.	7.80
				Check Total:	15.60
22984	09/07/2009	Parks & Gen Gov't CIP	Pre-Design Engineering	Anchor Environmental, L.L.C.	11,919.67
22984	09/07/2009	Parks & Gen Gov't CIP	Pre-Design Engineering	Anchor Environmental, L.L.C.	554.00
				Check Total:	12,473.67
22985	09/07/2009	General Fund	Professional Services	Administrative Office of the C	7.87
				Check Total:	7.87
22986	09/07/2009	General Fund	Repairs And Maintenance	All Purpose Door Repair	1,742.15

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	1,742.15
22987	09/07/2009	Street Fund	Repairs And Maintenance	Appearance Fence Inc	547.50
				Check Total:	547.50
22988	09/07/2009	General Fund	Human Services-Arts & Culture	BURIEN ARTS	1,979.97
				Check Total:	1,979.97
22989	09/07/2009	General Fund	Telephone	SUE BLAZAK	54.95
				Check Total:	54.95
22990	09/07/2009	General Fund	Repairs And Maintenance	Brendens Auto Service	467.44
				Check Total:	467.44
22991	09/07/2009	Street Fund	Street Maintenance-non-county	The Brickman Group, Ltd.	473.00
				Check Total:	473.00
22992	09/07/2009	Street Fund	Printing/binding/copying	Philip Hwang Kwang Nam	66.80
22992	09/07/2009	General Fund	Printing/binding/copying	Philip Hwang Kwang Nam	186.70
22992	09/07/2009	General Fund	Printing/binding/copying	Philip Hwang Kwang Nam	43.80
22992	09/07/2009	General Fund	Printing/binding/copying	Philip Hwang Kwang Nam	27.38
22992	09/07/2009	General Fund	Rental Housing License Fee	Philip Hwang Kwang Nam	536.55
22992	09/07/2009	General Fund	Printing	Philip Hwang Kwang Nam	142.35
22992	09/07/2009	General Fund	Printing/binding/copying	Philip Hwang Kwang Nam	27.38
				Check Total:	1,030.96
22993	09/07/2009	Parks & Gen Gov't CIP	Project Development	James Cary	1,917.68
				Check Total:	1,917.68
22994	09/07/2009	General Fund	Seahurst Seawall Monitoring	Coastal Geologic Services	13,230.00
				Check Total:	13,230.00
22995	09/07/2009	General Fund	Miscellaneous	CITI BANK	4.36
22995	09/07/2009	General Fund	Travel	CITI BANK	20.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	24.36
22996	09/07/2009	General Fund	Office And Operating Supplies	Clay Art Center, Inc.	209.55
				Check Total:	209.55
22997	09/07/2009	General Fund	Office And Operating Supplies	MYRON CLINTON	24.50
22997	09/07/2009	General Fund	Office And Operating Supplies	MYRON CLINTON	5.44
22997	09/07/2009	General Fund	Office And Operating Supplies	MYRON CLINTON	24.51
				Check Total:	54.45
22998	09/07/2009	General Fund	Office And Operating Supplies	Citywide Locksmith Services	95.81
22998	09/07/2009	General Fund	Office And Operating Supplies	Citywide Locksmith Services	11.23
22998	09/07/2009	General Fund	Office And Operating Supplies	Citywide Locksmith Services	50.50
22998	09/07/2009	General Fund	Office And Operating Supplies	Citywide Locksmith Services	50.50
				Check Total:	208.04
22999	09/07/2009	General Fund	Channel 21 Video Production	COMCAST	57.70
				Check Total:	57.70
23000	09/07/2009	General Fund	Office And Operating Supplies	Consolidated Electrical	364.09
				Check Total:	364.09
23001	09/07/2009	General Fund	Instructors Prof Svcs	Janet S. Crawley	390.50
				Check Total:	390.50
23002	09/07/2009	General Fund	Miscellaneous	Crystal and Sierra Springs	7.59
23002	09/07/2009	General Fund	Miscellaneous	Crystal and Sierra Springs	34.11
23002	09/07/2009	General Fund	Miscellaneous	Crystal and Sierra Springs	34.11
				Check Total:	75.81
23003	09/07/2009	General Fund	Jail Contract	City of Renton	140.00
				Check Total:	140.00
23004	09/07/2009	General Fund	Utilities	City of Seattle	312.50

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
23004	09/07/2009	General Fund	Utilities	City of Seattle	312.50
23004	09/07/2009	General Fund	Utilities	City of Seattle	69.44
23004	09/07/2009	General Fund	Utilities	City of Seattle	565.03
23004	09/07/2009	General Fund	Utilities	City of Seattle	571.18
23004	09/07/2009	General Fund	Utilities	City of Seattle	6.82
23004	09/07/2009	General Fund	Utilities	City of Seattle	299.64
23004	09/07/2009	Street Fund	Utilities - Traffic Signals	City of Seattle	695.34
23004	09/07/2009	Street Fund	Utilities-street Lighting	City of Seattle	3,197.31
23004	09/07/2009	Surface Water Management Fund	Util - Pump 21: Chelsea Park	City of Seattle	14.22
23004	09/07/2009	Surface Water Management Fund	Chelsea Pond	City of Seattle	37.88
23004	09/07/2009	Street Fund	Utilities-street Lighting	City of Seattle	72.70
23004	09/07/2009	General Fund	Utilities	City of Seattle	104.65
Check Total:					6,259.21
23005	09/07/2009	Street Fund	Discover Burien	Discover Burien	5,386.00
23005	09/07/2009	Street Fund	Special Event Clean up	Discover Burien	3,331.00
Check Total:					8,717.00
23006	09/07/2009	General Fund	Professional Services	Sam Doesburg	300.00
Check Total:					300.00
23007	09/07/2009	General Fund	Office And Operating Supplies	Dunn Lumber Co.	464.47
Check Total:					464.47
23008	09/07/2009	General Fund	Repair/maint-vehicle	Elephant Car Wash	11.83
Check Total:					11.83
23009	09/07/2009	General Fund	Admission and Entrance Fees	Family Fun Center, LLC	524.29
Check Total:					524.29
23010	09/07/2009	Surface Water Management Fund	Endangered Species Act Study	Frause Group	560.00
Check Total:					560.00
23011	09/07/2009	General Fund	Instructors Prof Svcs	Alyssa Fritts	230.40

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	230.40
23012	09/07/2009	General Fund	Drug seizure proceeds KCSO	JOSEPH GAGLIARDI	110.57
				Check Total:	110.57
23013	09/07/2009	General Fund	Professional Services	Goodbye Graffiti	1,478.25
				Check Total:	1,478.25
23014	09/07/2009	Street Fund	Street Maintenance-non-county	Brian Gilles	679.15
				Check Total:	679.15
23015	09/07/2009	General Fund	Professional Services	Dan Good	600.00
				Check Total:	600.00
23016	09/07/2009	General Fund	Instructors Prof Svcs	Carol Gouthro	270.00
				Check Total:	270.00
23017	09/07/2009	Street Fund	Operating Rentals And Leases	Greenbaum Burien	1,054.00
				Check Total:	1,054.00
23018	09/07/2009	Town Square CIP	Construction Inspection	Harris & Associates	13,951.22
23018	09/07/2009	Town Square CIP	Construction Inspection	Harris & Associates	3,036.00
				Check Total:	16,987.22
23019	09/07/2009	General Fund	Instructors Prof Svcs	Victoria E. Hamilton	99.00
23019	09/07/2009	General Fund	Instructors Prof Svcs	Victoria E. Hamilton	440.00
				Check Total:	539.00
23020	09/07/2009	General Fund	Miscellaneous	Iron Mountain Rec. Management	616.00
23020	09/07/2009	General Fund	Miscellaneous	Iron Mountain Rec. Management	75.00
23020	09/07/2009	General Fund	Miscellaneous	Iron Mountain Rec. Management	199.75

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount	
					Check Total:	890.75
23021	09/07/2009	General Fund	Telephone	Integra Telecom	544.69	
23021	09/07/2009	General Fund	Telephone	Integra Telecom	104.82	
23021	09/07/2009	General Fund	Telephone	Integra Telecom	157.26	
23021	09/07/2009	General Fund	Telephone	Integra Telecom	131.05	
23021	09/07/2009	General Fund	Telephone	Integra Telecom	52.42	
23021	09/07/2009	General Fund	Telephone	Integra Telecom	262.09	
23021	09/07/2009	General Fund	Telephone	Integra Telecom	131.05	
23021	09/07/2009	General Fund	Telephone	Integra Telecom	157.26	
23021	09/07/2009	General Fund	Telephone	Integra Telecom	78.63	
23021	09/07/2009	General Fund	Telephone	Integra Telecom	78.63	
23021	09/07/2009	General Fund	Telephone	Integra Telecom	78.63	
					Check Total:	1,855.16
23022	09/07/2009	General Fund	Repairs And Maintenance	Interstate Tire & Automotive	264.15	
23022	09/07/2009	General Fund	Repairs And Maintenance	Interstate Tire & Automotive	264.14	
23022	09/07/2009	General Fund	Repair/maint-vehicle	Interstate Tire & Automotive	140.02	
					Check Total:	668.31
23023	09/07/2009	General Fund	Fuel/gas/gasoline Consumption	ALICE JONES	56.60	
					Check Total:	56.60
23024	09/07/2009	Transportation CIP	construction	KBH Construction	54,103.45	
					Check Total:	54,103.45
23025	09/07/2009	General Fund	Substance Abuses	King County Finance	1,823.46	
					Check Total:	1,823.46
23026	09/07/2009	General Fund	Miscellaneous	King County Recorder	70.00	
					Check Total:	70.00
23027	09/07/2009	General Fund	Police Contract - King Co	King County Sheriff's Office	598,602.33	

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount	
					Check Total:	598,602.33
23028	09/07/2009	General Fund	District Court contract	King County District Court	89,529.00	
					Check Total:	89,529.00
23029	09/07/2009	General Fund	Code Supplement	KING COUNTY FINANCE	126.36	
23029	09/07/2009	General Fund	Repairs And Maintenance	KING COUNTY FINANCE	22.06	
23029	09/07/2009	Town Square CIP	Office Furniture and Equipment	KING COUNTY FINANCE	1,385.78	
23029	09/07/2009	General Fund	Subscriptions/publications	KING COUNTY FINANCE	126.36	
23029	09/07/2009	Street Fund	Street Maint. Contract-kc	KING COUNTY FINANCE	27,879.86	
23029	09/07/2009	Surface Water Management Fund	Swm Billed By King Co Roads	KING COUNTY FINANCE	25,815.42	
23029	09/07/2009	Street Fund	Traffic Signal/control.mainten	KING COUNTY FINANCE	17,896.97	
23029	09/07/2009	Town Square CIP	Construction	KING COUNTY FINANCE	3,399.61	
23029	09/07/2009	Street Fund	Traffic Signal/control.mainten	KING COUNTY FINANCE	39.10	
23029	09/07/2009	Street Fund	Traffic Signal/control.mainten	KING COUNTY FINANCE	2,737.50	
23029	09/07/2009	Street Fund	Special Event Clean up	KING COUNTY FINANCE	224.01	
					Check Total:	79,653.03
23030	09/07/2009	General Fund	Plan Review Fee Fire Dist 2	King County Fire District #2	300.16	
					Check Total:	300.16
23031	09/07/2009	Town Square CIP	Design	King County Library	14,367.62	
23031	09/07/2009	Town Square CIP	Construction	King County Library	154,554.46	
23031	09/07/2009	General Fund	Repair & Maint/City Hall	King County Library	541.96	
					Check Total:	169,464.04
23032	09/07/2009	General Fund	City hall Utilities	King County Library Sytem & Ci	56,859.00	
					Check Total:	56,859.00
23033	09/07/2009	General Fund	Miscellaneous	King County Finance	144.04	
					Check Total:	144.04
23034	09/07/2009	General Fund	King Co Pet License Trust Acct	King County Pet License	1,115.00	
					Check Total:	1,115.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
23035	09/07/2009	General Fund	Drug seizure proceeds KCSO	King County Sheriff, Pcnt. #4	160.00
Check Total:					160.00
23036	09/07/2009	General Fund	Attorney Svcs - Gen'l Matters	Kenyon Disend, PLLC	13,094.82
23036	09/07/2009	General Fund	Attorney Svcs - Litigation	Kenyon Disend, PLLC	4,776.85
23036	09/07/2009	Surface Water Management Fund	Endangered Species Act Study	Kenyon Disend, PLLC	480.00
23036	09/07/2009	General Fund	Prosecution - City Atty	Kenyon Disend, PLLC	10,010.98
Check Total:					28,362.65
23037	09/07/2009	General Fund	Instructors Prof Svcs	Kim Klose	28.80
23037	09/07/2009	General Fund	Instructors Prof Svcs	Kim Klose	123.60
Check Total:					152.40
23038	09/07/2009	Transportation CIP	Project Development	KPG, Inc.	6,518.20
23038	09/07/2009	Transportation CIP	Project Development	KPG, Inc.	10,522.47
Check Total:					17,040.67
23039	09/07/2009	General Fund	Small Tools & Minor Equipments	DOUG LAMOTHE	140.19
Check Total:					140.19
23040	09/07/2009	General Fund	Office And Operating Supplies	Laurie Carlson & Associates	52.50
Check Total:					52.50
23041	09/07/2009	General Fund	Office And Operating Supplies	Leisuremore Corporation	187.24
Check Total:					187.24
23042	09/07/2009	Town Square CIP	Construction	L. W. Sundstrom, Inc.	66,576.00
23042	09/07/2009	Town Square CIP	Retainage Payable	L. W. Sundstrom, Inc.	-3,040.00
Check Total:					63,536.00
23043	09/07/2009	General Fund	Office And Operating Supplies	Mark's	53.71
23043	09/07/2009	General Fund	Office And Operating Supplies	Mark's	241.80
23043	09/07/2009	General Fund	Office And Operating Supplies	Mark's	241.80
23043	09/07/2009	General Fund	Office And Operating Supplies	Mark's	38.37

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	575.68
23044	09/07/2009	General Fund	Instructors Prof Svcs	Jacob Matthew	784.00
				Check Total:	784.00
23045	09/07/2009	General Fund	Sales Tax Auditing Costs	Microflex, Inc.	109.22
23045	09/07/2009	General Fund	B&O Tax collect & audit	Microflex, Inc.	2,183.43
23045	09/07/2009	Street Fund	Dt Business License Svcs	Microflex, Inc.	3,772.00
				Check Total:	6,064.65
23046	09/07/2009	General Fund	Office And Operating Supplies	Miller Paint Co.	2.61
23046	09/07/2009	General Fund	Office And Operating Supplies	Miller Paint Co.	11.78
23046	09/07/2009	General Fund	Office And Operating Supplies	Miller Paint Co.	11.78
23046	09/07/2009	General Fund	Office And Operating Supplies	Miller Paint Co.	205.80
23046	09/07/2009	General Fund	Office And Operating Supplies	Miller Paint Co.	28.63
				Check Total:	260.60
23047	09/07/2009	General Fund	Instructors Prof Svcs	Shariana Mundi	407.00
				Check Total:	407.00
23048	09/07/2009	General Fund	Admission and Entrance Fees	The Museum of Flight	312.00
23048	09/07/2009	General Fund	Admission and Entrance Fees	The Museum of Flight	91.00
				Check Total:	403.00
23049	09/07/2009	General Fund	Strawberry Festival	NBM Corporation	120.00
				Check Total:	120.00
23050	09/07/2009	General Fund	Operating Rentals And Leases	National Construction Rentals,	50.00
				Check Total:	50.00
23051	09/07/2009	General Fund	Lodging	Sally Nelson	205.82
23051	09/07/2009	General Fund	Meals	Sally Nelson	64.00
23051	09/07/2009	General Fund	Travel	Sally Nelson	388.20
23051	09/07/2009	General Fund	Lodging	Sally Nelson	420.10
23051	09/07/2009	General Fund	Meals	Sally Nelson	86.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
23051	09/07/2009	General Fund	Telephone	Sally Nelson	99.90
23051	09/07/2009	General Fund	Mileage	Sally Nelson	31.90
Check Total:					1,295.92
23052	09/07/2009	General Fund	Office And Operating Supplies	National Maintenance	46.71
23052	09/07/2009	General Fund	Office And Operating Supplies	National Maintenance	31.14
23052	09/07/2009	General Fund	Repair & Maint/City Hall	National Maintenance	125.00
Check Total:					202.85
23053	09/07/2009	General Fund	Jury & Witness Fees	Barbara O'Brian	10.55
Check Total:					10.55
23054	09/07/2009	General Fund	Jail Contract	Okanogan County Jail	1,225.00
Check Total:					1,225.00
23055	09/07/2009	General Fund	Professional Services	Jini O'Flynn	175.00
Check Total:					175.00
23056	09/07/2009	General Fund	Office And Operating Supplies	Bruce Mildenberger	600.60
Check Total:					600.60
23057	09/07/2009	Street Fund	Professional Services	John Ostrowski	1,338.26
23057	09/07/2009	Surface Water Management Fund	Professional services	John Ostrowski	1,338.26
23057	09/07/2009	General Fund	Professional Services	John Ostrowski	1,338.28
Check Total:					4,014.80
23058	09/07/2009	General Fund	NE Redevelopment Area	OTAK, Inc	13,631.55
Check Total:					13,631.55
23059	09/07/2009	General Fund	Repairs And Maintenance	Parkforms	2,313.74
Check Total:					2,313.74
23060	09/07/2009	General Fund	Repairs And Maintenance	Park Place Professional Buildi	490.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	490.00
23061	09/07/2009	General Fund	Repair & Maint/City Hall	Pacific Communications Cabling	138.52
				Check Total:	138.52
23062	09/07/2009	General Fund	Professional Services	Johawna Olena Perry	120.00
23062	09/07/2009	General Fund	Instructors Prof Svcs	Johawna Olena Perry	180.00
				Check Total:	300.00
23063	09/07/2009	General Fund	Office And Operating Supplies	Johawna O. Perry	48.75
				Check Total:	48.75
23064	09/07/2009	Transportation CIP	design engineering	Perteet Inc.	24,500.17
				Check Total:	24,500.17
23065	09/07/2009	General Fund	Office And Operating Supplies	Petty Cash Custodian	10.00
23065	09/07/2009	General Fund	Admission and Entrance Fees	Petty Cash Custodian	191.70
				Check Total:	201.70
23066	09/07/2009	General Fund	Summer Youth	PARA LOS NINOS	5,000.00
				Check Total:	5,000.00
23067	09/07/2009	General Fund	City Hall Bldg Maintenance	PRG Investment Company, LLC	2,000.00
				Check Total:	2,000.00
23068	09/07/2009	General Fund	Printing/binding/copying	Print Place	494.94
				Check Total:	494.94
23069	09/07/2009	General Fund	Repairs And Maintenance	Protection One, Inc	22.58
23069	09/07/2009	General Fund	Repairs And Maintenance	Protection One, Inc	101.64
23069	09/07/2009	General Fund	Repairs And Maintenance	Protection One, Inc	101.64

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	225.86
23070	09/07/2009	General Fund	Channel 21 Video Production	Puget Sound Access	1,233.00
23070	09/07/2009	General Fund	Online Video Streaming	Puget Sound Access	650.00
				Check Total:	1,883.00
23071	09/07/2009	General Fund	Utilities	Puget Sound Energy	169.07
23071	09/07/2009	General Fund	Utilities	Puget Sound Energy	232.27
23071	09/07/2009	General Fund	Utilities	Puget Sound Energy	37.58
23071	09/07/2009	General Fund	Utilities	Puget Sound Energy	169.07
				Check Total:	607.99
23072	09/07/2009	General Fund	Telephone	QWEST	160.52
23072	09/07/2009	General Fund	Telephone	QWEST	86.11
23072	09/07/2009	General Fund	Telephone	QWEST	42.03
23072	09/07/2009	General Fund	Telephone	QWEST	76.49
23072	09/07/2009	General Fund	Telephone	QWEST	14.82
23072	09/07/2009	General Fund	Telephone	QWEST	66.68
23072	09/07/2009	General Fund	Telephone	QWEST	66.68
				Check Total:	513.33
23073	09/07/2009	Street Fund	RedFlex Red Light Cameras	Redflex Traffic Systems	19,400.00
				Check Total:	19,400.00
23074	09/07/2009	General Fund	Refund Clearing Account -Parks	Hugo Mojarro	64.00
				Check Total:	64.00
23075	09/07/2009	General Fund	Business & Occupation Tax	Harry A. Pierce, D.O., P.S.	80.85
				Check Total:	80.85
23076	09/07/2009	General Fund	Refund Clearing Account -Parks	Mary Legate	98.00
				Check Total:	98.00
23077	09/07/2009	General Fund	Refund Clearing Account -Parks	Susan Martinez	35.00

Check Number	Check Date	Fund Name	Account Name	Vendor Name	48 Amount
				Check Total:	35.00
23078	09/07/2009	General Fund	Refund Clearing Account -Parks	Douglas McCullom	45.00
				Check Total:	45.00
23079	09/07/2009	General Fund	Refund Clearing Account -Parks	Janine Sawyer	60.00
				Check Total:	60.00
23080	09/07/2009	Transportation CIP	Design - Engineering	Reid Middleton, Inc.	7,792.74
23080	09/07/2009	General Fund	Shoreline Master Plan Update	Reid Middleton, Inc.	9,454.78
				Check Total:	17,247.52
23081	09/07/2009	General Fund	Hotel Site Dvlpmt Costs	Claude McAlpin, III	30.78
				Check Total:	30.78
23082	09/07/2009	General Fund	Comp Plan Implementation Costs	Robinson Newspapers	932.40
				Check Total:	932.40
23083	09/07/2009	General Fund	Instructors Prof Svcs	Diana Amaranta Sandys	160.00
				Check Total:	160.00
23084	09/07/2009	General Fund	Registration - Trainng/workshp	Suburban Cities Association	86.00
23084	09/07/2009	General Fund	Registration - Trainng/workshp	Suburban Cities Association	43.00
				Check Total:	129.00
23085	09/07/2009	General Fund	Computer Consultant Prof Svcs	SEITEL Systems, LLC	796.12
23085	09/07/2009	Street Fund	Computer Consultant Pro Svc	SEITEL Systems, LLC	132.69
23085	09/07/2009	Surface Water Management Fund	Computer Consultant Pro Svc	SEITEL Systems, LLC	132.69
23085	09/07/2009	Parks & Gen Gov't CIP	Project Development	SEITEL Systems, LLC	1,591.79
				Check Total:	2,653.29
23086	09/07/2009	General Fund	Instructors Prof Svcs	Skyhawks Sports Academy, Inc.	607.60
23086	09/07/2009	General Fund	Instructors Prof Svcs	Skyhawks Sports Academy, Inc.	1,413.25

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
				Check Total:	2,020.85
23087	09/07/2009	Parks & Gen Gov't CIP	Project Development	Shiels Obletz Johnsen	3,540.00
23087	09/07/2009	Town Square CIP	Project Development	Shiels Obletz Johnsen	2,250.00
				Check Total:	5,790.00
23088	09/07/2009	General Fund	Repairs And Maintenance	Scott Sonnenfeld	369.56
				Check Total:	369.56
23089	09/07/2009	Town Square CIP	INTERIM CITY HALL	Sound Services	436.90
				Check Total:	436.90
23090	09/07/2009	General Fund	Telephone	SPRINT	99.98
				Check Total:	99.98
23091	09/07/2009	General Fund	Utilities - Fire Hydrants	Seattle Public Utilities	6,906.55
				Check Total:	6,906.55
23092	09/07/2009	General Fund	Professional Services	State Auditor's Office	466.40
				Check Total:	466.40
23093	09/07/2009	General Fund	Registration - Trainng/workshp	SWKC Chamber of Commerce	17.00
				Check Total:	17.00
23094	09/07/2009	General Fund	Office And Operating Supplies	The Lineup	612.08
				Check Total:	612.08
23095	09/07/2009	General Fund	Drug seizure proceeds KCSO	Tri-ed Distribution, Inc.	22.00
				Check Total:	22.00
23096	09/07/2009	Town Square CIP	Office Furniture and Equipment	Tri-Tec	2,934.46

Check Number	Check Date	Fund Name	Account Name	Vendor Name	50 Amount	
					Check Total:	2,934.46
23097	09/07/2009	General Fund	Parks Maintenance	Trugreen-landcare/NW Region	36,874.52	
23097	09/07/2009	Surface Water Management Fund	Maint - 142nd St Pump Station	Trugreen-landcare/NW Region	174.11	
23097	09/07/2009	Street Fund	Street Maintenance-non-county	Trugreen-landcare/NW Region	990.98	
23097	09/07/2009	General Fund	Parks Maintenance	Trugreen-landcare/NW Region	147.28	
23097	09/07/2009	General Fund	Parks Maintenance	Trugreen-landcare/NW Region	209.69	
23097	09/07/2009	General Fund	Parks Maintenance	Trugreen-landcare/NW Region	618.13	
23097	09/07/2009	General Fund	Parks Maintenance	Trugreen-landcare/NW Region	760.48	
23097	09/07/2009	General Fund	Parks Maintenance	Trugreen-landcare/NW Region	435.04	
23097	09/07/2009	General Fund	Parks Maintenance	Trugreen-landcare/NW Region	327.41	
23097	09/07/2009	General Fund	Parks Maintenance	Trugreen-landcare/NW Region	207.50	
					Check Total:	40,745.14
23098	09/07/2009	General Fund	Instructors Prof Svcs	Ken Turner	780.00	
					Check Total:	780.00
23099	09/07/2009	Transportation CIP	construction	TwinStar Credit Union	2,847.55	
					Check Total:	2,847.55
23100	09/07/2009	General Fund	Operating Rentals And Leases	United Site Services	80.00	
					Check Total:	80.00
23101	09/07/2009	General Fund	Postage	U.S. POSTAL SERVICE	1,200.00	
					Check Total:	1,200.00
23102	09/07/2009	General Fund	Seahurst Seawall Monitoring	University of Washington	6,848.00	
					Check Total:	6,848.00
23103	09/07/2009	General Fund	Instructors Prof Svcs	Patricia Eslava- Vessey	918.00	
					Check Total:	918.00
23104	09/07/2009	General Fund	Professional Services	Waldron Resources	400.00	

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount	
					Check Total:	400.00
23105	09/07/2009	Street Fund	Landscape Maint - Utilities	Water District No. 49	124.45	
23105	09/07/2009	Street Fund	Landscape Maint - Utilities	Water District No. 49	139.19	
23105	09/07/2009	Street Fund	Landscape Maint - Utilities	Water District No. 49	129.65	
23105	09/07/2009	Street Fund	Landscape Maint - Utilities	Water District No. 49	48.75	
23105	09/07/2009	Town Square CIP	Construction	Water District No. 49	50.83	
23105	09/07/2009	Town Square CIP	Construction	Water District No. 49	48.75	
23105	09/07/2009	Town Square CIP	Construction	Water District No. 49	195.05	
23105	09/07/2009	Town Square CIP	Construction	Water District No. 49	68.27	
23105	09/07/2009	General Fund	Utilities	Water District No. 49	1,957.80	
23105	09/07/2009	General Fund	Utilities	Water District No. 49	140.90	
23105	09/07/2009	General Fund	Utilities	Water District No. 49	634.10	
23105	09/07/2009	General Fund	Utilities	Water District No. 49	634.10	
23105	09/07/2009	General Fund	Utilities	Water District No. 49	392.92	
					Check Total:	4,564.76
23106	09/07/2009	General Fund	Jury & Witness Fees	John Post	10.55	
					Check Total:	10.55
23107	09/07/2009	General Fund	Jury & Witness Fees	Lori F. Strong	10.55	
					Check Total:	10.55
23108	09/07/2009	General Fund	Jury & Witness Fees	Dennis Strong	10.55	
					Check Total:	10.55
23109	09/07/2009	General Fund	Jury & Witness Fees	Sharon L. Patton	15.50	
					Check Total:	15.50
23110	09/07/2009	General Fund	Jury & Witness Fees	H.A.K.	12.20	
					Check Total:	12.20
23111	09/07/2009	General Fund	Jury & Witness Fees	Tara Jean Kramer	12.20	
					Check Total:	12.20

Check Number	Check Date	Fund Name	Account Name	Vendor Name	52 Amount
23112	09/07/2009	General Fund	Jury & Witness Fees	Leota Faleuli	18.80
				Check Total:	18.80
23113	09/07/2009	General Fund	Jury & Witness Fees	Nicole Fowler	21.00
				Check Total:	21.00
23114	09/07/2009	General Fund	Jury & Witness Fees	Bernadette Andrews	10.00
				Check Total:	10.00
23115	09/07/2009	Street Fund	Special Event Clean up	Waste Management of Seattle	100.32
				Check Total:	100.32
23116	09/07/2009	General Fund	Office And Operating Supplies	Walter E. Nelson Co.	36.40
23116	09/07/2009	General Fund	Office And Operating Supplies	Walter E. Nelson Co.	163.83
23116	09/07/2009	General Fund	Office And Operating Supplies	Walter E. Nelson Co.	163.83
23116	09/07/2009	General Fund	Office And Operating Supplies	Walter E. Nelson Co.	91.02
				Check Total:	455.08
23117	09/07/2009	General Fund	Professional Services	Washington State Patrol	90.00
				Check Total:	90.00
23118	09/07/2009	General Fund	Jail Contract	Yakima County Department	1,083.00
				Check Total:	1,083.00
23119	09/07/2009	Surface Water Management Fund	Storm Water Facility Maint	Yardsmen Company	827.00
23119	09/07/2009	Surface Water Management Fund	Swm Billed By King Co Roads	Yardsmen Company	1,070.31
				Check Total:	1,897.31
23120	09/03/2009	General Fund	Miscellaneous	King County Recorder	66.00
				Check Total:	66.00
23121	09/09/2009	General Fund	City Hall Custodial	National Maintenance	1,032.29

<u>Check Number</u>	<u>Check Date</u>	<u>Fund Name</u>	<u>Account Name</u>	<u>Vendor Name</u>	<u>Amount</u>
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Check Total:	<u>1,032.29</u>
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Report Total:	<u>1,548,559.89</u>
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1000



CITY COUNCIL MEETING MINUTES

August 17, 2009, 7:00 p.m.

Burien City Hall, Council Chambers

400 SW 152nd Street, 1st Floor

Burien, Washington 98166



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

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

CALL TO ORDER

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

EXECUTIVE SESSION

No Executive Session was held.

PLEDGE OF ALLEGIANCE

Mayor McGilton led the Pledge of Allegiance.

ROLL CALL

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

Administrative staff present: Mike Martin, City Manager; Scott Kimerer, Police Chief; Mike Marrs, Fire Chief; 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 August 17, 2009, Agenda.

PUBLIC COMMENT

Ed Dacy, 2016 SW 146th Street, Burien

Mr. Dacy suggested renting out the old library building due to the cost for converting it into the community center and placing the rent in a fund during the interim.

Anne Phillips, 17600 Sylvester Road SW, Burien

Ms. Phillips, member of Sustainable Burien, spoke to the Energy Efficiency and Conservation Block grants available from the Department of Ecology.

Pamela Barberio, 1521 SW 160th Street, Burien

Ms. Barberio spoke to addressing another court hearing, and noted that the City needs to be accountable.



CORRESPONDENCE FOR THE RECORD

- a. Letter Dated May 15, 2009, to Senator Prentice from Carrie Chase-McNamara Regarding Transit Riders Parking in Neighborhood with Response from Doug Lamothe, Interim Public Works Director.
- b. Letter Dated July 14, 2009, from Donald G. Dorres Regarding Statue in B/IAS with Response from Michael Lafreniere, Parks & Recreation Director.
- c. Email Dated July 23, 2009, from Eric Dickman Regarding Burien City Radio Station.
- d. Email Dated August 3, 2009, from Mark Pitzner Regarding Town Square.
- e. Email Dated August 11, 2009, from Marco Milanese, SeaTac Airport Community Relations Manager, Regarding Improved Airport Approach Procedures on the Horizon at SeaTac Airport.

PRESENTATIONS

No presentations were given.

CONSENT AGENDA

- a. Approval of Vouchers: Numbers 22868 - 22969 in the Amount of \$417,238.43.
- b. Approval of Council Meeting Minutes: August 3, 2009.
- c. Motion to Adopt Ordinance No. 518, Relating to Monthly Remittance of Utility Taxes.
- d. Motion to Adopt Resolution No. 301, Authorizing the City Manager to Execute the Proceeds Distribution and Hold Harmless Agreement with the City of Bellevue.
- e. Motion to Approve a Cost Sharing Agreement with the Army Corps of Engineers for Seahurst Shoreline Restoration Feasibility Study.

Direction/Action

Motion was made by Deputy Mayor Blazak, seconded by Councilmember Nelson, and passed unanimously to approve the August 17, 2009, Consent Agenda.

BUSINESS AGENDA

City Manager's Report

Follow-up

Staff will include information, with input from Discover Burien, on the good things happening economically in the City, and report on what King County is doing regarding the correspondence received related to the cars parked in the neighborhood by the bus stop at SW 128th Street and State Route 509.

Review of Council Proposed Agenda Schedule

Follow-up

Staff will schedule a presentation on the Crime Free Multi-Housing Program in 2010.

Motion to Approve Performance Contract Agreement Amendment with WA State Dept. of General Administration for New Interim Community Center Project & the Reallocation of \$500,000 to the Project CIP

Direction/Action

Motion was made by Deputy Mayor Blazak, seconded by Councilmember Nelson, to Approve Performance Contract Agreement with WA State Dept. of General Administration for New Interim Community Center Project & the Reallocation of

\$500,000 to the Project CIP. **Motion** carried 4-2. Opposed, Councilmembers Clark and Shaw.

Motion to Appoint Member to Prepare Con Statement for the Ballot Measure Establishing a \$25 Annual Vehicle License Fee for Two Years in Order to Fund Two High Priority Projects from the Pedestrian and Bicycle Facilities Plan

Direction/Action

Motion was made by Deputy Mayor Blazak, seconded by Councilmember Nelson, and passed unanimously to Appoint Chestine Edgar to the Con Committee for Voters' Pamphlet Statements for the Transportation Benefit District \$25 Annual Vehicle License Fee Ballot Measure.

Discussion on Proposed Ordinance No. 517, Amending the Burien Municipal Code Relating to the Disclosure of Public Records

Follow-up

Staff will schedule a further discussion on September 14 and revise the ordinance to be more user friendly, name the designated Public Records Officer and keep in the procedures the five (5) day response to requests.

Discussion on Replacement Parking/Future Burien Fire Station

Follow-up

Staff will bring a replacement parking solution for further discussion on September 14.

COUNCIL REPORTS

Councilmember Clark reported on the SeaMar Health Fair she attended.

Councilmember Nelson reported on the SCORE ground breaking she attended.

Direction/Action

Councilmembers requested staff to provide limited support to Sustainable Burien's request to seek an Energy Efficiency and Conservation Block grant.

ADJOURNMENT

Direction/Action

MOTION was made by Deputy Mayor Blazak, seconded by Councilmember Nelson and passed unanimously to adjourn the meeting at 8:40 p.m.

Joan McGilton, Mayor

Monica Lusk, City Clerk



CITY COUNCIL

SPECIAL MEETING MINUTES

August 24, 2009, 7:00 p.m.
Burien City Hall, Council Chambers
400 SW 152nd Street, 1st Floor
Burien, Washington 98166



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

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

CALL TO ORDER

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

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; Jenn Rameriz Robson, Management Analyst; Scott Kimerer, Police Chief; Myron Clinton, Parks & Facilities Maintenance Supervisor; Ray Helms, Maintenance Worker; and Monica Lusk, City Clerk.

Councilmembers welcomed residents from the North Highline South Annexation area into the city of Burien.

BUSINESS AGENDA

Discussion on Annexation Vote Results

Jenn Rameriz Robson, Management Analyst, noted that as of August 21, 31 percent of the registered voters had cast ballots. As of August 24, 55.91 percent were for annexation and 44.09 percent were against.

Mike Martin, City Manager, said that he was pleased with the vote outcome and the tremendous turnout. He thanked all that were involved: the Council, public and staff. A Council policy decision is expected in March 2010. It was noted that the parks located in the annexation area would not be closed.

Public Comment

Mayor McGilton opened Public Comment.



The following people spoke supporting the success of the ballot measure to incorporate the North Highline South Annexation area to the city of Burien.

Richard Beaubelle
Karen Veloria
Liz Giba
Virgil Domaoan
Gil Moran
Ray Helms
Greg Duff
Cherisse Luxa

Ed Dacy, 2016 SW 146th Street, Burien
Mr. Dacy encouraged the new residents to attend the meetings of the four advisory boards.

Mr. Martin spoke to the timing of the annexation transition, which includes hiring staff, managing planning and zoning, and modifying contracts. Staff will come before Council with a recommendation on a date to formalize the bringing of the new area into the city of Burien.

Discussion on and Possible Motion to Adopt Ordinance No. 522, Relating to Appointments to the Arts Commission, Parks and Recreation, and Planning Commission Advisory Boards

Direction/Action

Motion was made by Deputy Mayor Blazak, seconded by Councilmember Nelson to adopt Ordinance No. 522, relating to appointments to the Arts Commission, Parks and Recreation, and Planning Commission Advisory Boards.

Councilmember Clark made an amendment to include the Business and Economic Development Partnership in the ordinance, seconded by Councilmember Krakowiak.

Councilmember Clark withdrew her amendment, Councilmember Krakowiak withdrew her second.

Jim Clingan, 14682 22nd Avenue SW, Burien

Mr. Clingan, Planning Commissioner, suggested keeping the membership at-large and to accept applications for the advisory boards now for appointments later.

Ray Helms

Mr. Helms supported Mr. Clingan's statement.

Direction/Action

Councilmembers requested to accept applications for the advisory boards in January of 2010 and, in the meantime, encourage the public to attend the meetings.

Deputy Mayor Blazak withdrew the original motion, Councilmember Nelson withdrew her second.

ADJOURNMENT

Direction/Action

MOTION was made by Deputy Mayor Blazak, seconded by Councilmember Nelson and passed unanimously to adjourn the meeting at 8:18 p.m.

Joan McGilton, Mayor

Monica Lusk, City Clerk



Burien

Washington, USA

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

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

www.burienwa.gov

MEMORANDUM

TO: Honorable Mayor and Members of the City Council
FROM: Mike Martin, City Manager
DATE: September 14, 2009
SUBJECT: City Manager's Report

I. INTERNAL CITY INFORMATION

A. Visit by Congressional Staff – August 28

Congressman Smith's new staff person responsible for transportation issues visited Burien on August 28. Following a brief meeting at City Hall, City staff took the Congressional staff on a tour of projects where the City has received Congressional funding assistance, as well as the site of a future transportation project that the City proposes to initiate with federal funds. Congressman Smith has supported funding for the City's past efforts to improve the flow and safety of the SR 509/SR 518 interchange, as well as for the downtown street improvements at the Town Square and construction of the new Transit Center.

B. New Bike Lockers for Burien Transit Center

By the end of September, King County Metro plans to install bike lockers for use by people catching the bus at the Burien Transit Center. The new lockers will be located in space in the park-and-ride lot which was originally designated for motorcycle parking. The first set of lockers will accommodate four bicycles.

C. "Burien Wellness" Hosts Community Wellness Fair

Burien Wellness, a local organization made up of medical service providers, educational organizations and the City of Burien, invites the public to Burien's first ever Community Wellness Fair. The Fair will be held in the new Town Square (where the Farmer's Market is held) on Saturday, September 19, 10 am – 4pm. Free medical screenings, free preventative and diagnostic information, healthy cooking and exercise demonstrations, entertainment, and lots of giveaways will make this a fun, informative and exciting day for all. The first 250 attendees will receive pedometers. Over 50 exhibitors will be on hand to showcase their roles in making Burien a Wellness Center. Job applications will be available at various booths, and educational opportunities in the healthcare field will be represented as well.

D. Burien Applies for Urban Vitality Grant

With assistance from Public Works, Finance, the City Manager's Office, the Building Department and a citizen volunteer, Burien submitted an application for a \$500,000 Urban Vitality Grant for expanded pedestrian and Bicycle Improvements on SW 136th from Ambaum Boulevard SW to Des Moines Memorial Drive. If the City receives this funding for the SW 136th project, one of two proposed Transportation Benefit District (TBD) projects, the project scope will be expanded to include bicycle lanes and sidewalk pedestrian improvements to both sides of the street. If the TBD \$25 car tab fee is not successful in November, the grant funding would allow a scaled back version of the project to continue.

E. City's New Phone System is "Green"

The wiring for our new phone system is "green". We've used overhead channels (racks), creating improved airflow for cooling and protection from damage. Our cabling is also smaller in diameter with built in interior channels for airflow. Using far less raw material than traditional cabling, the built in channels use air as a conductor insulator providing better electrical performance and reduction in the danger of fire and smoke.

We have also installed a Patch-by-Exception wiring system. This system doesn't require the jumbled mass of patch cables you often see with traditional systems. Our installation hard wires the circuits using front terminating connections on a neatly-organized wall panel. The new installation makes it easier to locate network faults and prevent unauthorized changes. Additions, moves and changes are quick and more easily kept up to date.

This eco-friendly system is located in the 2nd floor server room.

F. New Planning Commission Officers

On August 25th, the Planning Commission selected Joe Fitzgibbon as their new Chair and Jim Clingan as their Vice-Chair. Joe and Jim replace Janet Shull and Stacie Grage as Chair and Vice-Chair respectively.

G. Airplane Noise Community Meeting

Representatives Dave Upthegrove and Tina Orwall and Senator Karen Keiser are hosting a second community meeting regarding airplane noise at Sea-Tac Airport. Although the state Legislature does not oversee and has no jurisdiction over Sea-Tac Airport flight operations, the district's elected officials are again hosting this discussion to help inform residents of the decision-making process and provide an opportunity to ask questions and voice their concerns on issues from flight times to eligibility for noise mitigation projects.

The community meeting is scheduled for September 29, 2009 at 7:00 p.m. at the Criminal Justice Center in Burien. The Criminal Justice Center is located at 19010 1st Avenue South, Burien, WA 98148.

H. Citizen Advisory Boards

Based on previous Council direction, staff will continue the following process for seeking volunteers to serve on the advisory boards:

- September – December 2009: Accept applications throughout the year for the boards
- January 2009: Formally advertise for volunteers
- February 15, 2010: Deadline for accepting applications
- March 2010: Schedule interviews and appointments

Staff will also encourage interested residents and soon to be residents to attend meetings. The City currently has four Advisory Boards:

- Arts Commission (1 position currently open)
- Business and Economic Development Partnership
- Parks & Recreation Board (1 position currently open)
- Planning Commission

The current members with their terms can be found on the City's website at www.burienwa.gov/boards.

I. City Hall Sustainability Posters

Six color posters describing some of the sustainable features of our new Library/City building and grounds are now displayed in our City Hall lobby along with handouts with additional sustainability information.

J. City Hosts Blood Drive

City of Burien staff hosted a Puget Sound Blood Center mobile unit for a 3-hour blood drive on Monday, August 24, 2009. 15 staff donated blood, nine of whom were first time donors. Staff plans to make donating blood an ongoing activity in 2010.

K. Burien Asks County Not to Raise Rates for Police Services in 2010 (Pg. 75)

Burien joined with Kenmore, Maple Valley, Newcastle, Sammamish, and Shoreline to send a joint letter to King County Executive Kurt Triplett, asking that King County not raise its rates for police services in 2010. A copy of the letter is attached.

L. Burien Requests Meeting With Comcast to Discuss Channel 21 Broadcast Coverage (Pg. 77)

The City of Burien has requested a meeting with Comcast to discuss the broadcasting of Channel 21 into the annexation area. A copy of the letter is attached.

M. City Receives Thank You Letter from Sea Mar Community Health Centers (Pg. 78)

The City of Burien received a letter from Sea Mar Community Health Centers thanking us for participating in their recent health fair during National Health Centers Week. Councilmember Rose Clark and staff manned a City of Burien table, and handed out

information. Some of the handouts included translated materials on Parks to visit and Walking Routes in Burien. A copy of the letter is attached.

N. City Receives Thank You for Donation to Highline Schools Foundation (Pg. 79)

The City of Burien received a thank you letter from the Highline Schools Foundation for the donation made to their Pay-for-Play scholarship fund. This donation was a gesture to thank the Highline School District for the use of their Administrative Center Boardroom over the past two and one-half years to hold City Council meetings while the City Hall was in an interim location. A copy of the letter is attached.

O. Stormwater Grant Project Satisfactorily Completed

The City has received a letter from the Department of Ecology noting the integrity and high professional standards with which the Burien Local Government Stormwater Grant was accomplished. Heungkook Lim, our Surface Water Management Engineer, was instrumental in overseeing this grant, which in part was used to purchase laptops for field monitoring.

P. After School Teen Program to Accommodate Increased School Early Dismissals

The City's free After-School program for middle and high school-aged youth will be opening earlier on the newly-established "Early Dismissal" dates that the Highline School District established for the 2009-10 school year. Approximately 19 more school days will have the 90-minute early-dismissal time for Sylvester Middle School students, who are the primary participants in this program. These students are also provided van transportation pick-up from the school by Burien Teen Program staff to the program's site at Burien Community Center. Staff has re-arranged work assignments to accommodate this new need, and will be evaluating staff workloads to determine whether this change can be continued throughout the school year.

Q. Geocaching Popular in City Parks

One activity that brings many people to some of our parks is the apparently quite popular hobby of geocaching, an outdoor activity in which the participants use a Global Positioning System (GPS) receiver or other navigational techniques to hide and seek containers called "geocaches" or "caches". It is most often described as a "game of high-tech hide and seek", sharing many aspects with orienteering, treasure-hunting, and waymarking. A typical cache is a small waterproof container containing a logbook. The cache "finds" are also logged online. Several Burien parks contain geocaches and they are used by many residents and visitors. The Parks Dept. monitors these entries online to watch for issues of concern. This recent comment was from a visiting geocacher from Tucson: *"I love Seahurst Park and especially the new improvement with seating and grills. I will be back again for more geocaching and enjoying the park. Thanks."* People can learn more about geocaching at www.geocaching.com.

R. Beach Naturalist Completes its 2009 Program

The 2009 Beach Naturalist Program held at Seahurst Park wrapped up its 2009 summer program with 2,461 participants attending during 13 events scheduled between May 23 and July 21. The program is in its ninth year at the Seahurst Park location and continues

to be successful in its environmental education efforts to help the public become more knowledgeable and interested in local marine and park habitats.

S. New ShapeUp Senior Program

King County Emergency Services (KCES) selected Burien to receive marketing funds to promote fall prevention and senior fitness programs for this fall season. The City of Bellevue, Northshore community, and Seattle's Bitter Lake neighborhood were also chosen by KCES for this new initiative. The "ShapeUp" program strives to reduce the number of falls and injuries that senior adults experience by enlisting seniors to retain their muscle strength and balance through physical activity. New senior fitness class participants and/or ongoing registrants in newly-designed classes will receive a \$10 discount off their registration. A Senior Fitness Fair is also scheduled for Thursday, September 10 at the Community Center, and will feature local health/wellness vendors, fitness demonstrations/speakers, freebies, free 5-minute massages, and a gift basket raffle.

T. Highline Head Start Moves Into Burien Community Center

Head Start moved into the Community Center's Room 9 on Saturday, August 22 in preparation for its first full-day preschool class on Wednesday, August 26. Head Start will begin two additional half-day classes in Room 5 on September 14. Their short-term lease with the City concludes the end of February 2010; they will then move into their new White Center facility. Head Start is currently pursuing additional federal stimulus funding to expand their Highline program. If successful, they will likely retain their lease at BCC. The three fall BCC classes will have 51 children registered and 12 on-site staff. The addition of the Head Start program has re-established the east wing of BCC's north building as an exclusive preschool education area, since the Head Start rooms will be directly across the hall from rooms already leased by the Burien Co-op Preschool.

U. B/IAS Becomes Music Venue

The Burien Interim Art Space (B/IAS) was transformed into a unique sound environment during the weekend of August 14-16. On Friday, August 14, the City's Teen Program sponsored "Fire Burns", a new Break Dance Battle event with approximately 200 teens and young adults performing and/or attending. On Saturday-Sunday, August 15-16, B/IAS sponsored "Pieces of 8", a first-time regional musical happening that enabled performing artists to create sound compositions for the B/IAS site on 8 channels over 8 speaker stacks. Audience members were treated to sounds as diverse as a pre-recorded mixture of Amazon rainforest sounds to a live performance by 8 harpists. The *Seattle Times'* August 14 edition featured the event on the front page of its "Northwest Arts" section, which continued the ongoing media buzz about Burien's innovative art community.

V. Port of Seattle Offers Community Outreach Educational Series (Pg. 80)

The Port of Seattle is offering a series of educational opportunities to the public. The attached flyer details the dates and topics. Reservations are required for participation.

W. Washington State Auditor's Office Reports Available

The Washington State Auditor's Accountability Audit Report and the Federal Single Audit Report issued August 24, 2009 are available for review in the City Manager's Office. The Auditor's Office is required to issue a Federal Single Audit Report when a non-federal entity expends more than \$500,000 in federal awards. The Accountability Report verifies Burien's compliance with state laws and regulations and the City's own policies and procedures. Both reports found the City in compliance and with adequate safeguards in place.

X. Washington Cities Insurance Authority Annual Review Available

The 2009 Washington Cities Insurance Authority (WCIA) review is available in the City Manager's Office. The annual review provides Burien with a summary of its insured assets, a review of coverage and a list of claims and losses for the year.

II. COUNCIL UPDATES/REPORTS

A. Burien Receives Thanks for Submitting Comments to King Conservation District (Pg. 81)

The City has received a thank you letter (copy attached) for submitting comments on King Conservation District's proposed System of Assessments Appropriation Plan for the term 2010 – 2014.

B. Burien Receives Report from the Regional Commission on Airport Affairs

The Regional Commission on Airport Affairs (RCAA) has provided Burien with a report, entitled: A Predictable Failure: Legislative Mandate Ignored; Aviation Planners Miss the Point (subtitled, An independent analysis of the final recommendations of the state-wide Aviation Planning Council). The report will be on file in the City Manager Office should any councilmember wish to review it.

C. Contracts over \$25,000 Signed by City

The City has recently signed the following contracts for 2009 that are over \$25,000:

- KPG, Inc. for \$56,619 for construction inspection services for Mathison Park Expansion, Phase 2
- Highline School District for \$66,752 (their share) of the School Resource Officer for the 2009-2010 school year
- T.F. Sahli for \$74,071 for construction services for the Seahurst Park Service Road Slide
- KBH Construction Company for \$469,357 for construction services for the 4th Ave SW Non-Motorized/Pedestrian Improvement Project.
- James Cary, amendment no. 1 for \$66,900 for additional design services for the Library Remodel project for the Burien Community Center move

D. Sales Tax Update (Pg. 83)

Attached is the June 2009 Sales Tax Report and Revenue Comparison by Category.

E. Major Projects Status Report (Pg. 85)

Staff has provided Council with the August 2009 Major Projects Status Report (attached).

F. Citizen Action Report Update (Pg. 87)

Attached is the August 2009 Citizen Action Report Update.

G. Advisory Board Meeting Minutes (Pg. 93)

Copies of approved minutes from the following Advisory Boards are attached:

- June 10, 2009 Parks & Recreation

H. Notices (Pg. 95)

- Notice of Construction, 4th Avenue SW Non-motorized Improvements (SW 153rd Street to SW 156th Street). This Notice was mailed to approximately 18 addresses along the project route.
- Notice of Citizens Invited to Speak For or Against Initiative Measure No. 1033 Concerns State, County and City Revenue.
- Notice that the City of Burien Planning Commission will hold a public hearing on September 22, 2009, at 7:00 pm at Burien City Hall to receive public comments on amendments to the Burien Zoning Code.
- Notice of Public Hearing to receive public comments on application for Binding Site Plan Review and Type 1 Review for twelve unit residential townhouse development on a .64 acre lot in the RM-24 Multi-Family Residential zone.



August 31, 2009

The Honorable Kurt Triplett
 King County Executive
 King County Chinook Building
 401 Fifth Avenue, Suite 800
 Seattle, Washington 98104

Dear Executive Triplett:

During these difficult economic times, we know that King County is making its best effort to bring revenues and expenditures into proper balance. That process, full of painful calculations and tough choices, is a challenge we all face as we formulate our budgets for 2010 and beyond.

In the interest of clarity, therefore, we would like to formally request that King County **not** raise its rates for police services to the undersigned cities in 2010. In making this request, we are asking the county to take the economic environment into account and match the restraint we are showing within our own cities. The latest annual CPI-W and CPI-U figures (2008 to 2009) for our area are showing a decrease of -.7% and -.4% respectively.

Some examples:

- We have set our "cost of living adjustments" at zero for our own employees
- Some of us have "furloughed" employees to cut costs
- Others have cut positions and imposed a hiring freeze

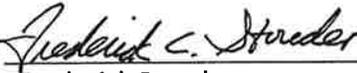
As our revenues shrink, with little or no sign the economy will recover soon, the usual cost escalation for police services is simply not sustainable. Although we would like to retain our "level of service," we know that a higher price for the same menu of services will give us no option but to shrink the menu and bring costs into line. In 2009 the contract cities are paying \$41 million of the \$135 million Sheriff's budget, amounting to approximately 1/3 of the budget.

As contract cities, we want to assure you that we have been pleased by the police services we have received from the King County Sheriff's Office and its highly professional officers. All of the undersigned cities would like to continue an arrangement that provides both safety and value to our taxpayers. But the hard edge of financial reality is closing in, and we respectfully ask that the county do its part to adjust to new circumstances.

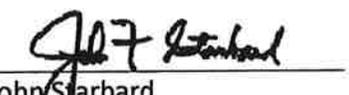
King County Executive Kurt Triplett
August 26, 2009 – Page Two

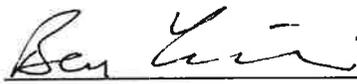
Many thanks for your attention to this matter. We look forward to working with you this year,
and for many years to come.
Regards,

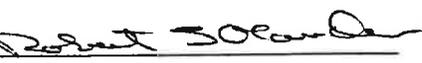

Mike Martin
City Manager, Burien


Frederick Stouder
City Manager, Kenmore


David W. Johnston
City Manager, Maple Valley


John Starbard
City Manager, Newcastle


Ben Yazici
City Manager, Sammamish


Robert Olander
City Manager, Shoreline


Richard Leahy
City Manager, Woodinville

- Cc: Sheriff Sue Rahr
City of Burien
City of Kenmore
City of Maple Valley
City of Newcastle
City of Sammamish
City of Shoreline
City of Woodinville



Burien

Washington, USA

400 SW 152nd Street • Suite 300 • Burien, WA 98166
Phone: (206) 241-4647 • FAX (206) 248-5539
www.burienwa.gov

September 2, 2009

Mr. Ken Rhoades
Area Vice President
Comcast-South East Puget Sound Area
4020 Auburn Way North
Auburn, WA 98002

Dear Mr. Rhoades:

As you may know, residents in a portion of North Highline in unincorporated King County voted to annex to the City of Burien in the August 18 Primary Election. The City of Burien has begun the planning process to implement annexation and use of the PEG Channel 21 for the Burien Channel is a priority item for us. Communication with the residents in the annexation area has been a high priority for Burien throughout the annexation process.

According to the franchise agreement between Burien and Comcast, Comcast has twelve months to implement the change in channel line-up after the official date of annexation. We anticipate that the Burien City Council will pass the ordinance making the annexation official in spring of 2010. I would like an opportunity to meet with you to discuss how we can work together to switch over PEG Channel 21 to broadcasting the Burien Channel content sooner rather than later.

I am available to meet with you at your convenience and would appreciate hearing back from you on your availability. Please contact me at (206) 248-5508 or via email at mikem@burienwa.gov with your availability or if you have any questions.

Sincerely,

Mike Martin,
Burien City Manager

cc: Burien Mayor Joan McGilton
Burien City Council
King County Executive Kurt Triplett
North Highline Unincorporated Area Council
Terry Davis

78
King County
ADMINISTRATIVE OFFICES
1040 S. HENDERSON
SEATTLE, WA 98108
PHONE: (206) 763-5277
MEDICAL CENTER
COUNSELING & REFERRAL
SEATTLE, WA 98108
PHONE: (206) 762-3730
WIC, HOME HEALTH,
CHORE SERVICES
SEATTLE, WA 98108
PHONE: (206) 764-4700
CARE CENTER & CHILD
DEVELOPMENT CENTER
SEATTLE, WA 98108
PHONE: (206) 763-5210
NORMANDY PARK
WIC OFFICE
19655 1ST AVE. S.
SEATTLE, WA 98148
ADULT RECOVERY HOUSE
DES MOINES, WA 98198
PHONE: (206) 878-7393
DENTAL
SEATTLE, WA 98108
PHONE: (206) 762-3263

Clark County
DENTAL CENTER
VANCOUVER, WA 98665
PHONE: (360) 574-4074
FAX: (360) 574-9237
MEDICAL CENTER
VANCOUVER, WA 98665
PHONE: (360) 896-5128

Franklin County
PASCO HOTEL
PHONE: (509) 546-0865

Pierce County
TACOMA MEDICAL & DENTAL
TACOMA, WA 98405
PHONE: (253) 593-2144
ADULT TREATMENT CENTER
TACOMA, WA 98409
PHONE: (253) 627-2250

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MARYSVILLE
MEDICAL/DENTAL
MARYSVILLE, WA 98270
PHONE: (360) 653-1742
COUNSELING & REFERRAL
SUBSTANCE ABUSE
EVERETT, WA 98208
PHONE: (425) 347-5415

Skagit County
MEDICAL & DENTAL CENTER
MT. VERNON, WA 98273
PHONE: (360) 428-4075
DENTAL CENTER
BURLINGTON, WA 98233
PHONE: (360) 755-9151
COUNSELING & REFERRAL
HOMELESS
MT. VERNON, WA 98273
PHONE: (360) 428-8912
MT. VERNON OB/GYN
MT. VERNON, WA 98273
PHONE: (360) 424-5344

Thurston County
OLYMPIA MEDICAL
OLYMPIA, WA 98503
PHONE: (360) 491-1399
TUMWATER DENTAL &
COUNSELING
TUMWATER, WA 98501
PHONE: (360) 570-2160

Whatcom County
MEDICAL & DENTAL CENTER
BELLINGHAM, WA 98226
PHONE: (360) 671-3225
EVERSON MEDICAL CENTER
EVERSON, WA 98247
PHONE: (360) 354-0766
COUNSELING & REFERRAL
SUBSTANCE ABUSE
BELLINGHAM, WA 98255
PHONE: (360) 734-5458
YOUTH TREATMENT CENTER
BELLINGHAM, WA 98226
PHONE: (360) 647-4266



SEA MAR

Community Health Centers
Clinica de la Comunidad

Proudly Serving the Community since 1978

RECEIVED

ROGELIO RIOJAS, CHIEF EXECUTIVE OFFICER

AUG 31 2009

Dear Mr. Dick Loman,

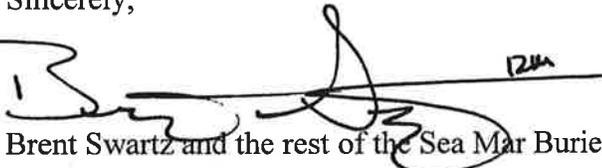
CITY OF BURIEN

On behalf of everyone at Sea Mar, I would like to sincerely thank you for your participation at our annual health fair for National Health Centers Week. With your support we were able to offer health and community services to over one hundred participants who came out despite the rain. This was the first time that we have attempted an event like this in Burien and we were very happy to see such a great turn out. It was equally impressive to see all the different community groups supporting an event like this. We are fully aware of the time that you took from your busy lives and businesses in order to participate in this outreach event.

Working together as we did was a good example of what we can accomplish by tapping into the caring partners we have in the community. I would like to recognize the Burien Wellness Cluster and all their efforts to bring together the different entities of our broader health care community. Connections made through this group played a significant role in this event. Reaching out to the community is very important to us at Sea Mar, and together we are able to magnify that ability.

We also appreciate your flexibility and adaptability, as events like this are rarely predictable. We would appreciate any feedback that you have to offer in order to improve on this event in the future. Additionally, we hope that we will be able to work together again in future outreach activities. Please do not hesitate to contact me regarding any feedback or if I can be of any service.

Sincerely,


Brent Swartz and the rest of the Sea Mar Burien Medical Team

Sea Mar Community Health Centers
14434 Ambaum Blvd SW
Burien, WA 98166

(206)812-9182, ext-20181
brentswartz@seamarchc.org

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HIGHLINE SCHOOLS FOUNDATION
FOR EXCELLENCE

September 2, 2009

City of Burien,
Mayor Joan McGilton
15811 Ambaum Blvd. SW, Ste. C
Burien, WA 98166

Dear Mayor McGilton:

On behalf of the Board of Trustees of the Highline Schools Foundation, thank you for the generous donation of \$2000 designated for the Highline Athletic – Pay-for-Play scholarships. The Board shares your hope of ensuring that all Highline Public School students have an opportunity to play sports, regardless of their ability to pay.

Highline Schools Foundation is registered with the Washington Secretary of State as a 501(c)(3) charitable organization. The Foundation supports all Highline Public Schools by funding enrichment for academic achievement, classroom grants, college and career readiness, the arts, and community programs. Last year, more than \$97,000 was distributed to Highline's 35 schools.

We are very grateful for your partnership in support of Highline Public Schools.

Sincerely,

Holly Moore, Ed.D.
Executive Director

Please keep this portion as your tax receipt.

Highline Schools Foundation for Excellence
Highline Athletic Program – Pay-for-Play

Donor Name: City of Burien
Gift Amount: \$2000.00
Date Received: 8/25/09

No goods or services were provided in exchange for your contribution.
245 SW 152nd Street, Suite D, Burien, WA 98166 - www.highlineschoolsfoundation.org
Phone: (206)248-5196 - Fax: (206)838-6041 - Tax ID # 91-2020506

YOU'RE INVITED

Please join the Port of Seattle and our partners
for the 2009 fun and educational series of

Port 
of Seattle
www.portseattle.org

PORT 101

Airport 101

DATE: Wednesday, Sept. 16
CHECK IN: 3:45 pm
PROGRAM: 4:00 – 6:30 pm
LOCATION: Sea-Tac Airport
PARTNER: ICON Materials

Sea-Tac Airport is completing the reconstruction of its oldest and longest runway, 18L/34R, which is the closest runway to the terminal. The runway was built in 1944 and is being removed, recycled, and rebuilt – while 1,000 aircraft move through the active construction site every day! The old concrete was crushed on-site and used as gravel fill under the new pavement. The old asphalt was hauled away to be recycled. The runway is expected to be finished by the end of September. Participants will be among the first to visit the site before it becomes an open and active runway.

Duwamish River 101

DATE: Wednesday, Sept. 23
CHECK IN: 3:45 pm
PROGRAM: 4:00 – 6:30 pm
LOCATION: Bell Harbor Marina, Pier 66

PARTNERS: Environmental Protection Agency, Duwamish River Clean Up Coalition, Environmental Coalition of South Seattle, Muckleshoot Tribe

Come see the Duwamish industrial area where more than 80,000 people work for an annual payroll of \$2.5 billion. This waterway is not just essential for jobs, but provides critical habitat for fish and wildlife. Government, community and business efforts have combined to make the waterway flow cleaner into Elliott Bay. You'll board a floating classroom to learn about marine industrial commerce, the legacy of past industrial activities, fish and wildlife habitat restoration, and Superfund cleanup plans.

Cruise 101

DATE: Friday, Sept. 25
CHECK IN: 10:30 am
PROGRAM: 11:00 – 1:30 pm
LOCATION: Smith Cove Cruise Terminal, Pier 91

PARTNERS: Holland America Line, Cruise Terminals of America

The cruise ships gracing Seattle's harbor do far more than entertain passengers. This thriving industry creates 3,781 jobs and brings \$312.5 million in business revenue to the region. In 2009 the Port of Seattle will host 218 ships and 841,000 passengers at its two downtown cruise facilities. Board the Holland America *Zaandam* at the new Smith Cove Cruise Terminal at Pier 91, and learn how the Port, cruise lines and regulatory agencies have partnered to protect the environment. The afternoon visit also will include a general ship tour.

Cargo 101

DATE: Wednesday, Oct. 14
CHECK IN: 3:45 pm
PROGRAM: 4:00 – 6:30 pm
LOCATION: Port Headquarters, Pier 68

PARTNERS: Eagle Marine Services, BNSF Railway, International Longshore and Warehouse Union

See how operators at Terminal 5, Seattle's second largest container terminal, orchestrate the movement of cargo. At this terminal, American President Lines was the first shipping line in the harbor to voluntarily use low-sulphur fuel while at dock, helping to make Seattle the Green Gateway for cargo arriving from Asia. Visit BNSF's rail yard to learn about the transportation connections of ship, truck and rail, and see the latest in cargo handling equipment. Learn first-hand from the Longshore workers what it's like to work on the docks.



*Driving directions and parking information will be provided to all confirmed participants via E-mail prior to each event.

JOIN US FOR YOUR FAVORITE OFFERING OR THE WHOLE SERIES.

Space is limited, so reserve early. Advance reservations are required.

RSVP: <http://www.portseattle.org/news/events/>

QUESTIONS: 206.787.3009



RECEIVED

AUG 24 2009

81

King Conservation District

1107 SW Grady Way, Suite 130 • Renton, WA 98057 • Phone 425-282-1900 • Fax 425-282-1898 • www.kingcd.org

Mayor Joan McGilton
City of Burien
400 SW 152nd Street Suite 300
Burien, WA 98166

Dear Mayor McGilton,

Thank you for submitting your comments on King Conservation District's proposed System of Assessments Appropriation Plan for the term 2010 – 2014.

King Conservation District is appreciative of the collaboration over the past ten years with King County and the member jurisdictions. We value the collaboration with our partners for the conservation and restoration of salmon habitat, especially through the direct engagement of private landowners which has always been a component of the King Conservation District mission.

The King Conservation District Board of Supervisors took all comments into consideration and believe the proposal submitted to the Metropolitan King County Council on July 31st addresses those concerns. You can find that proposal and its accompanying documents at <http://www.kingcd.org/news-special-assessment.htm> on the District's website.

King Conservation District is committed to continuing its regular collaboration with the District's member jurisdictions to ensure a balance of services to District landowners and support for conservation projects through partnerships that also benefit all of the District's constituents. It is my hope we can all agree there is tremendous value in maintaining and enhancing the special assessment.

While the King Conservation District Board of Supervisors and I are supportive of the Proposed Appropriation Plan submitted to the County, we seek ongoing creative thinking and discussion on balancing the need to meet our regulatory mandates and the needs of our partners. We look forward to meeting and working with you on this endeavor in the weeks ahead as we enter our 2010 budget process.

Should you have any questions or suggestions, please don't hesitate to contact either me or Jason Chambers, our Public Information Officer.

Very best regards,

A handwritten signature in cursive script that reads 'Bill'.

Bill Knutsen

City of Burien

June 2009 Sales Tax Revenue Comparison by Category

	% of Total		Difference		% Change
	June-09	Revenue	June-08	2008 to 2009	
Unknown	\$ 57	0.0%	\$ 342	\$ (285)	-83.3%
Agriculture, Forestry, Fishing	\$ 30	0.0%	\$ 19	\$ 11	N/A
Mining	\$ 216	0.1%	\$ 339	\$ (123)	-36.3%
Construction	\$ 54,121	15.1%	\$ 84,993	\$ (30,872)	-36.3%
Manufacturing	\$ 7,285	2.0%	\$ 7,116	\$ 169	2.4%
Wholesale Trade	\$ 10,864	3.0%	\$ 17,136	\$ (6,272)	-36.6%
Retail Trade	\$ 175,986	49.1%	\$ 210,498	\$ (34,512)	-16.4%
Transportation and Warehousing	\$ 2,642	0.7%	\$ 2,209	\$ 433	19.6%
Information	\$ 14,265	4.0%	\$ 15,984	\$ (1,719)	-10.8%
Finance & Insurance	\$ 571	0.2%	\$ 650	\$ (79)	-12.2%
Real Estate, Rental, Leasing	\$ 7,752	2.2%	\$ 6,393	\$ 1,359	21.3%
Prof, Sci, Technical Services	\$ 9,338	2.6%	\$ 5,404	\$ 3,934	72.8%
Admin, Support, Remedy Services	\$ 7,833	2.2%	\$ 9,866	\$ (2,033)	-20.6%
Educational Services	\$ 1,224	0.3%	\$ 1,287	\$ (63)	-4.9%
Health Care Social Assistance	\$ 3,816	1.1%	\$ 3,973	\$ (157)	-4.0%
Arts, Entertainment, Recreation	\$ 2,047	0.6%	\$ 2,180	\$ (133)	-6.1%
Accomodation and Food Services	\$ 39,457	11.0%	\$ 46,763	\$ (7,306)	-15.6%
Other Services	\$ 21,137	5.9%	\$ 23,717	\$ (2,580)	-10.9%
	<u>\$ 358,641</u>		<u>\$ 438,869</u>	<u>\$ (80,228)</u>	-18.3%

June 2009 Sales Tax Detail

- June 2008 to June 2009 ↓ 18.3%
 - Retail Trade (49%) ↓ 16.4%
 - Motor Vehicle & Parts Dealers (20% of total) ↓ 32.4%
 - » New Car Dealers (16.2% of total) ↓ 35.1%
 - General Merchandise Stores (8.2% of total) ↑ 3.1%
 - Food & Beverage Stores (5.7% of total) ↓ 2.0%
 - Building Material & Garden (2% of total) ↑ 62%
 - Electronics and Appliances (1% of total) ↑ 2.9%
 - Construction (15.1%) ↓ 36.3%
 - Accommodations & Food Service (11 %) ↓ 15.6%

Major Projects Status

Project

Address	Highline Christian Church 114 SW 150th Street	Date	Status (BLD 05-0078 & BLD 06-0676)
Zone	CR	25-Aug	Education wing interior work underway
Site Size	1.45 Acres	25-Sep	No Status Change
Project Lead	KG	25-Oct	Education wing 1st floor final approved
Building Sq Ft	63,000	25-Nov	2nd floor finish work underway
Building Stories	2	25-Dec	No Status Change
		25-Jan	No Status Change
		25-Feb	Limited occupancy granted for Ed wing
		25-Mar	No Status Change
		25-Apr	No Status Change
		25-May	No Status Change
		25-Jun	No Status Change
		25-Jul	No Status Change
		25-Aug	Permit extension granted
Address	Nugyen Townhomes 10XX SW 130th Street	Date	Status (BLD 05-1387-1391)
Zone	RM-24	25-Aug	#1 bldg interior work underway, 2 & 3 footing work continuing
Site Size	14,337 sq. ft. (0.33 Acres)	25-Sep	No Status Change
Project Lead	SB/CD	25-Oct	Building 1 (Units 7 & 8) final occupancy approved
Units	8	25-Nov	Buildings 2 & 3 foundation work complete
Building Stories	3	25-Dec	No Status Change
		25-Jan	No Status Change (Extensions granted for units 1-6)
		25-Feb	No Status Change
		25-Mar	No Status Change
		25-Apr	No Status Change
		25-May	No Status Change
		25-Jun	No Status Change
		25-Jul	Extension granted
		25-Aug	No Status Change
Address	Shorewood Subdivision (19-lots) Vacant Lot 15XX SW 124th Street	Date	Status (BLD 05-1683 & PLA 04-0228)
Zone	RS-12,000	25-Aug	12 permits issued, 4 finalized
Site Size	7.07 Acres	25-Sep	12 permits issued, 5 finalized
Project Lead	SB/CD	25-Oct	12 permits issued, 6 finalized
Lots	19	25-Nov	12 permits issued, 7 finalized
		25-Dec	12 permits issued, 8 finalized
		25-Jan	12 permits issued, 8 finalized
		25-Feb	No Status Change
		25-Mar	No Status Change
		25-Apr	No Status Change
		25-May	No Status Change
		25-Jun	No Status Change
		25-Jul	No Status Change
		25-Aug	No Status Change
Address	Sunset Townhomes 148 & S 152nd Street	Date	Status (BLD 08-0362 & 0363)
Zone	RM-24	25-Aug	Exterior finishes being installed
Site Size	15,077 sq. ft. (0.35 Acres)	25-Sep	Interior work underway
Project Lead	KG/SJ	25-Oct	Interior work continuing
Units	6	25-Nov	No Status Change
		25-Dec	No Status Change
		25-Jan	SW 152nd Street sidewalks poured
		25-Feb	Interior finish work underway
		25-Mar	No Status Change
		25-Apr	Landscaping installed
		25-May	Interior work continuing
		25-Jun	No Status Change
		25-Jul	No Status Change
		25-Aug	No Status Change

Address Moen Townhomes (Powell Homes)
 213 SW 154th Street
Zone RM-24
Site Size 15,000 sq. ft. (0.34 Acres)
Project Lead KG/SJ
Units 6
Building Stories 3

Date **Status** (BLD 07-2328 & 2329)
 5-Mar Permit read to issue
 25-Jun Permit extension granted
 25-Nov Permit extension granted
 25-Apr No activity to date
 25-May No activity to date
 25-Jun No activity to date
 25-Jul No activity to date
 25-Aug No activity to date

Address Highline Medical Center (Birch Wing)
 16251 Sylvester Rd SW
Zone O
Site Size 5.62 Acres
Project Lead KG/DJ
Building Sq Ft 79,607 sq. ft.
Building Stories 3

Date **Status** (BLD 08-0690 & 0695)
 25-Aug Shoring and foundation work underway
 25-Sep Foundation work underway
 25-Oct Foundation work continuing
 25-Nov No Status Change
 25-Dec Floor construction underway
 25-Jan Pouring 3rd story floor
 25-Feb Roof framed, interior framing underway
 25-Mar Interior framing continuing
 25-Apr Interior work underway
 25-May No Status Change
 25-Jun Exterior finishes nearing completion, interior work cont.
 25-Jul Interior work continuing
 25-Aug No Status Change

Address Environmental Learning Center
 1600 SW Seahurst Park Road
Zone RS-12,000
Site Size 75.82 Acres
Project Lead KG/SJ
Building Sq Ft 2,105 sq. ft.
Building Stories 2

Date **Status** (BLD 08-1969)
 25-May Permit ready to issue on 5/20/09
 25-Jun Permit issued 6/2/09
 25-Jul Installing foundation forms
 25-Aug Framing underway

Address Miller Creek Junction
 215 S 160th Street
Zone CC-2
Site Size 3.16 Acres
Project Lead SB/CD
Units/Commercial 46 units & 16,651 s.f. commercial
Building Stories 2

Date **Status** (BLD 08-0857 - 0871)
 25-May Site grading underway
 25-Jun Foundation & framing work underway on 27 of 46 units
 25-Jul Foundation work complete on 39 of 46 units, framing continuing
 25-Aug Framing continuing on all units



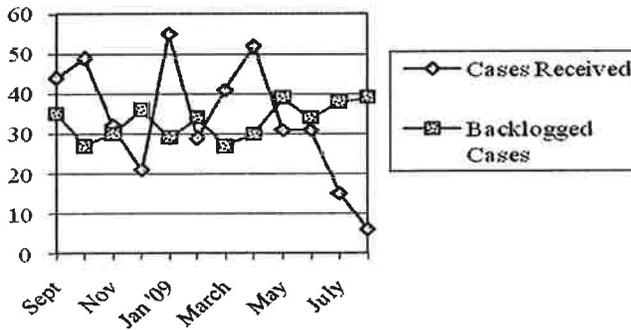
CITY OF BURIEN

MEMORANDUM

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

This report reflects the caseload for August and includes all backlog cases open as of August 31, 2009. As of that date, there were 42 open cases. 39 of the open cases are more than five weeks old and are considered backlog. There were 6 cases opened during the month of August; 3 cases initiated by staff/police, and 3 cases initiated by residents.

Citizen Action Case Status



	Sept	Oct	Nov	Dec	Jan '09	Feb	March	April	May	June	July	Aug
Cases Received	44	49	32	21	55	29	41	52	31	31	15	6
Backlogged Cases	35	27	30	36	29	34	27	30	39	34	38	39
Total Open Cases	54	56	53	45	55	48	48	57	64	55	49	42
% of Backlog	65%	48%	57%	80%	53%	71%	56%	53%	61%	62%	78%	93%

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: 09/01/2009

Days Old	Department	CAR #	Date Received	Nature of Request	Complaint Information	Last Action	Date	Status
596	City Attorney	CAR-08-0022	01/14/2008	Nuisance	14456 18TH AV SW Parking & nuisance	Other - See Notes	05/01/2009	Open
518	City Attorney	CAR-08-0117	04/01/2008	Nuisance	12928 6TH AV S Vegetation	Other - See Notes	07/20/2009	Open
442	City Attorney	CAR-08-0206	06/16/2008	Housing Concerns	329 S 150TH ST Nuisance, Housing Concern, Demo etc	Other - See Notes	06/23/2009	Open
407	City Attorney	CAR-08-0233	07/21/2008	Animals	1521 SW 160TH ST Nuisance, animals & RCW Add alleyway & KC	Other - See Notes	07/29/2009	Open
343	City Attorney	CAR-08-0326	09/23/2008	Nuisance	15839 6TH AV SW Nuisances	Other - See Notes	06/08/2009	Open
322	Building	CAR-08-0361	10/14/2008	Building	611 SW 142ND ST Building - Demo Permit	Other Letter	06/16/2009	Open
308	City Attorney	CAR-08-0379	10/28/2008	Sign Violation	1022 S 144TH ST Signs / Business License	Other - See Notes	02/25/2009	Open
286	City Attorney	CAR-08-0403	11/19/2008	Abandoned Vehicle	624 SW 136TH PL Vehicles / Leggett	Other - See Notes	06/30/2009	Open
284	City Attorney	CAR-08-0408	11/21/2008	Building	13430 1ST AV SW Building / Weythman	Other - See Notes	06/08/2009	Open
222	Code Enforcement	CAR-09-0031	01/22/2009	Nuisance	800 SW 135TH ST Nuisance / Russell	Other - See Notes	07/21/2009	Open
175	Building	CAR-09-0098	03/10/2009	Building	14223 1ST AV S Building Permit / American Collision	Phone Call	08/24/2009	Open
159	Code Enforcement	CAR-09-0119	03/26/2009	Nuisance	621 S 146TH ST Nuisance / Alexander/Woodbury	Phone Call	08/18/2009	Open

Days Old	Department	CAR #	Date Received	Nature of Request	Complaint Information	Last Action	Date	Status
147	Public Works	CAR-09-0143	04/07/2009	ROW Issue	14925 22ND AV SW ROW / Church vehicle parking	Meeting	06/30/2009	Open
140	Planning	CAR-09-0152	04/14/2009	Planning / Zoning	11911 14TH AV SW			
137	Code Enforcement	CAR-09-0157	04/17/2009	Sign Violation	15614 1ST AV S Zoning / Critical Area cutting Sign / Profilic Hair	Phone Call Phone Call	05/04/2009 08/24/2009	Open Open
112	Code Enforcement	CAR-09-0190	05/12/2009	Illegal Dumping	Illegal Dump / Millenium Property	Case Received	05/12/2009	Open
97	Planning	CAR-09-0206	05/27/2009	Nuisance	13526 14TH AV S Nuisance / Robbins	Other - See Notes	08/14/2009	Open
90	City Attorney	CAR-09-0214	06/03/2009	Fire Department Issue	16042 1ST AV S Fire Department / Nissan	Case Preparation	07/15/2009	Open
90	Code Enforcement	CAR-09-0215	06/03/2009	Nuisance	1420 S 130TH ST Nuisance Trash / Wood	Case Closed	06/18/2009	Open
85	Building	CAR-09-0221	06/08/2009	Building	15821 1ST AV S Business License/Fire Permit/Bldg Permit / New Motorcycle Business	Case Received	06/09/2009	Open
83	Code Enforcement	CAR-09-0227	06/10/2009	Sign Violation	13409 AMBAUM BL SW Sign Violation / Ike's	Enforcement Letter 1	06/22/2009	Open
82	Code Enforcement	CAR-09-0226	06/11/2009	Housing Concerns	835 SW 141ST ST Housing / Remeto	Phone Call	08/19/2009	Open
78	Code Enforcement	CAR-09-0229	06/15/2009	Animals	839 S 176TH ST Animals, B/L, Sign / Country Grooming	Case Received	06/15/2009	Open
76	Code Enforcement	CAR-09-0230	06/17/2009	Sign Violation	Sign Violation / BBC Dodge	Enforcement Letter 1	08/12/2009	Open
76	Code Enforcement	CAR-09-0231	06/17/2009	Sign Violation	15743 AMBAUM BL SW Sign Violation / Wizards Casino	Enforcement Letter 1	07/01/2009	Open

Days Old	Department	CAR #	Date Received	Nature of Request	Complaint Information	Last Action	Date	Status
75	Code Enforcement	CAR-09-0233	06/18/2009	Sign Violation	901 SW 148TH ST Sign Violation / Skippers-Herfy's	Enforcement Letter 1	06/30/2009	Open
69	Police	CAR-09-0237	06/24/2009	Police Issue	14021 AMBAUM BL SW Bamboo Sauna has web page in violation of Business License	Case Received	06/24/2009	Open
56	Code Enforcement	CAR-09-0245	07/07/2009	Nuisance	14633 8TH AV SW Nuisance, Trash, vehicle	Site Investigation	08/17/2009	Open
54	Code Enforcement	CAR-09-0247	07/09/2009	Nuisance	12817 10TH AV S Nuisance, Junk Vehicles - Sohrabi	Case Received	07/13/2009	Open
50	Planning	CAR-09-0249	07/13/2009	Planning / Zoning	15733 AMBAUM BL SW Cargo Container - HiLine Lanes	Phone Call	08/17/2009	Open
48	Code Enforcement	CAR-09-0259	07/15/2009	Nuisance	1045 SW 151ST ST Nuisance, vegetation, illegal dump / Walker	Case Received	08/19/2009	Open
48	Code Enforcement	CAR-09-0260	07/15/2009	Nuisance	13216 1ST AV SW Nuisance, Junk, possible rat / Brewer	Case Received	08/19/2009	Open
48	Building	CAR-09-0261	07/15/2009	Building	158 S 152ND ST Building Permits / New owner	Case Received	08/17/2009	Open
43	Planning	CAR-09-0256	07/20/2009	Housing Concerns	2011 SW 146TH ST Housing - ADA reported	Other Letter	08/19/2009	Open
43	Code Enforcement	CAR-09-0257	07/20/2009	Housing Concerns	13811 1ST AV SW Housing - ADU reported	Case Received	07/27/2009	Open
42	Code Enforcement	CAR-09-0252	07/21/2009	Nuisance	13621 14TH AV S Nuisance, trash, vehicles, housing	Case Received	07/21/2009	Open
42	Code Enforcement	CAR-09-0253	07/21/2009	Nuisance	1219 SW 151ST ST Nuisance, vehicles, alley maint.	Case Received	07/21/2009	Open
36	Code Enforcement	CAR-09-0255	07/27/2009	Animals	1004 S 140TH ST Animals - Manure maint.	Case Received	07/27/2009	Open

Days Old	Department	CAR #	Date Received	Nature of Request	Complaint Information	Last Action	Date	Status
14	Building	CAR-09-0262	08/18/2009	Building	13837 1ST AV SW Building Permit / White	Case Received	08/18/2009	Open
14	Building	CAR-09-0263	08/18/2009	Building	16238 14TH AV SW Building Permit & Business License / Morgan	Case Received	08/19/2009	Open
8	Building	CAR-09-0264	08/24/2009	Building	202 SW 155TH ST Building Permit / Powell	Case Received	08/24/2009	Open
69	Building	CAR-09-0238	06/24/2009	Building	11805 AMBAUM BLVD SW Building Permits / City's Edge Condo's	Phone Call	07/08/2009	Open

CITY OF BURIEN, WASHINGTON
Parks and Recreation Advisory Board
MEETING MINUTES
Date – June 10, 2009
Time - 6:00 PM

BOARD MEMBERS PRESENT

Ed Dacy Ted Fosberg Jean Spohn
 Chris Ndifon Larry Moormeier Sheryl Knowles

BOARD MEMBERS ABSENT

None

STAFF PRESENT

Steve Roemer, Parks Development and Operations Manager

GUESTS PRESENT

None

Chris Ndifon called the meeting to order at approximately 6:00 PM.

CITIZEN COMMENT

Several members of Sustainable Burien spoke in support of a community garden program in Burien. They express interest in developing gardens at the Urban Partners BIAS site downtown, as well as developing garden space in parks and other city or privately owned spaces. They also offered assistance to city and Board towards the development of a community garden plan.

ADDITIONS TO AGENDA & AGENDA REVIEW

No changes.

MEETING MINUTES

The minutes from the May 13, 2009 meeting were approved 4/0/0 with completed minor corrections.

NEW BUSINESS**DISCUSSION**

- Steve Roemer and the Board hosted a discussion, including members of the public, regarding the potential future development of community gardens in Burien. The comments generated from the discussion are listed below:
 - The concept of a community garden is generally supported by the Board.
 - Attempt to locate where utilities, such as water and electricity are already available and try to avoid needing to remove existing trees.
 - Continue to look at the Kennedy School site as potential garden and/or park site.

- May want to focus on areas with high density housing where open space is not currently readily available.
- Priority for targeted users may be Burien residents and apartment or condo dwellers.
- Need to further discuss seasonal vs. year around operations.
- Related to design and use; a preference may be towards raised beds, promote composting, organic by some definition; size of plots needs discussion, include programming of related garden classes, guidelines for what is grown, requirements to work personal plot and communal space.
- Target summer of 2010 for start up of garden program.
- Develop a partnership or multiple partnerships with City and community resources.
- Possibly form a Board sub-committee to focus on the community garden concept.

The next step is for staff to begin bringing to the board an outline of initial milestones and decisions that will need to be addressed, as we begin to formulate a plan to present to Council. This plan will need to address the perceived need, operational processes, funding and development requirements, and partnerships which will make the implementation as cost effective as feasible.

FUTURE AGENDA ITEMS AND/OR QUESTIONS

- Presentation: Environmental Science Center
- Community Garden program development
- Agenda calendar schedule
- Parks vandalism update after summer

FOR THE GOOD OF THE ORDER

- Chris reported that the City Council received the Board Report provided on June 1, 2009, and commended the Board for the good work that they are doing.
- Ed reported that Jacob Ambaum Park is getting very much use by the community.
- The meeting was adjourned at 7:10 PM

Respectfully submitted by Steve Roemer, Parks Manager , Parks, Recreation & Cultural Services



Burien

Washington, USA

400 SW 152nd St., Suite 300 • Burien, WA 98166
Phone: (206) 241-4647 • FAX (206) 248-5539
www.burienwa.gov

NOTICE OF CONSTRUCTION

4th AVENUE SW NON-MOTORIZED IMPROVEMENTS (SW 153rd Street to SW 156th Street)

AUGUST 2009

The City of Burien will be continuing the improvements along 4th Avenue SW Street from the SW 156th intersection northerly to where construction was recently completed for the 4th Avenue SW Town Square improvements. This project will continue these improvements by providing sidewalks, curb/gutter, better road channelization, and street lighting to enhance 4th Avenue SW for aesthetics, storm water management, traffic, and pedestrian safety.

The improvement project has begun and you will be seeing construction activity from KBH Construction Company starting this week. The project will take two months for the major components of construction (partial road reconstruction, curb/gutter, sidewalk, and retaining wall); remaining construction (street lighting) will continue for approximately one month thereafter.

During construction, KBH Construction Company will maintain both vehicle and pedestrian access to your property to the extent possible. A representative from KBH and/or the City of Burien will be available on-site to address any immediate concerns regarding the construction.

The City of Burien is pleased to bring these improvements to your area. We sincerely hope you will "Pardon our dust" for the next few months. If you have any questions or comments concerning the construction or project, please call the City of Burien Public Works or e-mail me at brianv@burienwa.gov and we will be happy to speak with you.

Brian R. Victor, P.E.

Capital Projects Manager|Engineer



City of Burien
400 SW 152nd St., Suite 300
Burien, WA 98166
Main 206.241.4647 | Fax 206.248.5539

Direct 206.248.5533 | Cell 206.391.1633

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Burien

Washington, USA

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

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

www.burienwa.gov

DATE: August 31, 2009
FOR RELEASE: September 4, 2009
CONTACT: City Clerk's Office, (206) 248-5504

**CITIZENS INVITED TO SPEAK FOR OR AGAINST
 INITIATIVE MEASURE NO. 1033
 CONCERNS STATE, COUNTY AND CITY REVENUE**

The Burien City Council will be considering a resolution regarding Initiative Measure No. 1033 concerns state, county and city revenue, on September 28, 2009. All interested parties who are for or against the ballot measure are invited to speak at the Council Meeting on Monday, September 14, 2009, at 7:00 pm. The meeting will be held at Burien City Hall, 400 SW 152nd Street, 1st Floor.

###

The City of Burien strives to provide alternate communication opportunities. Please contact the City Clerk's office, 206/248-5504, twenty-four hours prior to the meeting for assistance.

Published in The Seattle Times: September 4, 2009 ✓

cc: Burien City Council
 Burien Staff
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 Web Site: www.ci.burien.wa.us
 B-Town Blog
 White Center Now



Public Hearing Notice

City of Burien

400 SW 152nd St, Suite 300

Burien, Washington 98166

Hearing Information

The City of Burien Planning Commission will hold a public hearing on **September 22, 2009, at 7:00 p.m.** at Burien City Hall, 400 SW 152nd St, Suite 300, to receive public comments on amendments to the Burien Zoning Code.

Applicant City of Burien

Proposal Amendments to Burien Zoning Code to revise and add new definitions relating to use, garages, and slope; correct errors in the Zoning Code relating to parking, landscaping, and interim zoning code reference. Clarification of the master sign plan process, nonconforming structures and residential accessory structures. Correct typographical errors in the sign code.

File No. 2009 Zoning Code Amendments
The specific proposed Zoning Code amendments and project file are available for viewing at Burien City Hall during regular business hours.

How to Comment Any person may submit written or oral comments or testimony at the public hearing, or may submit written comments prior to the hearing. Written comments may be submitted in person, via mail, e-mail or by facsimile. All documents submitted or requested as part of this application, including the City staff report, are available for review at City Hall during regular business hours.

Project Planner
(for submittal of
written comments or
for more information)
Liz Ockwell
Assistant Planner
City of Burien
400 SW 152nd St, Suite 300
Burien, WA 98166

Phone: (206) 812-7575
E-Mail: elizabetho@burienwa.gov

Published in the
Seattle Times

Date of Notice: September 8, 2009

cc: Burien City Council
Burien Staff
B-Town Blog
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King County/Burien Public Library
Seahurst Post Office
Web site: www.burienwa.gov
White Center Now



Public Hearing Notice

City of Burien

400 SW 152nd Street, Suite 300

Burien, Washington 98166

Hearing Information

The City of Burien Hearing Examiner will hold a public hearing on **September 24, 2009 at 2:00 PM** at the Miller Creek Conference Room, Burien City Hall, 400 SW 152nd Street, Suite 300, to receive public comments on the following application:

Applicant Jason Running, Cedar Terrace, LLC.

Proposal Binding Site Plan Review and Type 1 Review for twelve unit residential townhouse development on a 0.64 acre (27,779 square foot) lot in the RM-24 Multi-Family Residential zone.

File No. PLA 09-0480

File is available for viewing at Burien City Hall during regular business hours.

Location 222 South 156th Street, Burien, WA

Tax Parcel No. 202304-9397 and 202304-9216

Current Zoning RM-24 (Multi-Family Residential, 24 Dwelling Units per Acre zone)

How to Comment Any person may submit written or oral comments or testimony at the public hearing, or may submit written comments prior to the hearing. Written comments may be submitted in person, via mail, e-mail or by facsimile. Only persons who submit written or oral comments prior to the close of the hearing may appeal the decision. All documents submitted or requested as part of this application, including the City staff report are available for review at City Hall during regular business hours.

Project Planner Charles W. "Chip" Davis, Project Planner

(for submittal of written comments or for more information)

Department of Community Development

City of Burien

400 SW 152nd Street, Suite 300

Burien, WA 98166

Phone: (206) 248-5501 E-Mail: chipd@burienwa.gov

Published in the
Seattle Times

Date of Notice: September 10, 2009

Burien City Council
Burien Staff
B-Town Blog
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**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Motion to Adopt Proposed Resolution No. 303, Entering Findings of Fact and Conclusions of Law Regarding Preliminary Approval of the Walker Creek Ridge Subdivision (NW Corner of Des Moines Memorial Drive & South 176 th Street)		Meeting Date: September 14, 2009
Department: Community Development	Attachments: 1. Proposed Resolution No. 303, with Exhibit A - Hearing Examiner's Findings, Conclusions and Recommendation 2. Vicinity and Preliminary Plat Maps	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Charles W. "Chip" Davis, Planner		
Telephone: (206) 248-5501		
Adopted Work Plan Priority: Yes No <input checked="" type="checkbox"/>	Work Plan Item Description: N/A	
<p>PURPOSE/REQUIRED ACTION: The purpose of this agenda item is for the Council to review the Hearing Examiner's Findings, Conclusions and Recommendation and consider adopting a resolution granting approval of the Walker Creek Ridge Subdivision preliminary plat application.</p> <p>BACKGROUND (Include prior Council action & discussion): The proposal is to subdivide a 3.98 acre (173,428 square foot) parcel into seventeen (17) single-family lots. The subject parcel is bordered on the east by Des Moines Memorial Drive South, a paved major arterial street, and on the southeast corner by the intersection of Des Moines Memorial Drive South and South 176th Street. All proposed lots will have access via a new public street which would parallel Des Moines Memorial Drive South along the west property line. The applicant is proposing the establishment of two tracts: A Critical Area Tract for wetland and stream protection and a Detention Tract for storm water detention and recreation space. The applicant will also provide frontage improvements and enhancement of the adjacent Des Moines Memorial Drive Corridor.</p> <p>The Hearing Examiner conducted an open record public hearing on August 14, 2009. On August 21, 2009, the Hearing Examiner issued findings, conclusions, and a recommendation to the City Council to approve the preliminary subdivision with conditions outlined in the staff report (see Exhibit A of proposed Resolution No. 303). The Council's role in all Type 3 decisions is to review and take action on the Hearing Examiner's recommendation.</p> <p>The City Council's decision on a preliminary subdivision application must be based on the record developed by the Hearing Examiner, which includes his recommendation. By passing proposed Resolution No. 303, the City Council will grant preliminary approval for the Walker Creek Ridge Subdivision with recommended conditions. The resolution will also adopt the findings of fact and conclusions as set forth by the Hearing Examiner.</p> <p>Following approval of the preliminary plat the applicant will be required to satisfy all required conditions of approval, including installation of infrastructure or provisions of financial security, prior to presenting the plat for final adoption by the City Council.</p> <p>OPTIONS (Including fiscal impacts):</p> <ol style="list-style-type: none"> 1. Approve the application (Adopt proposed Resolution No. 303). 2. Approve the application with modifications (Adopt proposed Resolution No. 303 with modifications). 3. Deny the application. 4. Remand the application to the Hearing Examiner for an additional hearing on specific issues. <p>For options 2, or 3, the Council must also adopt written findings of fact and conclusions that support its decision.</p>		
Administrative Recommendation: Adopt proposed Resolution No. 303, entering findings of fact and conclusions of law and granting preliminary approval of the Walker Creek Ridge Subdivision.		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: Move to adopt Resolution No. 303, Granting Preliminary Plat Approval of the Walker Creek Ridge Subdivision, and Adopting Findings of Fact, Conclusions and Conditions as Set Forth by the Hearing Examiner.		
Submitted by: Charles W. "Chip" Davis		
Administration 	City Manager 	
Today's Date: September 9, 2009	File Code: 091409cd-2 Walker Creek Ridge Prelim. Plat.doc	

CITY OF BURIEN, WASHINGTON

101

RESOLUTION NO. 303

**A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON,
ENTERING FINDINGS OF FACT AND CONCLUSIONS OF LAW
REGARDING APPROVAL OF THE WALKER CREEK RIDGE
SUBDIVISION**

WHEREAS, the City of Burien Hearing Examiner conducted an open record public hearing on August 14, 2009 at which testimony from city staff, the applicant and public was heard regarding the preliminary plat approval of the Walker Creek Ridge Subdivision; and,

WHEREAS, on August 21, 2009 the Hearing Examiner issued a recommendation to the City Council; and,

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

Section 1. The City Council, having considered the Walker Creek Ridge Subdivision preliminary plat application and the Hearing Examiner's recommendation, conditionally approves the Walker Creek Ridge Subdivision preliminary plat and adopts the Hearing Examiner's findings and conclusions attached as Exhibit "A", as fully incorporated herein as if fully set forth.

PASSED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, WASHINGTON, AT A REGULAR MEETING THEREOF THIS 14th DAY OF SEPTEMBER, 2009.

CITY OF BURIEN, WASHINGTON

Joan McGilton, Mayor

ATTEST/AUTHENTICATED:

Monica Lusk, City Clerk

Approved as to form:

Burien City Attorney

Filed with the City Clerk: September 9, 2009
Passed by the City Council:
Resolution No.: 303

EXHIBIT A

**CITY OF BURIEN
HEARING EXAMINER
FINDINGS, CONCLUSIONS AND RECOMMENDATION**

APPLICANT: Jason Running for Walker Creek Ridge, LLC

CASE NO.: PLA 08-1524

LOCATION: NW corner of Des Moines Memorial Drive & South 176th Street
(see Exhibit A, Attachment 1)

APPLICATION: Request to subdivide a 3.98 acre parcel into seventeen single family lots in an RS-7,200 zoning district (see Exhibit A).

REVIEW PROCESS: Hearing Examiner conducts an open record hearing and makes a recommendation to the City Council, who then makes the final decision.

SUMMARY OF RECOMMENDATIONS

Staff Recommendation: Approve with conditions

Hearing Examiner Recommendation: Approve with conditions

PUBLIC HEARING

After reviewing the official file, which included the Staff Recommendation; and after visiting the site, the Hearing Examiner conducted a public hearing on the application. The hearing on the Walker Creek Ridge application was opened at 2:00 p.m., August 14, 2009, in City Hall, Burien, Washington, and closed at 2:33 p.m. Participants at the public hearing and the exhibits offered and entered are listed in this report. A verbatim recording of the hearing is available in the Community Development Department.

Hearing Comments:

The following is a summary of the comments offered at the public hearing.

From the City

Chip Davis, Project Planner: Provided a summary of the project components, provided staff's analysis regarding approval criteria, specifically discussed street improvements and critical areas mitigation (wetland and stream), and staff recommendation (see Exhibit A).

From the Applicant

Jason Running, Project Manager
Bill Lihudis, Builder

Mr. Running indicated that they understood the staff report, analysis and recommendations, and had no questions at this time. Mr. Lihudis noted that the target market was disabled veterans and that the homes were based on a "universal design" that is intended to include ADA components in all aspects of the residence. They provided clarification relative to retaining wall height, access and length of project.

From the Community

Diane Cloutier
Gary Boersma
Ellen Negron
Jacoub Awabdy

Mrs. Cloutier has had on-going problems with people crossing her property as a pedestrian route to Des Moines Way. She wanted to know if the project would address this situation. It was noted by Mr. Running and staff that there would be a retaining wall developed along the perimeter of the subject property, with fencing and/or landscaping for screening installed along the top of the wall, which should keep people from crossing the two properties.

Mr. Boersma Wanted to know what would happen to the existing on-site trees. It was noted by staff that trees would be removed to accommodate construction, and that the City has the requirement to replant as part of required landscaping. In addition, the wetland buffer area will be planted with numerous native trees and plants, which will add to the number of trees and vegetation to the overall site.

Ms. Negron currently has access to her property via an easement over the subject property and wondered how the project may affect her access. One of the conditions of approval is to abandon the easement and make the access a public street, which will involve moving the right-of-way a few feet north and removal of two trees. This work may involve closing the access for about 48 hours for paving.

Mr. Awabdy was curious as to how long the construction would take, noting concerns about noise and dust. Mr. Running noted that at this time a specific schedule is largely market driven and uncertain, but that once underway construction time would likely be from 6 to 8 months or at most a year.

FINDINGS OF FACT AND CONCLUSION

1. The Facts presented in the Site Description on pages 6 and 7 in Exhibit A, Staff Recommendation, July 27, 2009, accurately reflects the site circumstances, zoning requirements and land use, and are hereby adopted by reference.
2. The Fact and Conclusion regarding compliance with SEPA review on page 13 in Exhibit A, Staff Recommendation, July 27, 2009, is accurate and hereby adopted by reference.

3. The Facts and Conclusions regarding compliance with Approval Criteria on pages 13 and 14 in Exhibit A, Staff Recommendation, July 27, 2009, are accurate and are hereby adopted by reference.
4. The Facts and Conclusions regarding compliance with Development Regulations on pages 14 through 27 in Exhibit A, Staff Recommendation, July 27, 2009, are accurate and are hereby adopted by reference. In particular, they include the following:

General Compliance	pages 14 and 15
Lot Size and Layout	page 15
Street Improvements, Access & Parking	pages 16 through 18
Utilities	pages 18 through 20
Surface Water Management	pages 20 through 22
Fee-In-Lieu of Recreation Space	page 22
Tree Retention and Landscaping	page 23
Critical Area Evaluation	pages 23 through 27
5. The Facts and Conclusion regarding compliance with the Preliminary Plat Map requirements on page 27 in Exhibit A, Staff Recommendation, July 27, 2009, are accurate and are hereby adopted by reference.
6. The Facts and Conclusion regarding compliance with the Comprehensive Plan on pages 27 and 28 in Exhibit A, Staff Recommendation, July 27, 2009, are accurate and are hereby adopted by reference.

RECOMMENDATION

Based upon the foregoing findings and conclusions, it is recommended that the request for a 17 lot residential subdivision be approved, subject to the conditions found on pages 2 through 6 of Exhibit A, Staff Recommendation, July 27, 2009.

Entered this 21st day of August, 2009.


Donald B. Lagen, AICP
Hearing Examiner

CITY COUNCIL REVIEW AND DECISION

The City Council will take final action on this application in accordance with the provisions of BMC 19.65.075.

JUDICIAL REVIEW

The following is a summary of the deadlines and procedures for judicial review.

BMC 19.65.060 allows the city's final decision to be appealed by filing a land use petition in King County Superior Court. Such petition must be filed within 21 days after issuance of the decision, as provided in RCW 36.70C. Requirements for fully exhausting City administrative appeal opportunities must first be fulfilled.

EXHIBITS

The following exhibits were offered and entered into the record:

- A. Staff Recommendation to the Hearing Examiner with attachments dated July 27, 2009.
- B. Two emails in response to DNS from Seattle Public Utilities and METRO Transit.

PARTIES OF RECORD

Jason Running/Bill Lihudis
Walker Creek Ridge, LLC
12452 12th Avenue South
Seattle, WA 98168

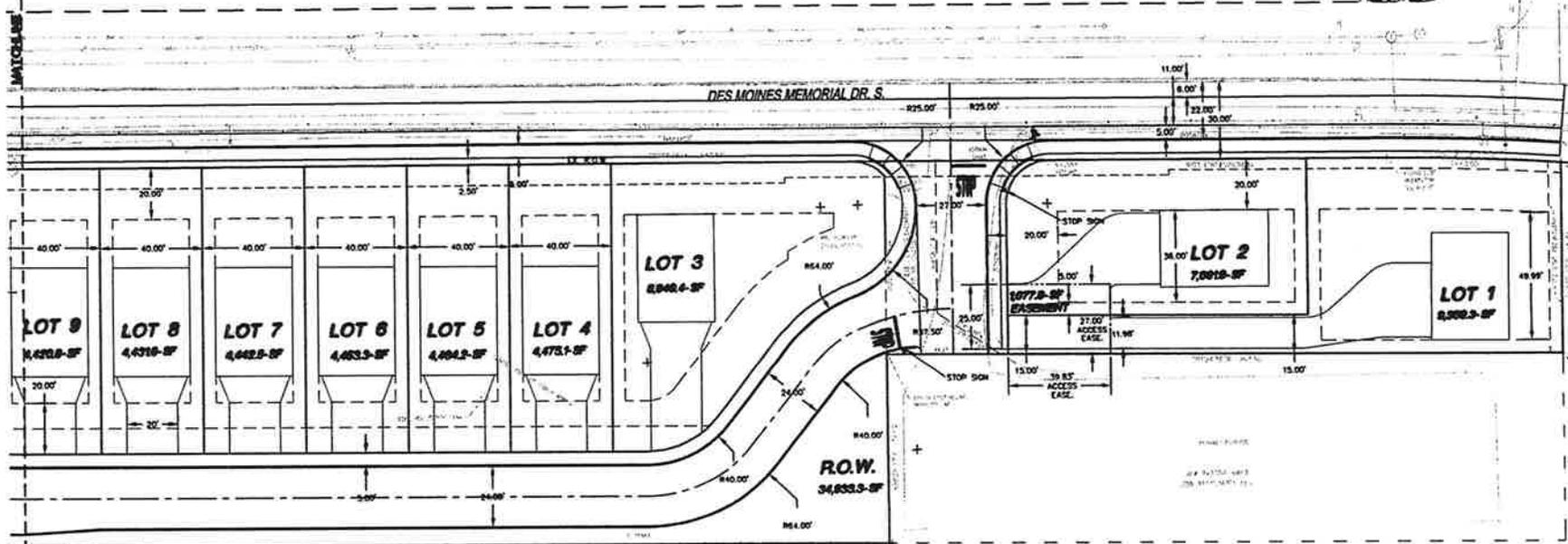
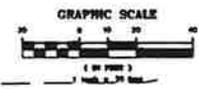
Gary Boersma
318 South 174th Place, Unit K
Burien, WA 98148

Ellen Negron
17464 Ambaum Blvd. South
Burien, WA 98146

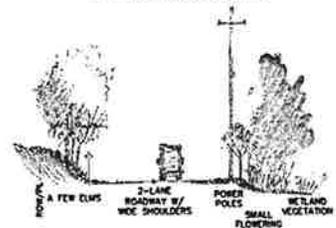
Community Development Department
Public Works Department

Diane Cloutier
252 South 173rd Place
Burien, WA 98148

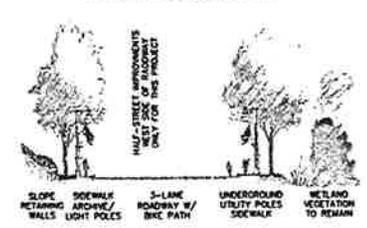
Jacoub Awabdy
253 South 173rd Place
Burien, WA 98148



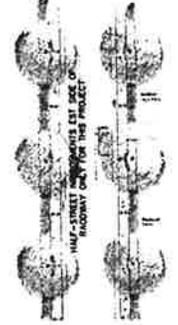
EXISTING SECTION DMMD



PROPOSED SECTION DMMD



DMMD PROPOSED WETLAND ROAD SEGMENT



DES MOINES MEMORIAL DRIVE CORRIDOR ENHANCEMENT NOTES:

- DES MOINES MEMORIAL DRIVE CORRIDOR ENHANCEMENTS CONSISTING OF ARCHES/LIGHT POLES, MARKERS, SIGNAGE AND INTERPRETATIVE SITES AND MEMORIAL TREES ARE CONCEPTUAL ONLY AND ARE BASED ON THE JANUARY 2005 DES MOINES MEMORIAL DRIVE CORRIDOR MANAGEMENT PLAN. THE MANAGEMENT PLAN IS TO ESTABLISH REHABILITATION, ENHANCEMENT AND PROMOTION OF THE THE CORONAL MEMORIAL ROAD.
- AT THE TIME OF PREPARATION OF THESE PRELIMINARY PLANS NO DETAILED INFORMATION REGARDING SIZE, SPACING AND SPECIES OF TREES OR CONFIGURATION, CONSTRUCTION, MAKE OR MODEL OF ANY OTHER MEMORIAL FEATURE HAS BEEN PREPARED OR COULD BE MADE AVAILABLE BY THE LOCAL JURISDICTION.
- IT IS THE DEVELOPER'S RESPONSIBILITY TO HAVE A LANDSCAPE ARCHITECT PREPARE A PLAN THAT INCLUDES AND ADDRESSES ALL APPLICABLE MEMORIAL DRIVE ENHANCEMENT FEATURES SHOWN AND IDENTIFIED ABOVE AND PER THE 2005 DMMD CORRIDOR MANAGEMENT PLAN. SUCH PLAN SHALL BE SUBMITTED TO CITY OF BURKH FOR REVIEW AND APPROVAL BEFORE FINAL PLAT RECORDING.
- IT IS THE DEVELOPER'S RESPONSIBILITY TO INSTALL THE DMMD MEMORIAL FEATURES PER APPROVED FINAL LANDSCAPE PLAN DESCRIBED ABOVE OR TO PROVIDE NECESSARY FUNDS OR BOND SUCH LANDSCAPE PLAN IMPROVEMENTS TO COVER A FUTURE CONSTRUCTION OF THE MEMORIAL FEATURES IN FRONTAGE OF PROJECT SITE.

NOT FOR CONSTRUCTION

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DESIGNED: MPP			
DRAWN: A.M.	2	ADDRESS CITY COMMENTS	2/09 A.S. MPP
CHECKED: EDC	1	ADDRESS CITY COMMENTS	10/08 A.S. MPP
	1	BY OTHER	DATE BY

PACE
11255 95th St, Suite 300
Chicago, IL 60631
P: 708.577.2014 | F: 708.577.2043
City | Director | Planning | Survey
2003/09/29

NORTHWEST HOUSING GUILD

DATE: FEBRUARY 2008
SCALE:

**WALKER CREEK PLAY
PRELIMINARY SITE PLAN
SOUTH**

JOB NUMBER: 0944100
SHEET NAME: SHEET 3
SHEET: 011 OF 02

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Discussion on and Possible Approval of 2010 SKCEDI Legislative Positions Proposed		Meeting Date: September 14, 2009
Department: City Manager	Attachments: <u>Draft 2010 SKCEDI Legislative Positions</u>	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Richard Loman, Economic Dev. Manager		
Telephone: 206-248-5528		
Adopted Initiative: Yes No X	Initiative Description: N/A	
<p>PURPOSE/REQUIRED ACTION: The purpose of this agenda item is to discuss possible approval of the Draft 2010 SKCEDI Legislative Positions, which will be voted on at the joint SKCEDI and Highline Forum Meeting on September 23, 2009.</p> <p>BACKGROUND (Include prior Council action & discussion): The Southwest King County Economic Development Initiative (SKCEDI) is a partnership of the cities of Burien, Des Moines, Normandy Park, SeaTac and Tukwila as well as the Port of Seattle, Highline Community College and King County. This group is dedicated to stimulating quality business investment and real estate development in Southwest King County and to increasing job opportunities and income for all its diversified residents.</p> <p>OPTIONS (Including fiscal impacts):</p> <ol style="list-style-type: none"> 1. Authorize Councilmember Shaw to vote to approve the SKCEDI 2010 Legislative Priorities on behalf of Burien. 2. Authorize Councilmember Shaw to ask to amend the SKCEDI 2010 Legislative Priorities. 3. Do not authorize Councilmember Shaw to vote to approve the SKCEDI 2010 Legislative Priorities. 		
Administrative Recommendation: Staff recommends authorizing Councilmember Shaw to vote for approval of the SKCEDI 2010 Priorities on behalf of the City of Burien.		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: Move to authorize Councilmember Shaw to vote to approve the draft SKCEDI 2010 Legislative Priorities on behalf of Burien.		
Submitted by: Administration <i>BTS</i>		
		City Manager <i>[Signature]</i>
Today's Date: September 4, 2009	File Code: R:\CC\Agenda Bill 2009\091409cm-3 SKCEDI Leg Priorities	

Southwest King County Economic Development Initiative

Burien, Des Moines, Normandy Park, SeaTac, Tukwila,
Highline Community College, King County, and the Port of Seattle

2010 Legislative Positions

The Southwest King County Economic Development Initiative (SKCEDI) is a partnership of five cities (Burien, Des Moines, Normandy Park, SeaTac and Tukwila), the Port of Seattle, Highline Community College and King County dedicated to stimulating quality business investment and real estate development in Southwest King County and to increasing job opportunities and income for its residents.

SKCEDI strongly supports:

- **Restored or increased funding for three infrastructure and transportation programs** that provide key resources to local jurisdictions: the Community Economic Revitalization Board (CERB), the Public Works Trust (PWTF), and the Transportation Improvement Board (TIB).
- **A phased approach to fund the extension of SR-509 to I-5** in order to improve the movement of people and goods through Southwest King County to Sea-Tac International Airport and the Port of Seattle.
- **A direct State budgetary allocation of \$75,000** to fund economic development, job attraction, and business retention initiatives and continued funding for Washington State's Small Business Development Centers (SBDC's) for sustained business growth in Southwest King County.
- **Adequate and equitable funding options for education:**
 - **Running Start Funding:** A State funding allocation model must be developed for Running Start students that would phase in the equivalent of tuition and fees that are currently not budgeted by the State. Perhaps the model that has recognized each "Skills Center" FTE student at greater than a 1.0 level is applicable.
 - **Funding Formulas:** The State needs to fund the revision of current outdated funding formulas and set a timeline for implementation to ensure that the K-12 system effectively responds to student needs.

Adopted by the Southwest King County Economic Development Initiative Executive Committee.



King County



**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Discussion of Draft 2010 Key Legislative Policies and Draft 2010 Legislative Priorities		Meeting Date: September 14, 2009
Department: City Manager	Attachments: 1. <u>Draft 2010 Key Legislative Policies</u> 2. <u>Draft 2010 Legislative Priorities</u>	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Lisa Clausen, Government Relations Specialist		
Telephone: (206) 248-5515		
Adopted Work Plan Priority: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Work Plan Item Description: Develop and advance state and federal legislative agendas	
PURPOSE/REQUIRED ACTION:		
<p>The purpose of this agenda item is for the City Council to review the "Draft 2010 Key Legislative Policies" and the proposed "Draft 2010 Legislative Priorities" and to provide input to staff. The final versions of these policies and priorities will be brought to Council for action at the Council meeting of September 28, 2009.</p>		
BACKGROUND (Include prior Council action & discussion):		
<p>The "Draft 2010 Key Legislative Policies" document (Attachment 1) serves as the general policy guidance for the development of the "Draft 2010 Legislative Priorities" (Attachment 2).</p> <p>The draft priorities include ideas from staff leadership for potential issues or requests to bring to the City's state and federal delegations, including funding for transportation, for economic development efforts in the Northeast Redevelopment Area, and for continuing the Seahurst Park nearshore restoration project for salmon habitat.</p> <p>Following the Council's discussion of the suggested "2010 Key Legislative Policies" and the proposed "2010 Legislative Priorities" staff will make revisions as needed and bring the documents back to Council for action at the September 28 meeting.</p> <p>After the Council approves the documents the staff will develop a set of proposed State legislative priorities for meetings that the Mayor and Councilmembers will have with members of the City's legislative delegation this fall.</p> <p>Based on the final "Priorities" approved by the Council, the staff will also develop the scopes of work for the City's lobbying efforts at the Legislature and the Congress in 2010.</p>		
OPTIONS (Including fiscal impacts): N/A		
Administrative Recommendation: Discuss the "Draft 2010 Key Legislative Policies" and the "Draft 2010 Legislative Priorities."		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: None required.		
Submitted by: Lisa Clausen Administration 		City Manager 
Today's Date: September 8, 2009	File Code: R:\CC\Agenda Bill 2009\091409cm-2 Draft2010LegPriorities.docx	

DRAFT - DRAFT
CITY OF BURIEN

2010 Key Legislative Policies

- The City of Burien will maintain its longstanding efforts to secure economic development, particularly in the Northeast Redevelopment Area (NERA) adjacent to Sea-Tac Airport.
- The City will continue to advocate for funding assistance for vital transportation improvements and for other infrastructure needs.
- The City will monitor environmental legislation, guard against unfunded mandates, and seek resources to enhance local salmon habitat.
- The City will maintain efforts to strengthen local public safety, including emergency preparedness.
- The City will continue to monitor legislation related to annexation issues, particularly which may concern the North Highline area.
- The City will continue to seek assistance to maintain and expand the parks and recreation system and will support efforts to strengthen the education of our children, to enhance the quality of life of our community.

Purpose

The City's "Key Legislative Policies" document is updated annually to guide the City's leadership in advocating a set of priorities to bring before the State Legislature and the U.S. Congress, working closely with the members of the City's legislative and Congressional delegations.



DRAFT
City of Burien

2010 Legislative Priorities

- Advocate for \$4 million in funding from reauthorization of federal SAFETEA-LU transportation program, to improve access at SR 518 and Des Moines Memorial Drive (DMMD) to serve the Northeast Redevelopment Area (NERA). (Federal 2010; State 2011)
- Pursue Congressional appropriation of \$5 million for Pilot Program to carry out joint City/Port planning and pre-construction activities, to facilitate the development of airport-affected areas such as the NERA, and pursue State assistance with any additional required local matching funds. (Federal 2010; State 2011)
- Seek support for projects to improve Puget Sound, particularly \$200,000 to complete Phase 1 of the Seahurst Park North Shoreline Restoration Project. (State 2010)
- Advocate for future financial assistance for a new Community Center, including design and a mechanism to generate support for a facility needed to accommodate anticipated demand caused by increasing population from annexation and closure of a King County pool in the North Highline annexation area. (State)
- Pursue City's ability to improve services for potential future annexation area in North Highline (through modification of existing legislation). (State)
- Continue efforts with other local jurisdictions to seek expansion of infrastructure financing tools and revenue options, needed to increase economic development and to maintain and improve city infrastructure and services. (State)
- Join other jurisdictions in pursuing full funding for implementation of NPDES (National Pollutant Discharge Elimination System) standards, required to attain cleaner storm water. (State)
- Continue to support efforts by Navos to relocate its Burien mental health facility from the NERA to a more appropriate location in the community. (Federal and State)

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Discussion on Resolution No. 304, Authorizing an Amendment to the SCORE Interlocal Agreement		Meeting Date: September 14, 2009
Department: Finance	Draft Attachments: 1. <u>Proposed Resolution 304</u> 2. <u>Amended SCORE Interlocal Agreement</u>	Fund Source: General Fund
Contact: Tabatha Miller		Activity Cost: N/A
Telephone: (206) 439-3150		Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Adopted Work Plan Priority: Yes X No	Work Plan Item Description: 5 year plan for jail bed space	
<p>PURPOSE/REQUIRED ACTION: The purpose of this agenda item is for the Council to discuss Resolution No. 304 authorizing the execution of an amended and restated interlocal agreement relating to SCORE (South Correctional Entity).</p> <p>BACKGROUND (Include prior Council action & discussion): On January 12, 2009 the Council adopted Ordinance No. 504 authorizing execution of an interlocal agreement relating to formation of the SCORE Facility Public Development Authority. Ordinance No. 504 approved the Interlocal Agreement with Renton, Auburn, Federal Way, Des Moines, Tukwila and SeaTac for creation of SCORE; approved formation of the SCORE Facility Public Development Authority (PDA); authorized Burien's 4% contribution to the up to \$100 million bond issuance; and authorized up to \$100 million in expenditures on the new facility funded by the bonds. The Interlocal Agreement was signed by the above mentioned cities and created SCORE on February 25, 2009. SCORE and the construction of a 668+ bed misdemeanor jail facility in Des Moines, resolves the shortage of available jail beds in south King County at a reasonable cost.</p> <p>The purpose of the proposed amendment to the Interlocal Agreement is to authorize an increase in the proportional share of debt service and ownership for Renton, Auburn and Federal Way and to change Des Moines from an "owner city" to a "host city." These changes do not alter Burien's ownership percentage in the project (4%) or its obligation to the same percentage of debt. The amendments are in response to a change in Des Moines' bond rating that would have resulted in the SCORE project and all member cities paying higher interest rates on the up to \$100 million in bond financing. Renton, Auburn and Federal Way agreed to assume a proportional share of the ownership and debt originally allocated to Des Moines (5%). The amendment does not remove Des Moines' participation in SCORE or the facility. As a "host city" Des Moines will still be a voting "member city" with the same access to jail beds as the other "member cities."</p> <p>OPTIONS (Including fiscal impacts):</p> <ol style="list-style-type: none"> Approve Resolution No. 304 authorizing the execution of an amended and restated Interlocal Agreement relating to SCORE. Do not approve Resolution and provide alternative direction to staff. 		
Administrative Recommendation: Discuss Resolution No. 304 and consider placement on the September 28 th Consent Agenda for approval.		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: None required at this time.		
Submitted by: Administration		City Manager 
Today's Date: September 3, 2009	File Code: R:\CC\Agenda Bill 2009\091409ad-1 SCORE amendment.docx	

CITY OF BURIEN, WASHINGTON**RESOLUTION NO. 304**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURIEN,
WASHINGTON, AUTHORIZING THE EXECUTION OF AN AMENDED
AND RESTATED INTERLOCAL AGREEMENT RELATING TO THE
SOUTH CORRECTIONAL ENTITY FACILITY

WHEREAS, the City of Burien, Washington (the "City") is authorized by chapter 70.48 RCW to contract for, establish and maintain correctional facilities in furtherance of public safety and welfare; and

WHEREAS, pursuant to Ordinance No. 504 adopted by the City on January 12, 2009, and chapter 39.34 RCW, the Interlocal Cooperation Act, the City entered into a SCORE Interlocal Agreement with Auburn, Federal Way, SeaTac, Des Moines, Renton and Tukwila, Washington (the "Member Cities"), dated February 25, 2009 (the "Original Interlocal Agreement"), to form a governmental administrative agency known as the South Correctional Entity ("SCORE"); and

WHEREAS, the purpose of SCORE is to establish and maintain a consolidated correctional facility to be located in Des Moines (the "SCORE Facility") to serve the Member Cities and federal and state agencies and other local governments that may contract with SCORE in the future to provide correctional services essential to the preservation of the public health, safety and welfare; and

WHEREAS, the Member Cities have determined that the SCORE Facility will provide improved correctional facilities within the boundaries of the consolidated service areas at a lower total cost to the participating Member Cities than currently available alternatives or than the participating Member Cities could individually provide; and

WHEREAS, financing for the acquisition, construction, equipping, and improvement of the SCORE Facility will be provided by bonds issued by the South Correctional Entity Facility Public Development Authority (the "Authority"), a public development authority chartered by Renton pursuant to RCW 35.21.730 through 35.21.755; and

WHEREAS, the Member Cities now desire to amend the Original Interlocal Agreement pursuant to the terms of an Amended and Restated SCORE Interlocal Agreement (the "SCORE Formation Interlocal Agreement" or "Interlocal Agreement") to increase the proportional share of debt service due from Renton, Auburn, and Federal Way on bonds issued by the Authority and to designate Des Moines as the "host city", as further provided therein;

NOW, THEREFORE, BE IT RESOLVED BY the City of Burien, Washington, as follows:

Section 1. Approval of Amended and Restated SCORE Interlocal Agreement. The City Council hereby approves the Amended and Restated SCORE Interlocal Agreement with Renton, Auburn, Federal Way, Des Moines, Burien, and Tukwila, Washington, substantially in the form as attached hereto as Exhibit A and incorporated herein by this reference (the "SCORE Formation Interlocal Agreement" or "Interlocal Agreement"). The City Manager is hereby authorized and directed to execute the SCORE Formation Interlocal Agreement, substantially in the form attached hereto with only those modifications as shall have been approved by him. The City Manager and other appropriate officers of the City are authorized and directed to take any and all such additional actions as may be necessary or desirable to accomplish the terms therein. The SCORE Formation Interlocal Agreement may be further amended from time to time as provided therein.

Section 2. Approval Contingent. If the Amended and Restated SCORE Interlocal Agreement has not be executed by all parties thereto by October 1, 2009, the authority granted under this resolution shall expire unless this resolution shall have been amended to provide for a later expiration date.

Section 3. Effective Date. This resolution shall take effect immediately upon passage by the Burien City Council.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, AT A REGULAR MEETING THEREOF THIS ___ DAY OF _____, 2009.

CITY OF BURIEN

Joan McGilton, Mayor

ATTEST/AUTHENTICATED:

Monica Lusk, City Clerk

Approved as to form:

Christopher Bacha, Interim, City Attorney
Kenyon Disend, PLLC

Filed with the City Clerk:
Passed by the City Council:
Resolution No. 304

EXHIBIT A

**Form of Amended and Restated SCORE Interlocal Agreement
(attached)**

EXHIBIT A

**Form of Amended and Restated SCORE Interlocal Agreement
(attached)**

AMENDED AND RESTATED SCORE INTERLOCAL AGREEMENT

among

CITY OF AUBURN,

CITY OF DES MOINES,

CITY OF FEDERAL WAY,

CITY OF RENTON,

CITY OF TUKWILA,

CITY OF BURIEN,

AND

CITY OF SEATAC, WASHINGTON

Dated as of _____, 2009

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AMENDED AND RESTATED SCORE INTERLOCAL AGREEMENT

THIS AMENDED AND RESTATED SCORE INTERLOCAL AGREEMENT amends and restates the SCORE Interlocal Agreement, dated as of February 25, 2009 (the "Original Interlocal Agreement" and as amended and restated hereby, the "SCORE Formation Interlocal Agreement"), and is entered into this _____, 2009 among the Cities of Auburn, Des Moines, Federal Way, Renton, Tukwila, Burien and SeaTac, Washington (the "Member Cities"), all of which are municipal corporations under the laws and statutes of the State of Washington:

RECITALS:

WHEREAS, the Member Cities are authorized by chapter 70.48 RCW to contract for, establish and maintain correctional facilities in furtherance of public safety and welfare; and

WHEREAS, the Member Cities currently contract with other local governments within the State of Washington for correctional services at a great expense to the City; and

WHEREAS, chapter 39.34 RCW, the Interlocal Cooperation Act, authorizes municipalities in Washington to enter into agreements for the joint undertaking of certain projects as provided therein; and

WHEREAS, the Member Cities entered into a SCORE Interlocal Agreement, effective February 25, 2009 (the "Original Interlocal Agreement"), to form a governmental administrative agency pursuant to RCW 39.34.030(3) known as the South Correctional Entity ("SCORE") to establish and maintain a consolidated correctional facility to be located in the City of Des Moines (the "SCORE Facility") to serve the Member Cities and federal and state agencies and other local governments that may contract with SCORE in the future to provide correctional services essential to the preservation of the public health, safety and welfare; and

WHEREAS, the Member Cities have determined that the SCORE Facility will provide improved correctional facilities within the boundaries of the consolidated service areas at a lower total cost to the participating Member Cities than currently available alternatives or than the participating Member Cities could individually provide; and

WHEREAS, financing for the acquisition, construction, equipping, and improvement of the SCORE Facility will be provided by bonds issued by the South Correctional Entity Facility Public Development Authority (the "SCORE Facility Public Development Authority"), a public development authority chartered by the City of Renton pursuant to RCW 35.21.730 through 35.21.755 and secured by the full faith and credit of the Cities of Renton, Auburn, Federal Way, SeaTac, Tukwila, and Burien (the "Owner Cities"); and

WHEREAS, the Member Cities now desire to amend the Original Interlocal Agreement to allocate the proportion of debt service on bonds issued by the SCORE Facility Public Development Authority to each of the Owner Cities and to designate the City of Des Moines as the host city; and

WHEREAS, the establishment and maintenance of the SCORE Facility will be of substantial benefit to the Member Cities and the public in general;

NOW THEREFORE, it is hereby agreed and covenanted among the undersigned as follows:

Section 1. Definitions. Capitalized terms used in this SCORE Formation Interlocal Agreement shall have the following meanings:

“Administrative Board” means the governing board of SCORE created pursuant to Section 5 of this SCORE Formation Interlocal Agreement.

“Bonds” mean, collectively, bonds, notes or other evidences of borrowing issued by the SCORE Facility Public Development Authority to provide interim and permanent financing for the SCORE Facility and thereafter, to finance or refinance equipment, completion, expansion and other capital improvements essential to maintain the SCORE Facility’s functionality.

“Budget” means the budget prepared by the Facility Director in consultation with the Operations Board, and submitted to the Administration Board for its approval in accordance with Section 5 and Section 9 of this SCORE Formation Interlocal Agreement, which budget shall set forth (a) an estimate of the costs of capital improvements required to be made to the SCORE Facility within the applicable year, (b) on a line item basis, all anticipated revenues and expenses for the operation and maintenance of the SCORE Facility for the applicable year, and (c) any information required by policies adopted by the Administrative Board pursuant to Section 9(b) of this SCORE Formation Interlocal Agreement.

“Capital Contribution” means, for each Owner City, that Owner City’s Owner Percentage multiplied by the principal of and interest on Bonds as the same shall become due and payable.

“Costs of Maintenance and Operation” means all reasonable expenses incurred by SCORE in causing the SCORE Facility to be operated and maintained in good repair, working order and condition, and all costs of administering SCORE.

“Designated Representative” means the Mayor or the City Manager, as selected by each Member City, or his or her designee.

“Facility Director” means the director of the SCORE Facility selected by the Administrative Board pursuant to Section 7 of this SCORE Formation Interlocal Agreement.

“Host City” means the City of Des Moines, Washington.

“Member Cities” mean the Owner Cities and the Host City.

“Operations Board” means the board formed pursuant to Section 6 of this SCORE Formation Interlocal Agreement.

“Owner Cities” mean the Cities of Auburn, Renton, Federal Way, Tukwila, Burien and SeaTac, Washington.

“Owner Percentage” means the percentage assigned to each Owner City, as follows:

- (a) Auburn – thirty-one (31%)
- (b) Federal Way – eighteen (18%)
- (c) Renton - thirty-six (36%)
- (d) Tukwila – eight (8%)
- (e) Burien – four (4%)
- (f) SeaTac – three (3%)

“Presiding Officer” means the member of the Administrative Board selected pursuant to Section 5 of this SCORE Formation Interlocal Agreement.

“SCORE” means the governmental administrative agency established pursuant to RCW 39.34.030(3) by the Member Cities.

“SCORE Facility” means the consolidated correctional facility acquired, constructed, improved, equipped, maintained and operated by SCORE.

“SCORE Facility Public Development Authority” means the South Correctional Entity Facility Public Development Authority chartered by the City of Renton, Washington.

“SCORE Formation Interlocal Agreement” means this Amended and Restated SCORE Interlocal Agreement among the Member Cities, as amended from time to time.

“Subscribing Agencies” mean the federal and state agencies, municipal corporations, and other local governments, other than the Member Cities, that contract with SCORE for correctional services at the SCORE Facility pursuant to the terms of this SCORE Formation Interlocal Agreement.

Section 2. SCORE Facility; Authority.

(a) **Administrative Agency.** There is hereby established a governmental administrative agency pursuant to RCW 39.34.030(3) to be known as the South Correctional Entity (“SCORE”). SCORE shall initially consist of the Member Cities.

(b) **Powers of SCORE.** SCORE shall have the power to acquire, construct, own, operate, maintain, equip, and improve a correctional facility known as the “SCORE Facility” and to provide correctional services and functions incidental thereto, for the purpose of detaining arrestees and sentenced offenders in the furtherance of public safety and emergencies within the jurisdiction of the Member Cities. The SCORE Facility may serve the Member Cities and Subscribing Agencies which are in need of correctional facilities. Any agreement with a Subscribing Agency shall be in writing and approved by SCORE as provided herein.

(c) Administrative Board. The affairs of SCORE shall be governed by the Administrative Board formed pursuant to Section 5 of this SCORE Formation Interlocal Agreement. The Administrative Board shall have the authority to:

1. Recommend action to the legislative bodies of the Member Cities;
2. Approve the Budget, adopt financial policies and approve expenditures;
3. Establish policies for investing funds and incurring expenditures of Budget items for the SCORE Facility;
4. Review and adopt a personnel policy for the SCORE Facility;
5. Establish a fund, or special funds, as authorized by chapter 39.34 RCW for the operation of the SCORE Facility;
6. Conduct regular meetings as may be designated by the Administrative Board;
7. Determine what services shall be offered at the SCORE Facility pursuant to the powers of SCORE and under what terms they shall be offered;
8. Enter into agreements with third parties for goods and services necessary to fully implement the purposes of this SCORE Formation Interlocal Agreement;
9. Establish rates for services provided to members, subscribers or participating agencies;
10. Direct and supervise the activities of the Operations Board and the Facility Director;
11. Enter into an agreement with a public corporation or otherwise to incur debt;
12. Make purchases or contract for services necessary to fully implement the purposes of this SCORE Formation Interlocal Agreement;
13. Enter into agreements with and receive and distribute funds from any federal, state or local agencies;
14. Receive and account for all funds allocated to the SCORE Facility from its members;
15. Purchase, take, receive, lease, take by gift, or otherwise acquire, own, hold, improve, use and otherwise deal in and with real or personal property, or any interest therein, in the name of the SCORE Facility;

16. Sell, convey, mortgage, pledge, lease, exchange, transfer and otherwise dispose of property and assets;
17. Sue and be sued, complain and defend, in all courts of competent jurisdiction in its name;
18. Make and alter bylaws for the administration and regulation of its affairs;
19. Enter into contracts with Subscribing Agencies to provide correctional services;
20. Employ employees as necessary to accomplish the terms of this SCORE Formation Interlocal Agreement;
21. Establish policies and procedures for adding new cities as parties to this SCORE Formation Interlocal Agreement; and
22. Engage in any and all other acts necessary to further the goals of this SCORE Formation Interlocal Agreement.

Section 3. Duration of Agreement.

The initial duration of this SCORE Formation Interlocal Agreement shall be for a period of ten (10) years from its effective date and, thereafter, shall automatically extend for additional five (5) year periods unless terminated as provided in this SCORE Formation Interlocal Agreement. Notwithstanding the foregoing, this SCORE Formation Interlocal Agreement shall not terminate until all Bonds issued by the SCORE Facility Public Development Authority as provide in Section 15 of this SCORE Formation Interlocal Agreement are no longer outstanding.

Section 4. Withdrawal and Termination.

(a) Subject to Section 4(g) below, any Member City may withdraw its membership and terminate its participation in this SCORE Formation Interlocal Agreement by providing written notice and serving that notice on the other Member Cities on or before December 31 in any one-year. After providing appropriate notice as provided in this Section, that Member City's membership withdrawal shall become effective on the last day of the year following delivery and service of appropriate notice to all other Member Cities.

(b) Subject to Section 3 above, four (4) or more Member Cities may, at any one time, by written notice provided to all Member Cities, call for a termination of SCORE and this SCORE Formation Interlocal Agreement. Upon an affirmative supermajority vote (majority plus one) by the Administrative Board, SCORE shall be directed to terminate business, and a date will be set for final termination, which shall be at least one (1) year from the date of the vote to terminate this SCORE Formation Interlocal Agreement. Upon the final termination date, this SCORE Formation Interlocal Agreement shall be fully terminated.

(c) Subject to Section 4(g) below, in the event any Owner City or the Host City fails to budget for or provide its applicable annual funding requirements for SCORE as provided in Section 15 hereof, the remaining Member Cities may, by majority vote, immediately declare the underfunding City to be terminated from this SCORE Formation Interlocal Agreement and to have forfeited all its rights under this SCORE Formation Interlocal Agreement as provided in Section 4(e). The remaining Member Cities may, at their option, withdraw SCORE's correctional services from that City, or alternatively, enter into a Subscribing Agency agreement with that City under terms and conditions as the remaining Member Cities deem appropriate.

(d) Time is of the essence in giving any termination notice.

(e) If an individual Owner City withdraws its membership in SCORE, the withdrawing City will forfeit any and all rights it may have to SCORE's real or personal property, or any other ownership in SCORE, unless otherwise provided by the Administrative Board.

(f) Upon termination of this SCORE Formation Interlocal Agreement, all property acquired during the life of this SCORE Formation Interlocal Agreement shall be disposed of in the following manner:

1. All real and personal property acquired pursuant to this SCORE Formation Interlocal Agreement shall be distributed to the Owner Cities based on the Owner Percentages; and
2. All unexpected funds or reserve funds shall be distributed based on the percentage of average daily population at the SCORE Facility for the last three (3) years prior to the termination date of those Member Cities still existing on the day prior to the termination date.

(g) Notwithstanding any of the other rights, duties or obligations of any Member City under this Section 4, the withdrawal of any Owner City from this SCORE Formation Interlocal Agreement shall not discharge or relieve the Owner City that has withdrawn pursuant to Section 4(a) or been terminated pursuant to Section 4(c) of its obligation to pay debt service on Bonds issued by the SCORE Facility Public Development Authority. An Owner City may be relieved of its obligation under this SCORE Formation Interlocal Agreement to make payments with respect to its Capital Contribution if the Administrative Board, by supermajority vote (majority plus one), authorizes such relief based on a finding that such payments are not required to pay debt service on Bonds issued by the SCORE Facility Public Development Authority.

Section 5. Administrative Board.

(a) **Formation.** An Administrative Board composed of the Designated Representative from each Member City shall govern the affairs of SCORE.

(b) **Allocation of Votes.** Each Board member shall have an equal vote and voice in all Board decisions.

(c) Voting Requirements. Votes regarding (1) debt; (2) approval of the Budget; (3) employment of the Facilities Director; (4) cost allocations made prior to the issuance of Bonds pursuant to Section 16 of this SCORE Formation Interlocal Agreement; and (5) approval of labor contracts, shall require an affirmative vote of a supermajority (majority plus one) of the Member Cities, two (2) of which shall have the highest and the second highest average daily population in the SCORE Facility for the 12-month period ending June 30 of the preceding year. Votes regarding (1) the conveyance of real property; (2) the addition of additional services pursuant to Section 11 of this SCORE Formation Interlocal Agreement not directly incidental to correctional services (such as providing court services); and (3) matters addressed in Sections 4(b) and (g) of this SCORE Formation Interlocal Agreement, shall require an affirmative vote of a supermajority (majority plus one) of the Member Cities.

(d) Parliamentary Authority. Unless otherwise provided, Robert's Revised Rules of Order (newly revised) shall govern all procedural matters relating to the business of the Administrative Board.

(e) Officers of the Administrative Board. Members of the Administrative Board shall select a Presiding Officer from its members, together with such other officers as a majority of the Administrative Board may determine. Subject to the control of the Administrative Board, the Presiding Officer shall have general supervision, direction and control of the business and affairs of SCORE. On matters decided by the Administrative Board, the signature of the Presiding Officer alone is sufficient to bind SCORE.

(f) Meetings of the Administrative Board. There shall be a minimum of two (2) meetings each year, and not less than fifteen (15) days notice shall be given to all members prior to any such meeting. Unless otherwise designated by the Presiding Officer, the first meeting shall be held on the second Tuesday of February of each year to review the prior year's service. The second meeting shall be on the second Tuesday of September of each year to consider and adopt a Budget for the following fiscal year. Other meetings may be held upon request of the Presiding Officer or any two members. All meetings shall be open to the public to the extent required by chapter 42.30 RCW.

Five (5) members of the Administrative Board must be present at any meeting of the Administrative Board to comprise a quorum, and for the Administrative Board to transact any business. Proxy voting shall not be allowed. Members of the Administrative Board may participate in a meeting through the use of any means of communication by which all members and members of the public participating in such meeting can hear each other during the meeting. Any members of the Administrative Board participating in a meeting by such means is deemed to be present in person at the meeting for all purposes including, but not limited to, establishing a quorum.

(g) Bylaws. The Administrative Board shall be authorized to establish bylaws that govern procedures of that Board and the SCORE Facility's general operations.

(h) Administrative Board Review. A general or particular authorization or review and concurrence of the Administrative Board by majority vote shall be necessary for all capital expenditures or contracts in excess of \$50,000.

Section 6. Operations Board.

(a) Formation. There is further established an Operations Board which shall consist of up to nine (9) members selected as provided in this paragraph. One (1) member shall be designated by each of the Member Cities, and up to two (2) at-large members shall be selected, by majority vote, by the Subscribing Agencies to represent the police departments of the Subscribing Agencies. At the time set for election of the at-large members, only the representatives of the Subscribing Agencies, then in attendance, will participate in the election. The Member Cities' Operations Board representatives shall not participate in the at-large member elections. The at-large members shall serve one-year terms, unless otherwise determined by majority vote of the Operations Board. The purpose and duties of the Operations Board shall be established by the Administrative Board.

(b) Voting and Meetings of the Operations Board. Each member of the Operations Board shall have an equal vote in all Operations Board decisions. The Operations Board shall be authorized to establish bylaws that govern its procedures. Unless otherwise provided, Robert's Revised Rules of Order shall govern all procedural matters relating to the business of the Operations Board. The Operations Board shall elect a presiding officer from its members and shall likewise determine the time and place of its meetings; at least one (1) regular meeting shall be held each month at a time and place designated by the presiding officer or a majority of its members. Special meetings may be called by the presiding officer or any two (2) members upon giving all other members not less than 24 hours prior written notice (electronic or facsimile notice acceptable). In an emergency, the Operations Board may dispense with written notice requirements for special meetings, but must, in good faith, implement best efforts to provide fair and reasonable notice to all of the members of the Operations Board. All meetings shall be open to the public to the extent required by chapter 42.30 RCW.

A majority of the members of the Operations Board must be present at any meeting of the Operations Board to comprise a quorum, and for the Operations Board to transact any business. Proxy voting shall not be allowed. Members of the Operations Board may participate in a meeting through the use of any means of communication by which all members and members of the public participating in such meeting can hear each other during the meeting. Any members of the Operations Board participating in a meeting by such means is deemed to be present in person at the meeting for all purposes including, but not limited to, establishing a quorum.

Section 7. Facility Director.

Not later than one hundred eighty (180) days prior to the completion of the SCORE Facility, the Operations Board shall recommend to the Administrative Board a person to act as the Facility Director. The Administrative Board may accept or reject the Operations Board recommendation. Such Facility Director shall be responsible to the Administrative Board, shall develop the Budget in consultation with the Operations Board and other appropriate means in

order to fully implement the purposes of this SCORE Formation Interlocal Agreement. The Facility Director shall administer the program in its day-to-day operations consistent with the policies adopted by the Administrative Board. Such Facility Director shall have experience in technical, financial and administrative fields, and such appointment shall be on the basis of merit only.

Section 8. Personnel Policy.

(a) The Operations Board shall submit to the Administrative Board within one hundred eighty (180) days prior to the completion of the SCORE Facility, a proposed personnel policy for the SCORE Facility for its approval, rejection or modification. All of such modifications or revisions shall be subject to the final approval of the Administrative Board.

(b) Such personnel policy shall provide for the initial appointment to the SCORE Facility's staff from the personnel presently, permanently appointed or assigned as corrections officers in the Member Cities. Additional employees shall be appointed by the Facility Director upon meeting the qualifications established by the Operations Board and adopted by the Administrative Board. None of such employees shall be commissioned members of any emergency service, but may be eligible for membership under the Public Employees Retirement Systems (PERS), or Public Safety Employees Retirement System (PSERS), as provided by law.

Section 9. Budget, Policies and Operations.

(a) The Facility Director shall distribute a proposed Budget to the Operations Board on or before August 1 of each year, which Budget shall then be provided to the Administrative Board no later than September 1 of such year. Thereafter, the Member Cities shall be advised of the programs and objectives as contained in said proposed Budget, and of the required financial participation for the ensuing year.

(b) The Administrative Board shall develop financial policies for SCORE as part of the budgetary process. Such policies may include, but are not limited to, (1) items to be provided for in the Budget, (2) a minimum contribution amount for each Member City to pay for Costs of Maintenance and Operation, (3) the process for allocating unexpended amounts paid by the Member Cities for Costs of Maintenance and Operation and assessing the Member Cities in the event of cost overruns, (4) establishing and maintaining reserve accounts, if any, and (5) the process for adding a new party to this SCORE Formation Interlocal Agreement.

(c) The allocation of prorated financial participation among the Member Cities shall be calculated as provided in Section 15 hereof. Each Member City shall be unconditionally obligated to provide its allocable share of costs as provided in this SCORE Formation Interlocal Agreement.

Section 10. Contracts and Support Services.

(a) The Administrative Board (or the Operations Board or the Facility Director, if so designated by the Administrative Board) shall, as necessary, contract with local governments for

the use of space for its operations, auxiliary services including but not limited to records, payroll, accounting, purchasing, and data processing, and for staff prior to the selection of a Facility Director for the SCORE Facility.

(b) The Member Cities hereby agree to furnish legal assistance, from time to time, as approved by the Administrative Board. The Administrative Board may contract with the City Attorney of a Member City, other local government, or independent legal counsel as necessary.

Section 11. Policy and System Evaluation.

The Facility Director shall actively and continually consider and evaluate all means and opportunities toward the enhancement of operations effectiveness for correctional services so as to provide maximum and ultimate benefits to the members of the general public. The Facility Director shall present his or her recommendations to the Operations Board from time to time. Any substantive change or deviation from established policy shall be subject to the prior approval of the Administrative Board.

Section 12. Additional Services Authorized.

The Administrative Board shall evaluate and determine the propriety of including additional correctional services for local governments, whenever so required, and shall determine the means of providing such services, together with its costs and effects. These additional services may include, but shall not be limited to the following: alternatives to incarceration, inmate transportation systems, and consolidated court services.

Section 13. Inventory and Property.

(a) Equipment and furnishings for the operation of the SCORE Facility shall be acquired by SCORE as provided by law. If any Member City furnishes equipment or furnishings for SCORE's use, title to the same shall remain with the respective local entity unless that equipment is acquired by SCORE.

(b) The Facility Director shall, at the time of preparing the proposed Budget for the ensuing year, submit to the Operations Board a complete inventory together with current valuations of all equipment and furnishings owned by, leased or temporarily assigned to SCORE. In case of dissolution of SCORE, such assigned or loaned items shall be returned to the lending governmental entity and all other items, including real property, or funds derived from the sale thereof, shall be distributed in accordance with Section 4(f) above.

(c) Title to real property purchased or otherwise acquired shall be held in the name of SCORE; provided however, that for valuable consideration received, SCORE may convey ownership of any real property as may be approved by supermajority vote (majority plus one) of the Administrative Board.

Section 14. Local Control.

Each Member City and Subscribing Agency shall retain the responsibility and authority for the operation of its police departments, and for such equipment and services as are required at its place of operation to utilize the SCORE Facility.

Section 15. SCORE Facility Financing and Construction; SCORE Facility Public Development Authority.

(a) SCORE Facility. In order to provide necessary services for the Member Cities and the Subscribing Agencies, SCORE shall acquire, construct, improve, equip, maintain and operate the SCORE Facility. The SCORE Facility is expected to be located in the City of Des Moines, Washington.

(b) Contracts for the SCORE Facility. The Administrative Board shall authorize, and the Presiding Officer of the Administrative Board, or his or her approved designee, will execute contracts for the development of the SCORE Facility. These contracts shall include, without limitation, contracts for architectural design and engineering, project management services; real estate acquisition, and construction.

(c) SCORE Facility Public Development Authority. In order to finance costs of acquiring, constructing, improving and equipping the SCORE Facility, the City of Renton has chartered the SCORE Facility Public Development Authority. The purpose of the SCORE Facility Public Development Authority is to issue Bonds to finance and refinance the acquisition, construction, improvement and equipping of the SCORE Facility. The Administrative Board shall serve *ex officio* as the Board of Directors of the SCORE Facility Public Development Authority as further provided in the Authority's organizational charter. Upon issuance of Bonds by the SCORE Facility Public Development Authority, Bond proceeds shall be deposited on behalf of SCORE and used for the purposes set forth herein. SCORE shall be obligated to make payments to the SCORE Facility Public Development Authority at the time and in the amounts required to pay principal of and interest on the Bonds and any administrative costs of the SCORE Facility Public Development Authority.

(d) SCORE Facility Financing.

(1) *Capital Contributions.* Each Owner City shall be obligated to pay an amount equal to its Capital Contribution without regard to the payment or lack thereof by any other Owner City. No Owner City shall be obligated to pay the Capital Contribution of any other Owner City, and each Owner City shall be obligated to budget for and pay its Capital Contribution. The obligation of each Owner City to pay its Capital Contribution shall be an irrevocable full faith and credit obligation of such Owner City, payable from property taxes levied within the constitutional and statutory authority provided without a vote of the electors of the Owner City on all of the taxable property within the Owner City and other sources of revenues available therefor. Each Owner City has or will set aside and include in its calculation of outstanding nonvoted general obligation indebtedness an amount equal to the principal component of its Capital

Contribution for so long as Bonds remain outstanding, unless relieved of such payment in accordance with Section 4(g). Each Owner City's obligation to pay the Capital Contribution shall not be contingent on the receipt of any revenues from other sources, including but not limited to Subscribing Agencies or the Host City.

An Owner City may prepay its Capital Contribution in a manner that is consistent with the authorizing documents for the Bonds; provided, however, that any such prepayment of one or more Owner Cities shall not affect the Capital Contribution of the remaining Owner Cities. Any Owner City that elects to prepay its Capital Contribution shall be responsible for paying all costs associated with such prepayment.

(2) *Costs of Maintenance and Operation.* Subject to the terms of the financial policies established by the Administrative Board pursuant to Section 9(b) of this SCORE Formation Interlocal Agreement, each Member City shall be obligated to pay its allocable portion of Costs of Maintenance and Operation of the SCORE Facility, including any debt issued to finance such costs, as determined in this subsection.

(i) Until the end of the first calendar year of operations of the SCORE Facility (estimated to be December 31, 2012), the allocable portion that each Member City shall be obligated to pay of Costs of Maintenance and Operation in such year shall be equal to the Member City's 2007 average daily population in all correctional facilities (as provided in the SCORE financial policies) multiplied by the Costs of Maintenance and Operation.

(ii) Commencing with the calendar year following the first calendar year of operations, the allocable portion that each Member City shall be obligated to pay of Costs of Maintenance and Operation shall be based on the Member City's average daily population in the SCORE Facility, as supplemented as necessary with the average daily population allocable to the Member Cities in all correctional facilities, for the 12-month period ending June 30 of the preceding year.

(iii) Commencing with the third calendar year of operations, the allocable portion that each Owner City shall be obligated to pay of Costs of Maintenance and Operation shall be based on the Member City's average daily population in the SCORE Facility for the 12-month period ending June 30 of the preceding year.

(e) Billing and Allocation of Revenues. Each Member City shall be billed for its Capital Contribution and its portion of Costs of Maintenance and Operation, as applicable, on a semiannual basis, or more frequently as determined by the Administrative Board, calculated as provided for in Section 15(d) above. Revenues received in a calendar year from Subscribing Agencies or from sources other than the contributions described in Section 15(d) above shall be allocated among the Member Cities as follows: (i) each Member City shall receive a credit against its obligation to pay Costs of Maintenance and Operation based on that Member City's proportional average daily population as calculated in Section 15(d)(2) above, and (ii) each

Owner City shall receive a credit against its Capital Contribution based on that Owner City's proportional Owner Percentage.

(f) Host City. Pursuant to RCW 35.21.740, the City of Des Moines, as the Host City, hereby authorizes the City of Renton to operate the SCORE Facility Public Development Authority within the corporate limits of the City of Des Moines in a manner consistent with the terms of this SCORE Formation Interlocal Agreement. The Host City shall enter into a written agreement with SCORE and any of the Owner Cities, as applicable, to establish a host city fee to be paid in exchange for the availability of the SCORE Facility.

(g) Tax-Exemption. The Member Cities shall not (1) make any use of the proceeds from the sale of Bonds or any other money or obligations of the SCORE Facility Public Development Authority or the Member Cities that may be deemed to be proceeds of the Bonds pursuant to Section 148(a) of the Code that will cause the Bonds to be "arbitrage bonds" within the meaning of said Section and said regulations, or (2) act or fail to act in a manner that will cause the Bonds to be considered obligations not described in Section 103(a) of the Code.

(h) Additional Financing. Notwithstanding anything to the contrary in this SCORE Formation Interlocal Agreement, bonds, notes or other evidences of borrowing may be issued from time to time by the SCORE Facility Public Development Authority or another issuer pursuant a separate agreement between one or more Member Cities and other entities to provide additional financing for the SCORE Facility on terms as agreed upon by the parties thereto.

(i) Special Facility Designation. The SCORE Facility, including all equipment, furnishings, and fixtures is critical to the ability of the Member Cities and the Subscribing Agencies to provide necessary and secure correctional services and assure public safety. Consequently, the SCORE Facility is essential to the preservation of the public health, safety, and welfare. As a result, the SCORE Facility's equipment, furnishings, and fixtures are special facilities subject to unique standards. Accordingly, based on the facts presented in this subsection, it is hereby resolved that the established policy of the Member Cities is that the SCORE Facility constitutes a "special facility" under RCW 39.04.280(1)(b), and all purchases of any kind or nature for the SCORE Facility shall be exempt from competitive bidding requirements as prescribed by Washington State statute but shall be governed by the procurement policy established by the Administrative Board as amended from time to time.

Section 16. Preliminary Costs of the SCORE Facility; Bellevue Property

The Administrative Board shall allocate costs associated with the design, acquisition, construction, improvement and equipping of the SCORE Facility prior to the issuance of the Bonds by the SCORE Facility Public Development Authority among the Member Cities by an affirmative vote of a supermajority (majority plus one) of the of the Member Cities, two (2) of which shall have the highest and the second highest average daily population in the SCORE Facility for the 12-month period ending June 30 of the preceding year. Any costs of the SCORE Facility paid by a Member City pursuant to this section may be reimbursed out of proceeds of Bonds to the extent permitted by law.

The Member Cities hereby agree that any net proceeds received from the sale of the property located at 1440 116th Avenue NE, Bellevue, Washington and 1412 116th Avenue NE, Bellevue, Washington (estimated to be approximately \$3,180,000) shall be deposited with SCORE and used to finance costs associated with the design, acquisition, construction, improvement and equipping of the SCORE Facility.

Section 17. Compliance with Continuing Disclosure Requirements

To the extent necessary to meet the conditions of paragraph (d)(2) of United States Securities and Exchange Commission Rule 15c2-12 (the “Rule”), as applicable to a participating underwriter or remarketing agent for Bonds, each Owner City will enter into an undertaking in a form acceptable at the time to the participating underwriter or remarketing agent, as the case may be.

Section 18. Filing of Agreement

Upon execution, this SCORE Formation Interlocal Agreement shall be filed as required in RCW 39.34.040.

Section 19. Severability

If any part, paragraph, section or provision of this SCORE Formation Interlocal Agreement is adjudged to be invalid by any court of competent jurisdiction such adjudication shall not affect the validity of any remaining section, part or provision of this SCORE Formation Interlocal Agreement.

Section 20. Execution and Amendment

This SCORE Formation Interlocal Agreement shall be executed on behalf of each Member City by its Designated Representative, or other authorized officer of the Member City, and pursuant to an appropriate motion, resolution or ordinance of each Member City. This SCORE Formation Interlocal Agreement shall be deemed adopted upon the date of execution by the last so Designated Representative or other authorized officer.

This SCORE Formation Interlocal Agreement may not be effectively amended, changed, modified or altered, except by an instrument in writing duly executed by the Designated Representative, or other authorized officer, of each Member City and pursuant to an appropriate motion, resolution or ordinance of each Member City, so long as such amendment does not materially adversely affect the owners of the Bonds or affect the tax-exempt status of the interest paid on the Bonds. If the Bonds issued by the SCORE Facility Public Development Authority are rated by a rating agency, then no amendment that adds or removes an Owner City from this SCORE Formation Interlocal Agreement or revises Section 15 of this SCORE Formation Interlocal Agreement shall be permitted unless the SCORE Facility Public Development Authority has received written confirmation from the rating agency that such amendment will not result in a reduction or withdrawal of the rating on the Bonds. If the Bonds are not rated by a rating agency, then no such amendment as described in the preceding sentence will be permitted

unless in the opinion of the SCORE Facility Public Development Authority such amendment will not materially adversely affect the owners of the Bonds.

Section 21. Third Party Beneficiaries

The SCORE Facility Public Development Authority and the holders from time to time of the Bonds shall be third party beneficiaries hereof and the commitments made herein shall be for their further benefit.

Section 22. Hold Harmless

The parties to this SCORE Formation Interlocal Agreement shall defend, indemnify and save one another harmless from any and all claims arising out of the performance of this SCORE Formation Interlocal Agreement, except to the extent that the harm complained of arises from the sole negligence of one of the participating members. Any loss or liability resulting from the negligent acts errors or omissions of the Administrative Board, Operations Board, Facility Director and or staff, while acting within the scope of their authority under this SCORE Formation Interlocal Agreement shall be borne by SCORE exclusively.

Section 23. Counterparts

This SCORE Formation Interlocal Agreement may be executed in any number of counterparts, each of whom shall be an original, but those counterparts will constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this SCORE Formation Interlocal Agreement as of the day and year first written above.

CITY OF AUBURN

CITY OF RENTON

By: _____

By: _____

CITY OF DES MOINES

CITY OF TUKWILA

By: _____

By: _____

CITY OF FEDERAL WAY

CITY OF BURIEN

By: _____

By: _____

CITY OF SEATAC

By: _____

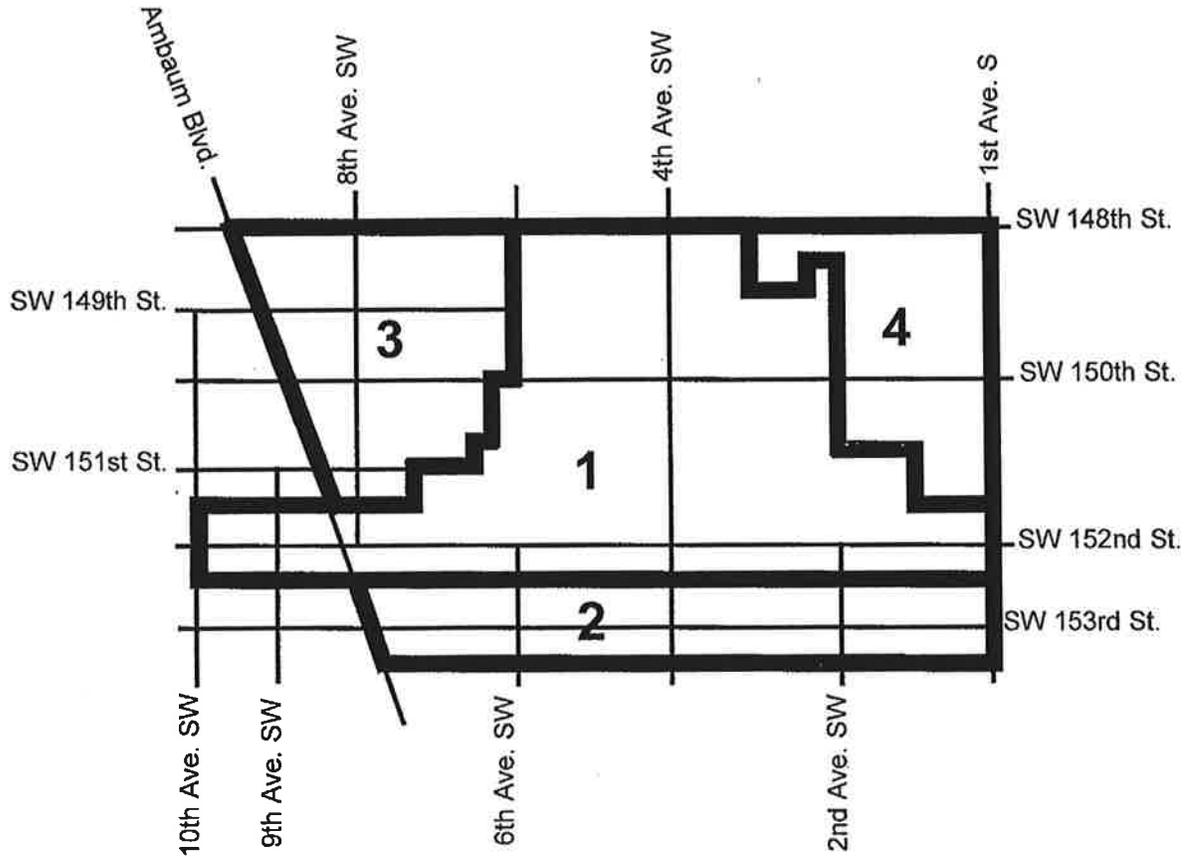
**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Discussion on SW 153 rd Street Path Forward		Meeting Date: September 14, 2009
Department: Community Development	Attachments: 1. <u>Excerpts from 1998 HyettPalma report</u> 2. <u>Excerpts from 1999 Streetscape Design Plan</u> 3. <u>Excerpts from 2003 Bicycle/Pedestrian Plan</u> 4. <u>Excerpt from 2008 Road Standards</u>	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Scott Greenberg, Community Development Director		
Telephone: (206) 248-5519		
Adopted Initiative: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Initiative Description: N/A	
<p>PURPOSE/REQUIRED ACTION: The purpose of this item is for City Council to discuss the path forward for future improvements to SW 153rd St. in the downtown.</p> <p>BACKGROUND (Include prior Council action & discussion):</p> <p>At a previous Council meeting, Councilmember Nelson requested an agenda item to discuss future plans for SW 153rd St. The following describes previous work to define a direction for SW 153rd St.</p> <p>In 1998, the HyettPalma report identified the SW 153rd corridor as a “Destination Retail and Service District” rather than a pedestrian-oriented street like SW 152nd (see Attachment 1). In 1999, Council adopted the Streetscape Design Plan, which carried this concept forward by calling for intersection improvements, entryway enhancements at either end, incentives for enhanced private parking lot landscaping and improved signage (Attachment 2).</p> <p>In 2003, Council adopted a Pedestrian and Bicycle Plan which recommended bicycle lanes on SW 153rd as one of a number of “high-priority” projects in the city (Attachment 3). The bike lanes are included on the 2009-2010 CIP as one of 24 unfunded bike and pedestrian improvement projects. In 2008, Council adopted new Road Standards for the city. SW 153rd is designated a Business Access street (Attachment 4). The standards call for a 60’ wide right-of-way with curbs, gutters, sidewalks and roadway width of 30’-38’ depending on parking needs and projected traffic. Specific improvements would be coordinated with the 1999 Streetscape Design Plan.</p> <p>In summary, based on existing adopted plans and policies, SW 153rd St. is envisioned to be a service street with parking on both sides (probably parallel parking), bike lanes and sidewalks, with strategic intersection and signage improvements. None of these improvements are on the City’s 6-year CIP, except for the bike lanes which are unfunded.</p> <p>OPTIONS (Including fiscal impacts): N/A</p>		
Administrative Recommendation: Discuss agenda item and schedule for further discussion as part of 2011-2012 Budget and CIP		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: N/A		
Submitted by: Scott Greenberg Administration <u>SG</u>	Mike Martin City Manager 	
Today’s Date: September 8, 2009	File Code: R:\CC\Agenda Bill 2009\091409cd-1 SW 153rd Street.docx	

EXCERPTS FROM 1998 HYETT/PALMA REPORT

HyettPalma

**Downtown Burien
Development Districts**



District:
1 = Downtown Core District
2 = Destination Retail and Service District
3 = Redevelopment District
4 = Highway-Oriented District

*Downtown Burien
Economic Enhancement Strategy 1998*

- ***Destination Retail and Service District***

The Destination Retail and Service District, extending the length of 153rd Street within Downtown Burien, currently contains a large concentration of highly specialized, unique destination retail and service businesses – many businesses

of the type one would make a special trip to patronize but not many geared to browsing and impulse buying.

This district currently contains a significant concentration of home furnishing businesses (framing, floor coverings, window coverings, bath fixtures), health services (massage therapy, physical therapy, chiropractors, hand clinic), performing arts-related businesses (dance classes, dancewear, drum shop, musical instruments), and food establishments that primarily cater to local residents and Downtown employees.

The current economic orientation of this district – with a focused assortment of destination retail businesses and service businesses – is viable, appropriate, and should be maintained.

- ***153rd Street Corridor Physical Improvement Plan***

The 153rd Street corridor in Downtown Burien has a large number of strong businesses which appear to have a very clear economic focus. This corridor's business climate – and appeal to both investors and consumers – could be drastically enhanced with relatively minor physical improvements. Therefore, it is suggested that the City take the initiative – in partnership with business and property owners along 153rd Street – to craft a physical improvement plan for this corridor that defines:

- Design guidelines for building renovation, signs and awnings – to ensure they are coordinated, pedestrian-friendly, and visually appealing;
- Needed parking lot landscaping, maintenance and other improvements; and
- Landscaping for the corridor, via flower pots/plantings, tree lawns, etc.

These relatively minor improvements – if made in a coordinated and comprehensive manner – will soften, enliven, and tremendously improve the corridor's physical appeal and, therefore, its market appeal.

The physical improvement plan should be defined by qualified design professionals, using the planning process outlined earlier. And, once the plan is completed, the City of Burien should aggressively complete improvements which are designed to enhance public property.

The physical improvement plan should be presented to 153rd Street private property owners and business owners – on a one-on-one basis – and they should be encouraged to undertake building, awning, sign, parking lot, and landscape improvements consistent with the recommended plan.



SOUTHWEST 153RD STREET CORRIDOR

The Hyett/Palma report defined the Southwest 153rd Street corridor as the "Destination Retail and Service District" because of its large concentration of highly specialized, unique destination retail and service businesses – not geared for browsing or impulse shopping. Thus, while the pedestrianization of Southwest 153rd Street may not be as critical to the long-term success of Southwest 152nd Street, the business climate has much to gain through minor physical improvements. The most important improvements along the corridor involve the intersections. The First Avenue South and Ambaum Boulevard Southwest intersections provide opportunities for modest entryway enhancements such as landscaped curb bulbs. The cross streets of Fourth, Sixth, and Eighth Avenues Southwest are particularly important as these streets receive significant pedestrian flow from the residential area to the west into downtown.

Plan Objectives

- Improve the visibility of businesses on Southwest 153rd Street by creating decorative directory signs incorporated with pedestrian and landscaping improvements at intersections to advertise businesses in each block.
- Improve pedestrian access on Second, Fourth, and Sixth Avenues Southwest between Southwest 152nd and Southwest 154th Streets by providing new and/or improved sidewalks, crosswalks, and bus stops.
- Improve the appearance of Southwest 153rd Street by creating curb bulbs with plantings at all intersections from First Avenue South to Ambaum Boulevard Southwest and providing incentives for parking lot landscaping.

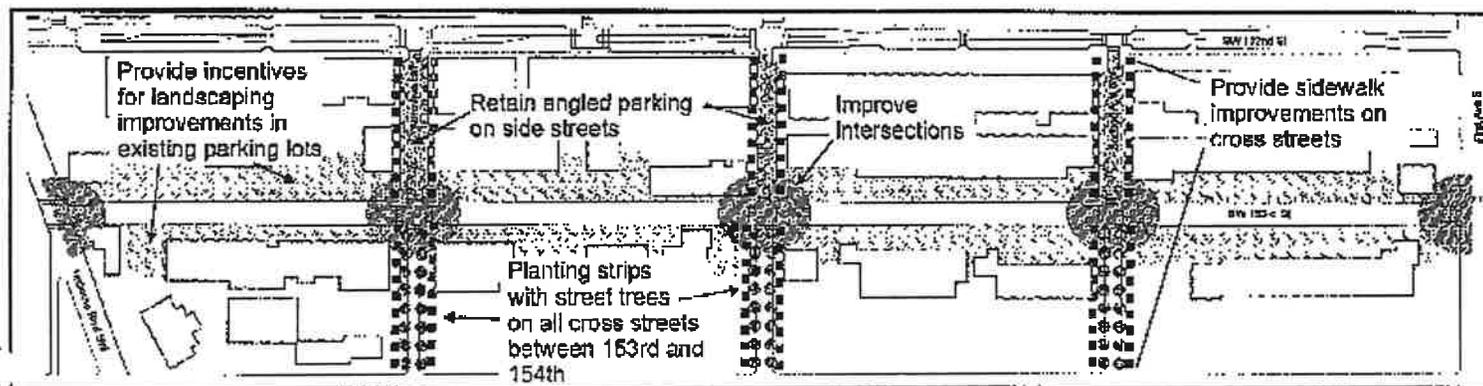


Figure 33: Southwest 153rd Street Corridor layout and plan.

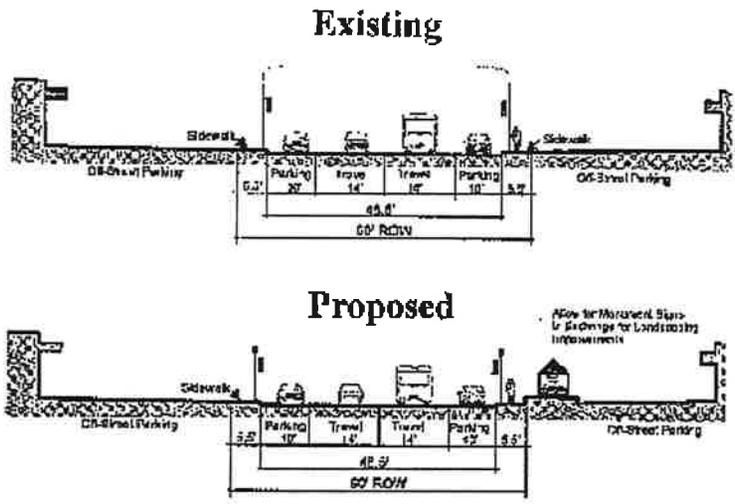


Figure 34: Existing and proposed street sections on Southwest 153rd Street.

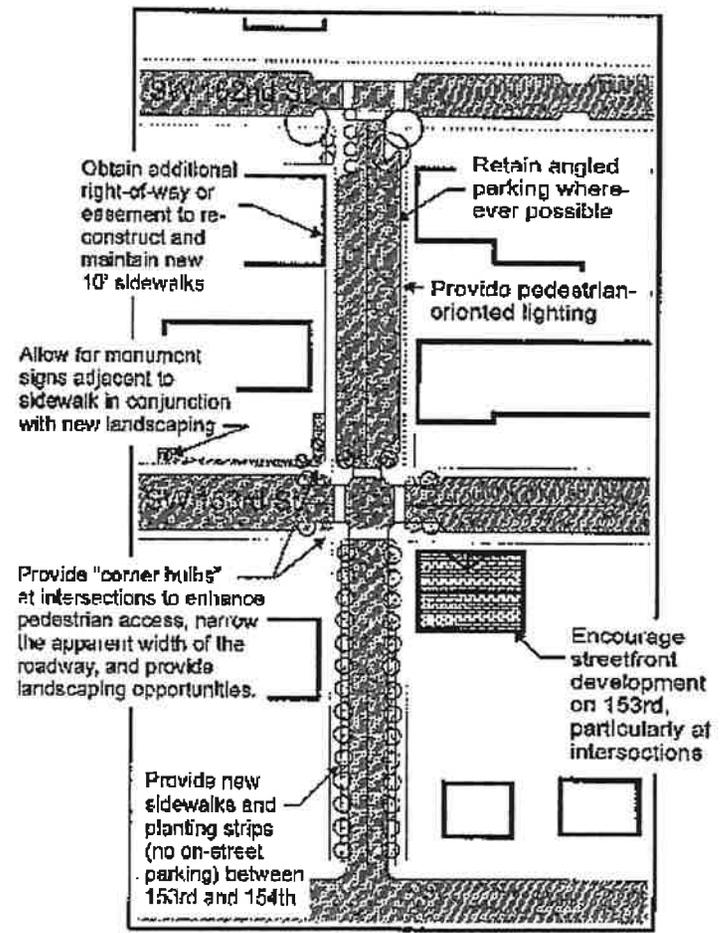


Figure 35: Typical cross street layout and plan for Second, Fourth, and Sixth Avenues Southwest between Southwest 152nd and 154th Streets.

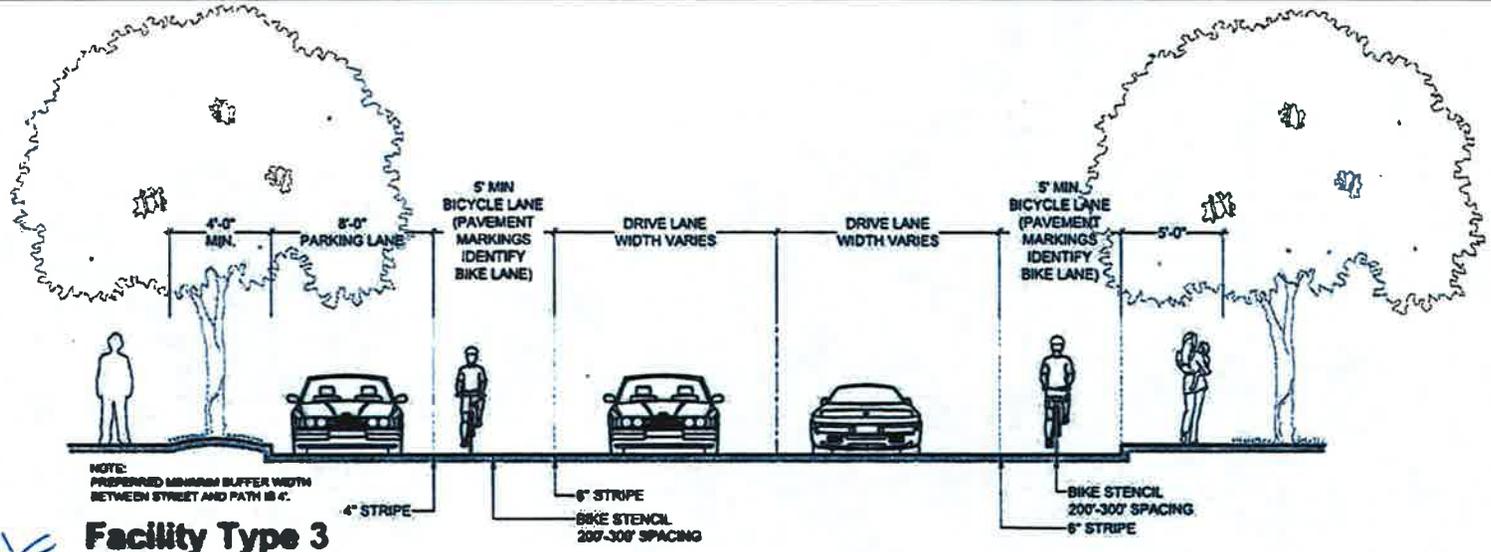
Figure 7: Project List Matrix Revised 6/15/04

Note: This project list is grouped into two parts: (1) High Priority Projects and (2) Long-Range Projects

Map ID #	Facility Type	Project Name	Project Limits	Project Description	Policy Precedent?
22	(3, 7)	21st Avenue SW Marine View Drive	SW 146th Street to SW 170th Street	Bicycle lanes on both sides. Pathway with planting strip/steals on one side. Part of Burien Loop Trail and part of Lake Burien Loop. Provides connections to Seahurst Park (north on Burien Loop Trail), St. Francis of Assisi Primary, Seahurst/Lake Burien commercial area, post office, transit facilities, Eagle Landing Park. Connects community to Puget Sound. Connects to Normandy Park.	
28	(3,7)	Arbaum Blvd South	South 174th Street to South 160th Street	Pathway with swale/planting strip on one side of street; bicycle lanes. Connects with central Burien area, and would connect with Burien Loop Trail. Connects with planned facility on Des Moines Memorial Drive South and signed bicycle facility east to SeaTac airport. Connects to multi-family zoned area. Provides neighborhood linkage and offers alternative to north-south travel on 1st Avenue South. Connects southern Burien to rest of city.	
31	(4)	South Normandy Road	1st Avenue South to Des Moines Memorial Drive South	Shared signed roadway (bicycles share lanes with vehicles). Connects to planned facility on Des Moines Memorial Drive South and planned shared signed route to airport, as well as YMCA. Provides access to alternatives to 1st Avenue South. Coordination with City of Normandy Park to the west.	
35	(6)	16th Avenue SW Park Connection	Salmon Creek Ravine / Seahurst Park connection	Directional signage and indication of roadway crossing to link Seahurst Park entry with Salmon Creek Ravine entry (within right-of-way). Formalize connection. Provides access to Puget Sound, Salmon Creek Ravine, Seahurst Park, and through Seahurst Park trails plan and potential southwest linkage, to Eagle Landing Park or Lake Burien School Park.	Seahurst Park Master Plan; Parks, Recreation and Open Space Master Plan
40	(3, 6)	8th Avenue SW	8th Place SW to Arbaum Blvd SW	Bicycle lanes and sidewalks on both sides of street. Builds off new road reconstruction as result of November 2003 slide on 8th Place SW. Links Highline Community Hospital and multifamily housing with downtown Burien area. Connects to Burien Loop Trail/Sylvester Road SW.	
46	(3)	Arbaum Blvd. SW	SW 160th Street to SW 156th Street	Bicycle lanes on both sides of street. Provides bicycle route to downtown Burien from southern area of city and from bicycle route along 1st Avenue South in Normandy Park. Provides alternate bicycling route to 1st Avenue South to reach downtown Burien.	
49	(3)	SW 153rd Street	Arbaum Blvd. SW to 1st Avenue South	Bicycle lanes on both sides of street (maintain parking on both sides of street). Provides critical east-west bicycle route through downtown Burien. Connects bicyclists to Town Square, downtown commercial uses, transit center, and Arbaum Blvd. SW/156th planned bicycle lanes (which connect with Des Moines Memorial Drive South trail).	

ATTACHMENT 3

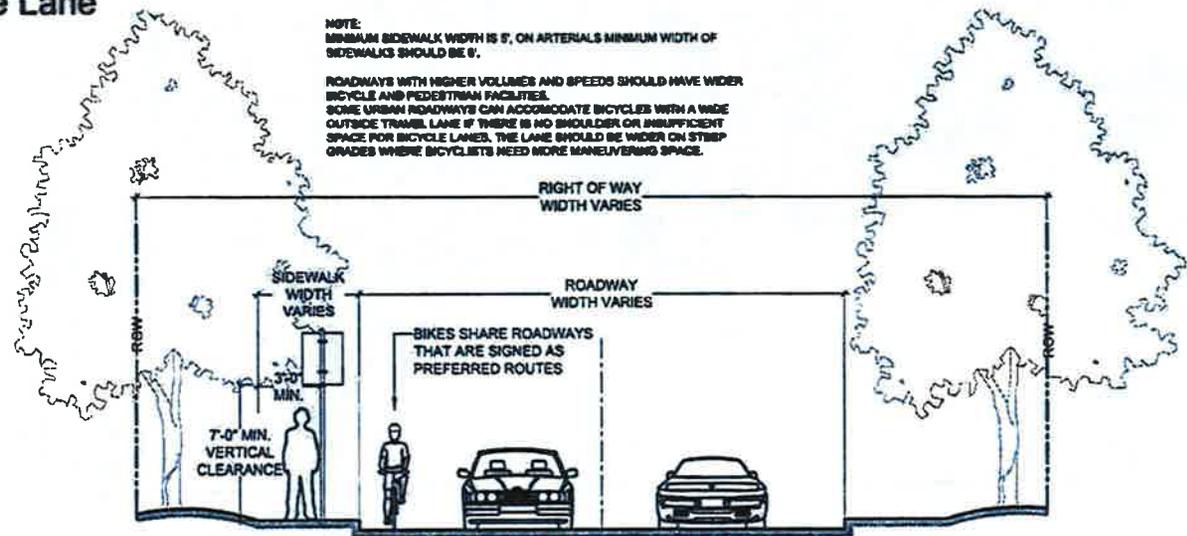




**Facility Type 3
Bicycle Lane**

NOTE:
MINIMUM SIDEWALK WIDTH IS 5', ON ARTERIALS MINIMUM WIDTH OF SIDEWALKS SHOULD BE 6'.

ROADWAYS WITH HIGHER VOLUMES AND SPEEDS SHOULD HAVE WIDER BICYCLE AND PEDESTRIAN FACILITIES. SOME URBAN ROADWAYS CAN ACCOMMODATE BICYCLES WITH A WIDE OUTSIDE TRAVEL LANE IF THERE IS NO SHOULDER OR INSUFFICIENT SPACE FOR BICYCLE LANES. THE LANE SHOULD BE WIDER ON STREET GRADES WHERE BICYCLISTS NEED MORE MANEUVERING SPACE.



**Facility Type 4
Shared Roadway/ Bikeway**



FACILITY TYPES

ITY OF BURIEN PEDESTIRAN AND BIC' LE FACILITIES PLAN



TABLE 2.1(C) – RESIDENTIAL and COMMERCIAL ACCESS STREETS (CURB ROADWAY SECTION)

Classification	Attached Dwelling Access Streets	Multifamily Dwelling Access Streets	Business Access Streets	Industrial Access Streets	Minor Access Streets
Access	As needed with some regulation.	As needed with some regulation.	As needed with some regulation.	As needed with some regulation.	As needed with only minimal restrictions.
Public or Private Street	Typically public streets serving R-12 through R-24 zones.	Typically public streets serving R-12 through R-24 zones	Typically public streets serving CN, CI, DC, CC1 CC2, CR, and O zones.	Typically public streets serving I Zones	Public or private streets.
Design Speed	25 mph	25 mph	35 mph	25 mph	Low Speed Curve - See Section 2.10
Maximum Superelevation	6%	6%	6%	6%	-
Horizontal Curvature	See Table 2.3	See Table 2.3	See Table 2.3	See Table 2.3	Low Speed Curve - See Section 2.10
Maximum Grade	12%	12%	12%	11%	12%
Minimum Stopping Sight Distance ¹	See Table 2.3	See Table 2.3	See Table 2.3	See Table 2.3	150 feet
Minimum Entering Sight Distance ¹	See Table 2.3	See Table 2.3	See table 2.3	See Table 2.3	-
Typical Right of Way Width	56 feet	56 feet	60 feet	60 feet	44 feet
Typical Roadway Width ^{2, 3}					
Parking Two Sides	36 feet	36 feet	38 feet	40 feet	36 feet
Parking One Side	28 feet	28 feet	32 feet	32 feet	30 feet
Minimum Roadway Width ²					
Parking Two Sides	28 feet	28 feet	34 feet	34 feet	28 feet
Parking One Side	24 feet	24 feet	30 feet	30 feet	24 feet
No Parking	20 feet	20 feet	24 feet	24 feet	20 feet
Minimum Sidewalk Width ^{4, 5}	See Section 3.02	See Section 3.02	See Section 3.02	See Section 3.02	See Section 3.02
Minimum Half-Street Width	20 feet	20 feet	20 feet	20 feet	20 feet
Minimum One-Way Paved Width	20 feet	20 feet	22 feet	24 feet	20 feet
Curb Type	Vertical	Vertical	Vertical	Vertical	Vertical

¹ Standard Entering Sight Distance (ESD) shall apply at intersections and driveways except when a driveway intersects a minor access street, unless otherwise approved by the Public Works Director or his or her designee.

² These minimum dimensions for the paved portion of will require through connection to other public streets and restricts of parking at the intersections. Approval by the Public Works Director or Development Engineer is required when these minimums are proposed.

³ The right-of-way may be reduced to minimum roadway width, plus storm drainage, sidewalk, one-foot behind sidewalk, provided that the curbing is vertical, the minimum clear zone requirements are met, and potential serving utilities are accommodated within permanent public easements.

⁴ If a new development is proposed in a location where no sidewalks exist within 100', then no sidewalks will be required. In some cases, determined by the Public Works Director, an agreement to construct sidewalks or to participate in future sidewalk construction may be required.

⁵ Within the downtown core of Burien, the sidewalk widths should comply with the Downtown Burien Handbook **2.03 Horizontal Curvature and Sight Distance Design Values**

- A. The values shown in Tables 2.2 and 2.3 are minimum design values. A maximum of 8 percent superelevation may be used, upon approval of the Public Works Director or his or her designee, for design of improvements to existing arterials, as necessary, to meet terrain and right-of-way conditions. Superelevation run-off lengths on arterials, residential and commercial access streets shall be calculated in accordance with the WSDOT Design Manual.
- B. Superelevation is not required in the design of horizontal curves on residential access streets; however, horizontal curves must be designed based on design speed and selected cross section as indicated in Table 2.2. This table is based on AASHTO "Low Speed Urban Streets" design methodology. Superelevation may be used on urban residential streets as necessary to meet terrain and right-of-way conditions.

TABLE 2.2 – ARTERIAL AND LOCAL ACCESS ROADWAYS DESIGN VALUES¹

Design Speed (mph)	15	20	25	30	35	40
Horizontal Curvature, Normal Crown Section, Radius (Ft)	50	107	198	333	510	762
Horizontal Curvature for 6% (maximum allowable on neighborhood collectors and local access streets) Superelevation, Radius (Ft.)	39	81	144	231	340	485
Horizontal Curvature for 8% (maximum allowable on arterials) Superelevation, Radius (Ft.) (requires approval of the Public Works Director or his or her designee)	38	76	134	214	314	444
Stopping Sight Distance (Ft.) ^{2,3,4}	80	115	155	200	250	305
Entering Sight Distance (Ft.) ^{2,3,4}	170	225	280	335	390	445

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Continued Discussion on Proposed Ordinance No. 517, Amending the Burien Municipal Code (BMC) Relating to the Disclosure of Public Records		Meeting Date: September 14, 2009
Department: City Manager	Attachments: <u>Proposed Ordinance</u> No. 517	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Monica Lusk, City Clerk		
Telephone: (206) 248-5517		
Adopted Initiative: Yes No X	Initiative Description:	
PURPOSE/REQUIRED ACTION: The purpose of this agenda item is for Council to continue the discussion on proposed Ordinance No. 517, amending the City's municipal code relating to the disclosure of public records.		
BACKGROUND (Include prior Council action & discussion): The proposed changes will amend the City's code to more closely resemble the model rules drafted and adopted by the Attorney General in 2007 at the direction of the State Legislature. At the August 17 meeting, Council discussed the proposed ordinance and requested that the BMC be more user friendly, name the designated Public Records Officer, and add the five (5) day response to requests to the procedures. The attached ordinance reflects these requests. Staff will be bringing forward for discussion the fees for providing copies to fulfill requests at the September 28 Council meeting.		
OPTIONS (Including fiscal impacts): N/A		
Administrative Recommendation: Hold discussion and consider placing proposed Ordinance No. 517 on the September 28, 2009, Business Agenda for consideration.		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: None required.		
Submitted by: Monica Lusk Administration 	City Manager 	Mike Martin
Today's Date: September 3, 2009	File Code: R:/CC/AgendaBill2009/091409cm-1 public records	

DRAFT**CITY OF BURIEN, WASHINGTON****ORDINANCE NO. 517**

**AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON,
RELATING TO PUBLIC RECORDS; AMENDING CHAPTER 2.40 OF
THE BURIEN MUNICIPAL CODE, PROVIDING FOR
SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the State public disclosure laws require the City to adopt and enforce reasonable rules and regulations to provide full public access to public records, to protect public records from damage or disorganization, and to prevent excessive interference with other essential functions of the City while ensuring that the rules and regulations provide for the fullest assistance to inquirers and the most timely possible action on requests for information; and

WHEREAS, the City desires now to update rules and regulations relating to disclosure of public records previously adopted by the City and codified at Chapter 2.40 of the Burien Municipal Code;

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

Section 1. Adoption of New Section 2.40.080 BMC (Relationship to Public Records Act). Chapter 2.40 of the Burien Municipal Code is hereby amended by the addition of a new Section 2.40.080 BMC to read as follows:

2.40.080 Relationship to Public Records Act.

This chapter constitutes the City's rules and regulations to carry out and implement the Public Records Act, Chapter 42.56 RCW. Except as otherwise provided in this chapter, Chapter 42.56 RCW, as now or hereafter amended, shall apply to disclosure of all City public records. In the event of a conflict between any section, provision, phrase, or term of Chapter 42.56 RCW and any section, provision, phrase, or term of this Chapter, such section, provision, phrase, or term of Chapter 42.56 RCW shall control to the extent of the conflict.

Section 2. Adoption of New Section 2.40.090 BMC (Definitions). Chapter 2.40 of the Burien Municipal Code is hereby amended by the addition of a new Section 2.40.090 to read as follows:

2.35.030 Definitions.

The following terms, phrases, words and their derivations shall have the meanings given herein.

A. "Public record" means any writing, maps or drawings containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by the city regardless of physical form or characteristics.

B. "Public records officer" means the city clerk or designee.

C. "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion pictures, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

Section 3. Amendment of Section 2.40.100 BMC (Provision of Public Access.) Section 2.40.100 of the Burien Municipal Code is hereby amended (amendments shown in legislative revisions marks) to read as follows:

2.40.100 Provision of Public Access.

(1) Requests for access to public records shall be addressed to and accepted by the public records officer, during City hours of business, by phone, fax, mail, electronic mail or in person. Upon the public records officer receiving a request to inspect a copy of public record, the department public records officer shall grant the request unless ~~it~~ the public records officer determines that the record requested is or may be exempt from disclosure in whole or in part or that uncertainty exists as to whether the record is exempt from disclosure in whole or in part, in which case the ~~department~~ public records officer shall ask that a written request (or written request form) for public records be submitted by the requester.

(2) Any completed written request for public record shall immediately, upon receipt by ~~the department,~~ a City employee, be delivered by or on behalf of the department City employee to the ~~city clerk~~ public records officer.

(3) Upon the public records officer receiving a completed ~~written~~ request for a public record records (or written request form) the ~~city clerk~~ public records officer shall determine whether the public record requested is exempt by law from inspection and copying in whole or in part. The ~~city clerk~~ public records officer shall consult with the city attorney in making such determination.

(4) Within five business days of receiving a public record request, the city must respond by:

(a) Either providing the record;

(b) Acknowledging that the city has received the request and providing a reasonable estimate of

the time the city will require to respond to the request; or

(c) Denying the public record request.

(5) If the ~~city clerk~~public records officer determines that the document is exempt in part but can be made available after deletion of exempt portions, the request shall be granted; provided, that such exempt portions shall first be deleted.

(6) In acknowledging receipt of a public record request that is unclear, the city may ask the requester to clarify what information the requester is seeking. If the requester fails to clarify the request, the agency need not respond to it.

(7) If the ~~city clerk~~public records officer determines to deny the request, in whole or in part, a written statement of the specific reasons for the denial shall be provided the requester.

Section 4. Repeal and Re-enactment of Section 2.40.110 BMC (Exemptions). Section 2.40.110 of the Burien Municipal Code is hereby repealed in its entirety and re-enacted to read as follows:

2.40.110 Exemptions.

A. The following public records, or applicable portions thereof, are exempt from public disclosure pursuant to the Provisions of Ch. 42.56 RCW:

1. Personal information in files maintained for employees, appointees, or elected officials, to the extent that disclosure would violate their right to privacy, as defined in RCW 42.56.050.
2. Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would be prohibited to such persons by RCW 82.32.330 or violate the taxpayer's right to privacy, as defined in RCW 42.56.050, or result in unfair competitive disadvantage to the taxpayer.
3. Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy, as defined in RCW 42.56.050.
4. Credit card numbers, debit card numbers, electronic check numbers, card expiration dates or bank or other financial account numbers except when disclosure is expressly required by or governed by other law.
5. Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, or penology agencies, other than the public disclosure commission, if disclosure would endanger any person's life, physical safety, or property;

provided, that if at the time a complaint is filed the complainant, victim or witness indicates a desire for disclosure or nondisclosure, such desire shall govern.

6. Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination.

7. Except as provided by Chapter 8.26 RCW, the contents of real estate appraisals made for or by any agency including the city relative to the acquisition or sale of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal.

8. Valuable formulae, designs, drawings, and research data obtained by the city within five years of the request for disclosure when disclosure would produce private gain and public loss.

9. Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended, except that a specific record shall not be exempt when publicly cited by the city in connection with any city action.

10. Records which are relevant to a controversy to which the city is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

11. Records, maps, or other information identifying the location of archaeological sites in order to avoid the looting or depredation of such sites.

12. Financial and commercial information and records supplied by businesses during application for loans or program services provided by Chapters 43.160, 43.163, 43.168 and 43.330 RCW.

13. All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant.

14. The residential addresses and residential telephone numbers of employees or volunteers of the city which are held by the city in personnel records, employment or volunteer rosters, or mailing lists of employees or volunteers.

15. The residential addresses and residential telephone numbers of the customers of a city utility contained in the records or lists held by the city utility of which they are customers.

16. Client records maintained by the city under any domestic violence program as defined in RCW 70.123.020 or 70.123.075 or rape crisis center as defined in RCW 70.125.030.

17. Information that identifies a person who, while a city employee:

a. Seeks advice, under an informal process established by the city, in order to ascertain his or her rights in connection with a possible unfair practice under Chapter 49.60 RCW against the person; and

b. Requests that his or her identity or any identifying information not be disclosed.

18. License applications under RCW 9.41.070.

19. Information revealing the identity of child victims of sexual assault who are under age 18. Identifying information means the child victim's name, address, location, photograph, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator.

20. A law enforcement authority may not request inspection or copying of records of any person, which belong to a city electrical utility, unless the authority provides the city electrical utility with a written statement in which the authority states that it suspects that the particular person to whom the records pertain has committed a crime and the authority has a reasonable belief that the records could determine or help determine whether the suspicion might be true.

21. Names, residential addresses, residential telephone numbers, and other individually identifiable records held by an agency in relation to a vanpool, carpool, or other ride-sharing program; however, these records may be disclosed to other persons who apply for ride-matching services and who need that information in order to identify potential riders or drivers with whom to share rides.

22. Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited liability company, partnership, or other entity related to an application for a liquor license, gambling license, or lottery retail license.

23. Attorney-client privileged communications under RCW 5.60.060.

24. Abstracts of driving records under RCW 46.52.130(2).

25. Any other record which is exempt from disclosure under any state law.

B. The exemptions from public disclosure set forth in this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

C. Inspection or copying of any specific records exempt under this section may be permitted if the

King County superior court finds, after a hearing with notice thereof to every person interested and to the city, that the exemption of such records is clearly unnecessary to protect any individual's right of privacy or any vital governmental function.

D. Nothing in this section shall affect a positive duty of the city to disclose or a positive duty to withhold information, which duty to disclose or withhold is contained in any other law.

Section 5. 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 6. 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 _____ DAY OF _____, 2009, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS _____ DAY OF _____, 2009.

CITY OF BURIEN

Joan McGilton, Mayor

ATTEST/AUTHENTICATED:

Monica Lusk, Public records officer

Approved as to form:

Christopher D. Bacha, Interim City Attorney
Kenyon Disend, PLLC

Filed with the City Clerk: September 3, 2009
Passed by the City Council:
Ordinance No. 517
Date of Publication:

