City of Burien
400 SW 152nd Street
Suite 300
Burien, WA 98166-1911

P 206.241.4647
F 206.248.5539
burienwa.gov

Memorandum

To: Honorable Mayor and Members of the City Council
From: Brian J. Wilson, City Manager
Date: November 4, 2019
Subject: City Manager's Report

I. INTERNAL CITY INFORMATION

A. FAA Ombudsman Named

In May, 2019, Councilmembers requested the support of federal legislators to appoint an FAA Ombudsman to address concerns regarding the impacts of aircraft operations in Burien and neighboring communities. Subsequently, Mr. Justin Biassou has been named FAA Ombudsman/Community Engagement Officer for the Northwest Mountain Region, and was introduced at the StART meeting on Wednesday, October 23, 2019.

B. Public Meeting on Department of Commerce Airport Impacts Study

A public meeting will be held Wednesday, November 6, 2019, 7 – 9:00 p.m. in the Burien City Hall Multipurpose Room. The 2018 Washington State Legislature adopted an operating budget requiring the Department of Commerce (DOC) to contract for a study of the SeaTac International Airport. This comprehensive study documents the current and on-going effects of the operations of the airport. The study must be submitted to the Legislature by June 1, 2020. The purpose of this public meeting is to provide a preliminary report on the study to date. The area for the study is SeaTac, Burien, Des Moines, Federal Way, Normandy Park, and Tukwila. Each city is represented by two individuals: one who is city staff and one public representative. The Port of Seattle is also a member of the Committee. Contractor is Stantec Services, Inc. out of Texas.

C. Finance Department Receives Award (Page 8)

On October 1, 2019, the City was awarded the Distinguished Budget Presentation Award from the Government Finance Officers Association (GFOA) for the current fiscal period. The award was based on the examination of the budget document by a panel of independent reviewers. This award is the highest form of recognition in governmental budgeting.

The letter and award documents are attached.

D. Interlocal Agreement with Washington State Department of Revenue for Business Licensing Services

Washington cities and towns are provided broad authority to license businesses for the purpose of regulation and revenue. More than 230 cities in the state currently require business licenses. Some cities collect the business license fee for themselves, while others

partner with the business licensing service provided by the Washington State Department of Revenue (DOR). This partnership creates a "one-stop" service for businesses needing to obtain or renew both a state and city business license.

EHB 2005 (RCW 35.90), passed in 2017, requires cities with business licenses to partner with one of two online portals for business license administration:

File Local by July 1, 2020, or
DOR Business Licensing Service by 2022.

City staff have reviewed these two options and have determined that the preferred online portal is the DOR Business Licensing Service (BLS). The City is entering into an interlocal agreement with BLS and has begun the initial work to transfer our business licensing to the state. The current timeline allows for the annual license renewals for the period of August 1, 2020 through July 31, 2021 to be handled entirely by BLS. The City will still retain control over the approval of all general and special activity licenses.

The City will continue to collect business and occupational taxes as this service is not provided by BLS.

E. Burien Green Day

The Burien Parks, Recreation, and Cultural Services (PaRCS) Department celebrated the first Green Burien Day on Saturday, October 12, 2019. Volunteers removed an entire dump truck full of invasive ivy on the grounds at the Community Center and planted 250 native trees and plants. Councilmember Tosta spoke at the event. The 30 volunteers on site were provided with gloves, tools, snacks, and water. This event was coordinated in partnership with the Port of Seattle, Forterra and the ACE Green City Partnership.

F. Big Picture School Adopt-a-Park Event

The PaRCS Department collaborated with Nature Stewards to host an Adopt-a-Park event at Mathison Park for Big Picture School on October 24, 2019, from 10:00 a.m.-12:00 p.m. The teens in attendance learned about invasive plants and mushrooms and pulled blackberry bushes and ivy. Big Picture participates monthly in Adopt-A-Park programs. Mathison has several ongoing restoration projects taking place. For more information email parksinfo@burienwa.gov or call 206-988-3700.

II. COUNCIL REVIEW/ACTION REQUESTED

A. Coffee Hour in the 33rd Legislative District, Tuesday, November 12, 2019

Join Senator Karen Keiser, Rep Tina Orwall, and Rep. Mia Gregerson for a coffee hour in Burien on Tuesday, November 12, 2019, 5-6:30 p.m. They will discuss 2019 accomplishments, 2020 legislative session priorities, and take questions from constituents. The Coffee Hour will be held at the Boulevard Park Library, 12015 Roseberg Ave S. If Councilmembers are interested in attending, please notify Carol in order for arrangements to be made.

B. Legislative Breakfast, Monday, December 2, 2019

Councilmembers are cordially invited to join the City's legislative delegation and state lobbyist Lyset Cadena for breakfast on Monday, December 2, 2019. The breakfast will be held from 8-9:30 a.m. in Miller Creek Conference Room at Burien City Hall. This meeting will provide an opportunity to share your interests regarding the 2020 legislative session and Burien's priorities.

To avoid a quorum, Councilmembers will alternate half-way through the breakfast. Councilmembers may RSVP for one of two sessions: 8-8:45 a.m. or 8:45-9:30 a.m. If Councilmembers are interested in attending, please notify Executive Assistant Carol Allread in order for arrangements to be made.

C. Meeting with Federal Legislators, Tuesday, December 10, 2019

Councilmembers are invited to meet with federal lobbyist Mike Doubleday and the City's federal legislative delegation on Tuesday, December 10, 2019, 10:30 a.m.-Noon to discuss Burien's 2020 legislative priorities.

To avoid a quorum, Councilmembers may need to alternate half-way through the meeting. If Councilmembers are interested in attending, please notify Carol in order for arrangements to be made.

D. Request for input on the StART Airfield Noise Analysis Scope (Page 12)

A request was received from the Port of Seattle StART facilitator for input regarding the Airfield Noise Analysis Scope study being conducted by the Port of Seattle. Feedback regarding the scope of this study is requested by November 8, 2019.

The specific e-mail request is as follows:

From: *Phyllis Shulman [mailto:pshulman82@gmail.com]*
Sent: *Friday, October 25, 2019 3:35 PM*
To: *Brian Wilson <BrianW@burienwa.gov>*
Cc: *Marco Milanese <milanese.m@portseattle.org>*
Subject: *Request for input on the StART Airfield Noise Analysis Scope*

Hi Brian,

The StART Aviation Noise Working Group recommended that the Port hire a consultant to analyze ground noise at Sea-Tac Airport and provide recommendations, based on the analysis, for ground noise reduction. Brad Nicholas, noise consultant with HMMH, attended the October 23 StART meeting to begin the process of getting feedback from StART on the scope of the analysis. I have attached his presentation for your review.

The study could provide much greater clarity about the causes of airfield noise and lead to some potential promising efforts. Even though your city has made the decision to suspend your membership in StART, we felt that it is important to involve your city in the process of scoping the analysis and ask for your comments/feedback.

Specifically, the consultant is asking feedback for these two topics:
1. Identification of which sources of ground noise you would like to see included as part of the analysis; and
2. Suggestions for specific locations ground noise monitoring should occur (for example particular neighborhoods), and whether there are times of day that are most important for monitoring.

Please email me with your feedback on the scope by November 8.

Let me know if you have any questions.

Thanks,

Phyllis

Phyllis Shulman
Civic Alchemy
(206) 446-8788

Given our suspension from StART with the cities of Federal Way and Des Moines, I am seeking direction from Council regarding whether to provide comments or not regarding the scope of this study given our current suspension of StART participation.

E. Draft Response Letter to Port of Seattle Commission President Bowman (Page 23)

On October 15, 2019, Port of Seattle Commission President Bowman sent a letter to Mayor Matta (attached) in which she requested a meeting with him to discuss the City's possible return to participation in the Sea-Tac Stakeholders Advisory Roundtable (StART). The attached draft letter to President Bowman was prepared in response to her request, and indicates interest in meeting to discuss a path forward to address the concerns of citizens regarding airport issues. Is there support for this letter to be sent to President Bowman?

F. SCA Homeless Governance – Next Steps (Page 26)

Executive Director Deanna Dawson sent the following summary e-mail with attachments regarding the Homelessness Governance – Next Steps. Contents of the e-mail are as follows:

From: Deanna Dawson [mailto:Deanna@SoundCities.org]
Sent: Thursday, October 31, 2019 11:40 AM
To: Brian Parry <Brian@SoundCities.org>; Leah Willoughby <Leah@SoundCities.org>

Subject: Homelessness governance - next steps

Dear SCA Board Members, PIC Members, Mayors, and City Managers:

Attached you will find documents circulated by the King County Executive's Office at the briefing on homelessness governance last Friday, October 25.

We understand that the County Council is working on potential amendments to the governance proposal. We anticipate that those amendments may be released late next week.

Your SCA representatives who have been working on this issue (PIC Chair Prince, Mayor Backus, and Mayor Chelminiak) are scheduled to meet with representatives from the County Council and Seattle City Council on November 7. If you have additional questions, comments, or feedback for them in advance of that meeting, please communicate those to SCA Policy Director Brian Parry (brian@soundcities.org, or 206-499-4159).

The Regional Policy Committee (RPC) is next scheduled to meet on November 13, 2019. We anticipate that they will be briefed on any proposed Council amendments at that time. As we discussed at last Friday's meeting, we do not anticipate the RPC taking action on November 13, as that will be prior to your scheduled discussion at the PIC meeting that same evening.

We anticipate having discussion on the proposal, including any Council amendments, at the November 13 PIC meeting (and November 20 SCA Board meeting). Whether PIC takes action at that November 13 PIC meeting will depend in part on what amendments are proposed by the County Council, when those Council amendments are prepared, and whether your cities have had sufficient time to review them. Brian will be circulating materials for the November 13 PIC meeting next week, so please keep an eye out for those.

I will be out of town until November 13, 2019. Our Policy Director Brian Parry will be handling this issue in my absence. Please do not hesitate to contact him with any questions, concerns, or comments you may have. He is cc'd here, and can be reached at brian@soundcities.org, or 206-499-4159.

Thank you for your hard work on this important issue.

Best,
Deanna

III. COUNCIL UPDATES/REPORTS

A. Business and Economic Development Partnership (BEDP) Agenda (Page 48)
Attached for Council's review is the October 25, 2019 BEDP Agenda.

B. October 2019 Federal Legislative Update (Page 49)
Attached is the federal legislative update for October 2019 as submitted by Federal Liaison Mike Doubleday.

IV. NOTICES: (PAGE 55)

The following (attached) Notices were published:

- Notice of Public Hearing: The City of Burien will hold a public hearing on November 4, 2019, at 7:00 p.m. at Burien City Hall to receive public comments on revenue sources including a possible increase of up to 1% in property tax revenue, and expenditures for the 2019-2020 Mid-Biennium Budget review and adjustment.
- Notice of Public Hearing: The City of Burien will hold a public hearing on November 13, 2019, at 7:00 p.m. at Burien City Hall to receive public comments on an application to Change Comprehensive Plan Map designation on one parcel from Community Commercial to High Density Multi-Family Neighborhood.
- Notice of Public Hearing: The City of Burien Planning Commission will hold a public hearing on November 13, 2019, at 7:00 p.m. at Burien City Hall to receive public comments on proposed amendments to the Burien Comprehensive Plan policies pertaining to the Land Use and Housing elements and adoption of an Urban Centers Subarea Plan.
- Notice of Application: PLA 19-2028; Multani. Short Plat 1 Lot into 2 Lots.
- Notice of Application: PLA 19-2199; LDG Architects. Short Plat 1 Lot into 2 Lots.
- SEPA Determination of Non-Significance (DNS) WAC 197-11-970; City of Burien. It has been determined that the proposed amendment to the zoning code to amend regulations pertaining to Accessory Dwelling Units (ADU's) does not have a probable significant adverse impact on the environment.
- Notice of Decision: PLA 18-2981; Kenny Pham, Donaco Investments, LLC. Approve with conditions construction of a multi-family development consisting of 3 duplex buildings (6 townhouse units), landscaping, parking, and common and private recreation areas.

Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 *fax:* 312.977.4806

October 1, 2019

Eric Christensen
Finance Director
City of Burien
400 SW 152nd Street, Suite 300
Burien, WA 98166

Dear Mr. Christensen:

We are pleased to inform you, based on the examination of your budget document by a panel of independent reviewers, that your budget document has been awarded the Distinguished Budget Presentation Award from Government Finance Officers Association (GFOA) for the current fiscal period. This award is the highest form of recognition in governmental budgeting. Its attainment represents a significant achievement by your organization.

The Distinguished Budget Presentation Award is valid for two years. To continue your participation in the program, it will be necessary to submit your next biennial budget document to GFOA within 90 days of the proposed budget's submission to the legislature or within 90 days of the budget's final adoption. A Distinguished Budget Program application is posted on GFOA's website. This application must be completed and accompany your next submission. (See numbers 12 and 13 on page 2 of the application for fee information and submission instructions.)

Each program participant is provided with confidential comments and suggestions for possible improvements to the budget document. Your comments are enclosed. We urge you to carefully consider the suggestions offered by our reviewers as you prepare your next budget.

When a Distinguished Budget Presentation Award is granted to an entity, a Certificate of Recognition for Budget Presentation is also presented to the individual(s) or department designated as being primarily responsible for its having achieved the award. Enclosed is a Certificate of Recognition for Budget Preparation for:

Finance Department, Finance Director

Continuing participants will find a brass medallion enclosed with these results. First-time recipients will receive an award plaque that will be mailed separately and should arrive within eight to ten weeks. Also enclosed is a camera-ready reproduction of the award for inclusion in your next budget. If you reproduce the camera-ready image in your next budget, it should be accompanied by a statement indicating continued compliance with program criteria.

The following standardized text should be used:

Washington, DC Office
Federal Liaison Center, 660 North Capitol Street, NW, Suite 410 • Washington, DC 20001 • 202.393.8020 *fax:* 202.393.0780
www.gfoa.org

Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 *fax:* 312.977.4806

Government Finance Officers Association of the United States and Canada (GFOA) presented a Distinguished Budget Presentation Award to **City of Burien, Washington,** for its Biennial Budget for the biennium beginning **January 1, 2019**. In order to receive this award, a governmental unit must publish a budget document that meets program criteria as a policy document, as a financial plan, as an operations guide, and as a communications device.

This award is valid for a period of two years only. We believe our current budget continues to conform to program requirements, and we are submitting it to GFOA to determine its eligibility for another award.

A press release is enclosed.

Upon request, GFOA can provide a video from its Executive Director congratulating your specific entity for winning the Budget Award.

We appreciate your participation in this program, and we sincerely hope that your example will encourage others in their efforts to achieve and maintain excellence in governmental budgeting. The most current list of award recipients can be found on GFOA's website at www.gfoa.org. If we can be of further assistance, please contact the Technical Services Center at (312) 977-9700.

Sincerely,

Michele Mark Levine

Michele Mark Levine
Technical Services Center

Enclosure

Washington, DC Office
Federal Liaison Center, 660 North Capitol Street, NW, Suite 410 • Washington, DC 20001 • 202.393.8020 *fax:* 202.393.0780
www.gfoa.org

GOVERNMENT FINANCE OFFICERS ASSOCIATION

Distinguished Budget Presentation Award

PRESENTED TO

City of Burien

Washington

For the Biennium Beginning

January 1, 2019

Christopher P. Morrill

Executive Director

The Government Finance Officers Association of the United States and Canada

presents this

CERTIFICATE OF RECOGNITION FOR BUDGET PREPARATION

to

Finance Department, Finance Director
City of Burien, Washington

The Certificate of Recognition for Budget Preparation is presented by the Government Finance Officers Association to those individuals who have been instrumental in their government unit achieving a Distinguished Budget Presentation Award. The Distinguished Budget Presentation Award, which is the highest award in governmental budgeting, is presented to those government units whose budgets are judged to adhere to program standards.

Executive Director Christopher P. Morrill

Date **October 01, 2019**

SEA Ground Noise Study Kickoff Discussion

Presented to the StART

Brad Nicholas, HMMH

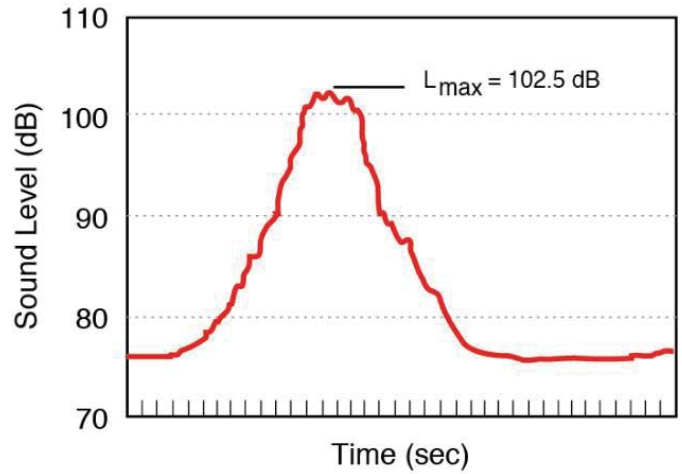
October 23, 2019

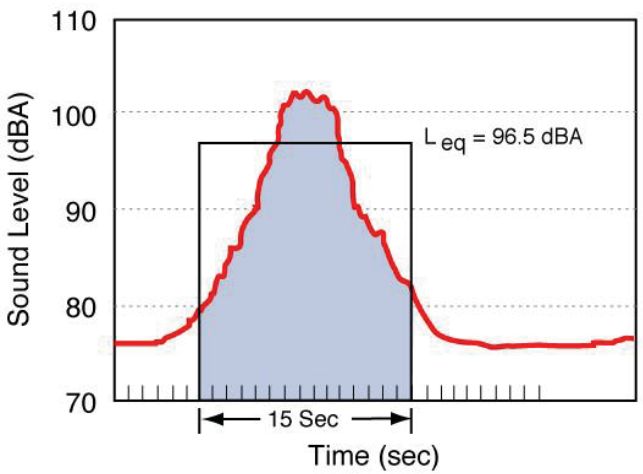
Agenda

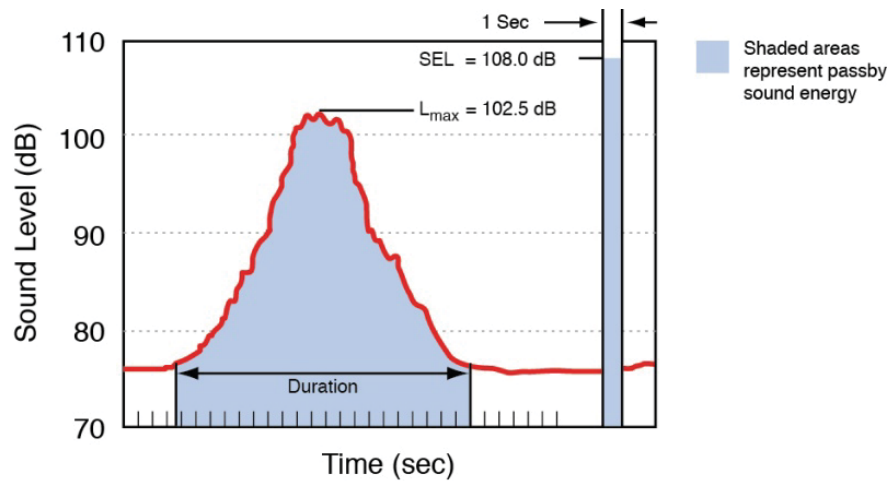
- Acoustical Terminology
- Aircraft Noise Effects on Human Activity
- Sound Propagation
- Ground Noise Study Scope
- Ground Noise Sources Input
- Noise Monitoring Discusssion

Acoustical Terminology

- Maximum A-weighted Sound Level (Lmax)
- Sound Exposure Level (SEL)
- Equivalent Sound Level (Leq)





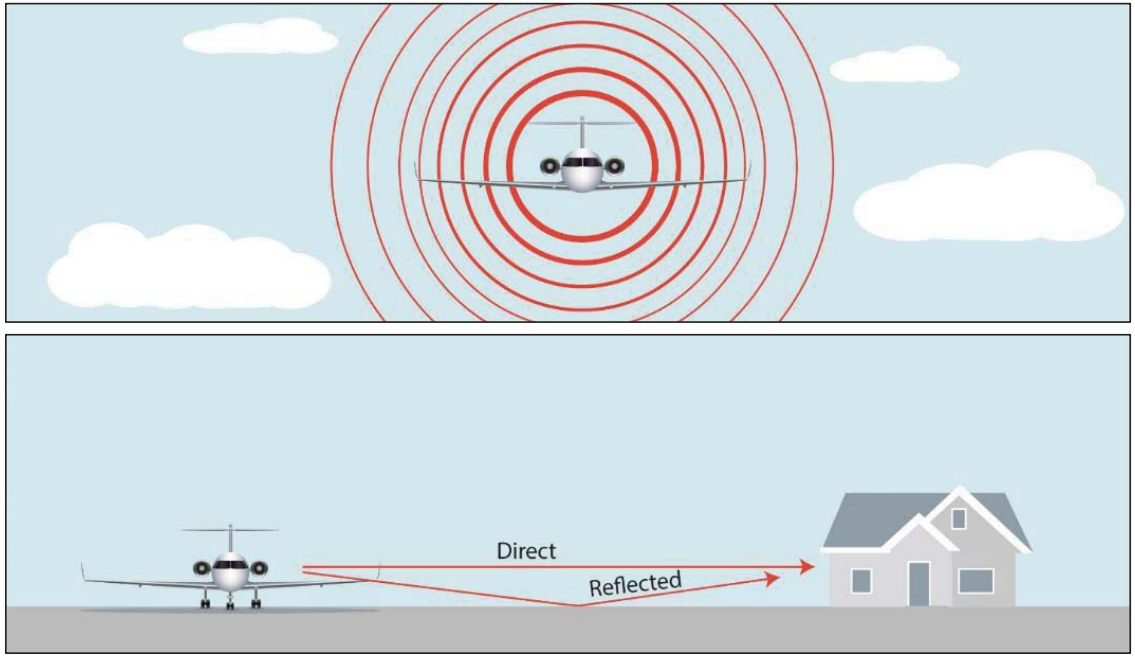


Aircraft Noise Effects on Human Activity

- Speech interference may occur
  - Outdoors with sound levels of 60 – 65 dBA outdoors or higher
  - Indoors with windows open at sound levels of 70 – 75 dBA outdoors or higher (outdoor to indoor level reduction is approximately 15 dB with open windows)
  - Indoors with windows closed at sound levels of 75 – 80 dBA outdoors or higher (outdoor to indoor level reduction is approximately 25 dB with closed windows)
- Sleep interference may occur for ~ 2 % of people
  - With windows open and exterior sound levels of 70 to 75 dBA, Lmax
  - With windows closed and exterior sound levels of 80 to 85 dBA, Lmax

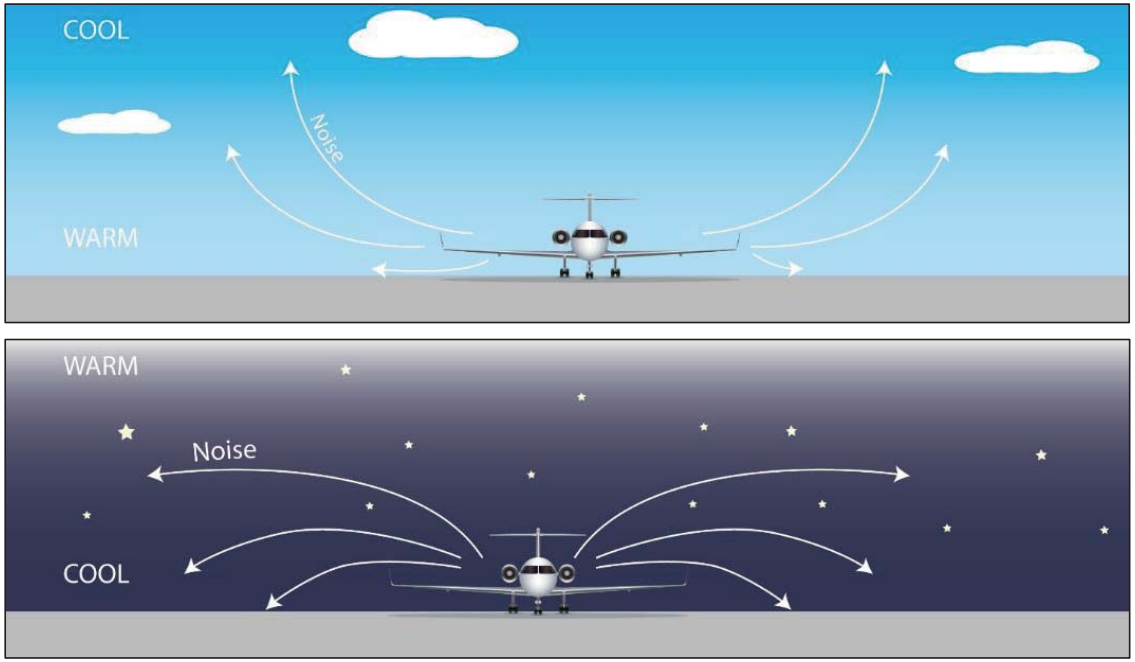
Sound Propagation

- Spherical Spreading
  - Sound level decreases by 6 dB per doubling of distance
  - Additional losses due to atmospheric absorption
- Ground Effect
  - Sound levels are lower when reflected off of soft ground vs. hard ground



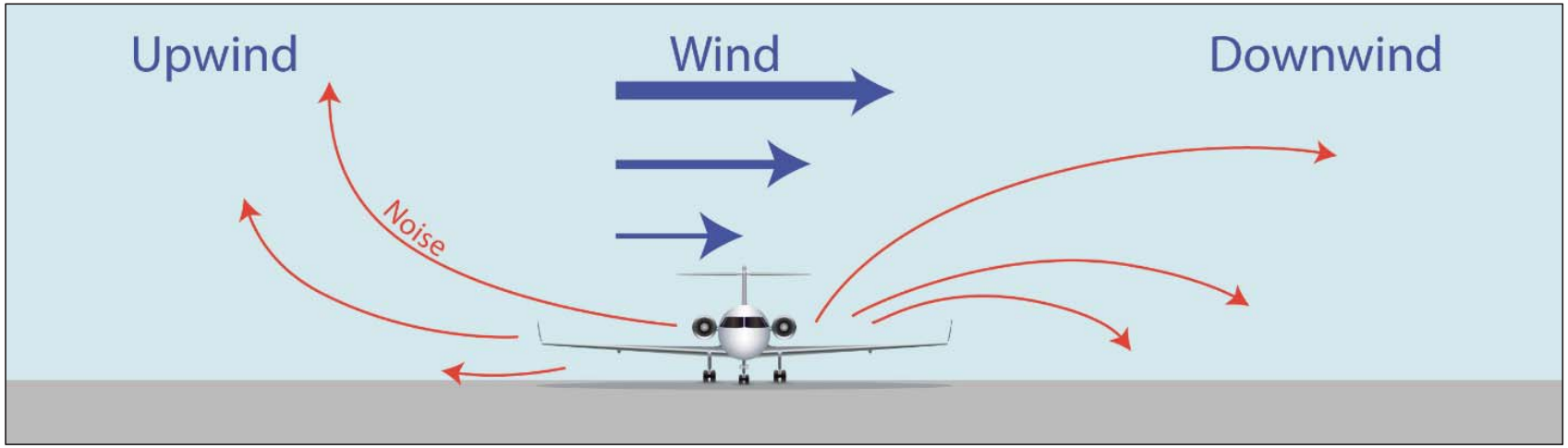
Sound Propagation

- Refraction due to Temperature
  - Gradients in temperature cause the bending of sound paths
  - Sound bends upward during a temperature lapse (cool air over warm)
  - Sound bends downward during a temperature inversion (warm air over cool)



Sound Propagation

- Refraction due to Wind
  - Gradients in wind speed cause the bending of sound paths
  - Sound bends upward causing sound shadows in the upwind direction
  - Sound bends downward increasing sound levels in the downwind direction
  - Differences between upwind and downwind directions can be 20 dB



Ground Noise Study Scope

- Ground Noise Data Research
  - Meet with StART
  - Identify ground noise sources and locations
  - Identify atmospheric conditions that may increase ground noise
- Noise Monitoring
  - Obtain and analyze data from permanent monitors
  - Collect and analyze additional temporary noise monitoring data
- Identify Mitigation Options
  - Present findings on ground noise sources and levels and solicit input on mitigation measures
  - May include changes in aircraft operating procedures or utilization of new or existing structures to reduce community noise exposure
- Report Project Results

Aircraft Ground Noise Sources Discussion

- Taxi/Idle
- Auxiliary Power Units (APUs)
- Engine Maintenance Run-ups
- Ground Service Equipment
- Reverse Thrust

Noise Monitoring Discussion

- Locations
- Times of Day

Thank you for your input

Burien

City of Burien
400 SW 152nd Street
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Burien, WA 98166-1911

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burienwa.gov

November 5, 2019

The Honorable Stephanie Bowman
Port of Seattle Commission President
Port of Seattle
P.O. Box 1209
Seattle, Washington 98111

Dear Commissioner Bowman:

Thank you for your October 15, 2019 correspondence and your request for a meeting regarding the City of Burien's suspended involvement in the Sea-Tac Airport Stakeholder Advisory Round Table (StART).

We are in continuing discussions with our Council, Airport Committee representatives, and our partner cities. We will be in touch with you in the near future regarding the scheduling of a meeting with you.

We look forward to a dialogue regarding StART and a path forward to address the concerns of our citizens. We believe there are opportunities to enhance the relationship between the City of Burien and the Port of Seattle.

Sincerely,

Jimmy Matta, Mayor

Cc: Burien City Council

P.O. Box 1209
Seattle, WA 98111-1209
Tel: 787-3000

www.portseattle.org

October 15, 2019

Mayor Jimmy Matta
City of Burien
400 SW 152nd Street, Suite 300
Burien, WA 98166

Dear Mayor Matta:

The Port of Seattle created the Sea-Tac Stakeholders Advisory Roundtable (StART) in February 2018 as an important forum for engagement with you, our neighboring cities and residents, on critical airport-related issues facing your communities. StART has provided an unprecedented opportunity for airport cities, airlines, the FAA and the Port to collaborate on solutions, and we remain committed to this outcome.

Already the work of StART has yielded several positive outcomes, including:

- the Late-Night Noise Limitation Program;
- a commitment to adjust 34R runway's glide slope;
- working with the FAA to reduce the use of the third runway at night;
- initiating a Ground Noise analysis;
- formal requests to airlines to upgrade or replace older, louder equipment;
- work on a common federal legislative approach focusing on the implementation of new FAA regulations on noises and airport impacts.

Additionally, separate from StART, the Port has joined with cities to endorse state legislation to study expanding commercial passenger airport capacity through another regional airport.

However, the recent suspension in StART by some of the member cities illustrates larger concerns regarding the relationship between the Port and your cities which could benefit from discussion. It is with this goal of improving our ability to work together that we are soliciting your input.

Over the last two months, some of you have expressed frustrations with processes or actions viewed as contrary to the collaboration we seek. We are committed to improvement in all facets of our relationships with neighboring communities.

As part of this effort, we would like to arrange for meetings with you and your city manager or chief administrative officer to discuss how we can strengthen the relationship and partner on efforts that improve the quality of life for our shared constituencies.

In closing, the Port remains committed to StART as an important vehicle for collaboration with your cities, and one which is focused on direct and immediate efforts regarding airport operations. Assuming you also share this goal of greater collaboration to solve airport-related issues, we look forward to working with you to make StART more successful by your presence and to again focus together in strengthening our relationships and on problem-solving actions to improve the quality of life for residents around the airport.

Thank you in advance for your help and thoughtfulness in improving the relationship between the Port and your city, and for your public service to your communities.

Sincerely,

Stephanie Bowman
Commission President
Port of Seattle

cc: Mayor Matt Pina, City of Des Moines
Mayor Jim Ferrell, City of Federal Way
Mayor Jonathan Chicquette, City of Normandy Park
Mayor Erin Sitterley, City of SeaTac
Mayor Allan Ekberg, City of Tukwila

King County Regional Homelessness Authority

"*Listen, Change, Check*" on SCA Questions and Interests

Issue Area	What We Heard	How We Incorporated What We Heard	What Key Interests We are Still Hearing

Role of Elected Leaders	"Elected officials need a role in oversight and providing accountability"	• Created a Steering Committee comprised primarily of elected officials
		• S.C. approval required for every annual budget and 5-year implementation plan
		• S.C. always confirms Governing Board
		• S.C. may remove Governing Board
		• S.C. must receive effectiveness reports
		• All Councils/Mayors retain existing controls
		  o Authority over budget decisions
		  o Representation on Joint Recommendations Committee, MIDD Advisory Committee, and VSHSL Advisory Board
		  o RPC/KCC fund source implementation plan approval
			• Steering Committee powers should enable accountability
			• Elected Officials should have final approval of KCRHA goals and top-level metrics

Regional Representation	"Equal authority should be given to King County, Seattle, and the Sound Cities Association cities"	• Added a second SCA seat to the Steering Committee, contingent upon ILA participation	• Equal S.C. seats without condition • S.C. seats should reflect variety of communities in King County • Governing Board make-up and appointments
Sub-Regional Planning	"There is no one size fits all approach to addressing homelessness in diverse communities" "Different communities have different needs/priorities and background in homelessness issues" "These different needs and priorities should be reflected and valued in KCRHA's work"	• Stated in principle that the organization "shall *value distinctions in local context, needs and priorities"* • Specify that sub-regional planning, "with *capacity to work with stakeholders from geographically diverse parts of the region, to be a critical part of the organization's planning framework*" • Require that KCRHA provide sub-regions with planning staff	• Confirmation that this supports bottom-up rather than top-down planning • Clarify how sub-regional plans will drive KCRHA's 5-year implementation plans
ILA Participation	"Participation should not require funding and be completely optional" "Cities should be able to decide to join on a timeline that works for them"	• Removed any requirement for dues to fund sub-regional planning capacity • Specified that services shall be funded countywide regardless of jurisdictional participation • Eliminated any specified timeline for a city join—cities may join whenever	• "What happens if my city does NOT join the ILA?"
Why a Public Development Authority?	"Why did you propose a PDA instead of any other legal form?"	• Need to create a specialized but accountable single agency that multiple jurisdictions can trust • Need to avoid forms that are created to exercise State-delegated power, even without local agreement	• Ensure legal form is not a path to future ability to supersede local control • Ensure that PDA is in fact more efficient and that admin costs do not balloon
Do not take over existing Municipal	"Will KCRHA be able to force siting a shelter/service in a city, have eminent domain, or create new taxes?"	• Proposed a legal form (PDA) that state law **does not allow** to levy taxes or exercise eminent domain • Ensured that proposed PDA has no ability to compel a local jurisdiction to take any action	• Provide robust and mandatory role for Steering Committee in asking for additional resources

King County Regional Homelessness Authority

"*Listen, Change, Check*" on SCA Questions and Interests

WHAT THIS IS	WHAT THIS ISN'T
Unified crisis response system that recognizes that crisis response is a different discipline and skill set than homelessness prevention	Does not abandon regional efforts to address root causes—instead it allows specialization
Re-Balancing authority to formally integrate SCA jurisdictions and people experiencing homelessness, neither of whom have a structurally guaranteed role in our current system (there is no formal sub-regional planning in our current system)	Cannot impose taxes, exercise police powers, land use authority, or eminent domain
Bottom-Up Integration of Sub-regional planning	Will not engage in top-down planning or impose Seattle policies
Voluntary	Does not require membership or penalize non-members

REMAINING QUESTIONS FOR DISCUSSION

? What are the goals/objectives of the authority?
? Can it impose new taxes?
? What is the Regional Action Plan, and when will it be complete?
? What is motivating the timeline?
? How would this Authority be dissolved? What if it doesn't work?

AGENDA
SCA Homelessness Governance Discussion

Tukwila Community Center
October 25, 2019, 3-4:30pm

1. Introductions and Opening Remarks

2. Review and Discussion of:
   a. What King County has heard,
   b. What has been incorporated into the existing proposal,
   c. What interests King Count is still hearing

3. Additional Q&A

4. Next Steps

What will the Executive and Seattle Mayor Transmit & When?

- The County Executive and Seattle Mayor will transmit to their respective Councils by early September an ordinance (with an attached Public Development Authority Charter) seeking authorization to enter into an Interlocal Agreement (ILA), creating a Regional Authority to oversee and administer regional homelessness response systems and services.
- If enacted by both King County and Seattle, the County will also simultaneously enact an ordinance to establish in County Code the PDA that is agreed upon in the ILA.

What will be in the Proposed ILA and the Charter?

Both the ILA and Charter contain definitions as appropriate in addition to the contents for each listed below:

The ILA

- Statement of purpose
- Agreement for the County to charter the PDA as attached
- Eligibility for ILA Parties
- Principles to guide the PDA
- Brief description of the
  - Steering Committee
  - Governing Board
  - Advisory Committee(s)
- PDA Scope of Work
- Initial Agreements for provision of
  - Program Funding
  - Administrative Funding
  - Start-Up Funding
- Agreement on Obligations of the PDA to King County and Seattle
- Provisions for PDA Term, Withdrawal, Termination, and Amendment of the ILA
- Provisions for Modification & Disestablishment of the PDA
- Additional Provisions of the ILA as legally necessary
- The proposed PDA Charter as an attachment

The Charter

- Creation of the Regional Authority as a PDA
- Necessary limitations on liability and disclaimers
- Establishment as a perpetual PDA (unless terminated)
- Purpose and Scope of the PDA
- Powers of the PDA
- Explicit limitation of PDA powers
- Creation & definition of the PDA's Steering Committee-Governing Board-Advisory Committee Structures, Powers, Procedures & Appointment Processes
- Identification of key Officers and Staff, including the Executive Director and Office of the Ombuds
- Additional provisions of the Charter as legally necessary

What is the Proposed PDA's Scope?

Programs and System Scope

The PDA's scope of work will be the region's homelessness response system. The PDA's scope contemplates that in addition to unifying homeless response services of Seattle and King County, it will also replace and encompass the current functions of All Home, the region's current Continuum of Care lead.

Financial Scope

The ILA will establish initial funding minimum expectations, subject to appropriation by Councils, based upon the sum of King County's and Seattle's 2019 annualized value of programs and administration for programs within the PDA's scope of work. The ILA will also make minimum funding expectations contingent upon the ongoing availability of funds sources while also providing that any fund source subsequently attributed directly to the PDA may trigger a proportionate reduction in the minimum funding expectations for Seattle and/or King County.

King County's 2019 Annualized Program & Administrative Value $ 55 M approximate	Seattle's 2019 Annualized Program & Administrative Value $ 73 M approximate	Total 2019 Annualized Program & Administrative Value $ 128 M approximate
Value of King County's Proposed Contributions to PDA start-up costs $ 1.8 M approximate	Value of Seattle's Proposed Contributions to PDA start-up costs $ 2 M approximate	Total Value of Proposed Contributions to PDA start-up costs $ 3.8 M approximate

Geographic Scope

In accordance with the agreed upon ILA, the County will create the PDA with geographic scope coincident with the boundaries of King County.

How will the ILA provide for participation of other cities?

Regional participation is critical—the ILA eliminates barriers that otherwise limit participation:

- **Who?** Cities or housing authorities in King County may join
- **When?** May join immediately or over time to take advantage of the efficiencies of scale created by the PDA structure.
- **What does joining mean?** All participants would commit to align provision of in-scope homelessness response services with the PDA's 5-Year implementation plan and sub-regional plans
- **How?** The joining city or housing authority may join by becoming party to the ILA

Service Contracts: Each party would sign a Service Contract with the PDA, describing their respective commitments to provide resources (funding or in-kind contributions inclusive of staff time, facility space, development sites, etc.) to support the operation of the PDA or the operation of related services.

The Proposed Board

Steering Committee

Primarily of elected officials ensuring overall electoral, financial, strategic, and community accountability and outcomes.

Up to 8 Members

KC Executive
x1 KC Councilmember
x1 SCA Member
x1 SCA Member once 20 cities have joined ILA

Seattle Mayor
x1 SEA Councilmember
x2 Lived Experience (appointed by a Continuum of Care body representing persons with lived experience)

Powers

- Confirm Governing Board Appointees
- Remove Governing Board Members for Cause
- Confirm w/o amendment or Reject 5-Year Plans
- Confirm w/o amendment or Reject Annual Budget
- Receive Annual Performance Report

Governing Board

Subject matter experts empowered by the Steering Committee to provide robust, persistent, and detailed guidance, fiscal and operational management, and oversight of the PDA and its mission.

11 Members

Board Member Expertise & Skills
Each member has expertise in one or more of the following with a requirement that all expertise & skills are present:

- Equity Implementation
- Fiscal Oversight
- Business Operations or Strategy
- Affordable Housing Finance/Development
- Physical or Behavioral Healthcare
- Labor Unions & Workforce
- Provision of services for persons experiencing homelessness
- Data-Based Performance Evaluation or Academic Research
- Criminal Justice
- Continuum of Care expertise

Overall Board Characteristics
In its total composition, the board must

- Include 3 persons representing persons with **lived experience** of homelessness
- Strive to reflect a **diversity of geographies** in King County
- Include individuals with connections to or experience with the **Business Community, neighborhood or community associations, and faith/religious groups**
- A majority of the members of the Governing Board shall be persons whose identity, personal experience, or professional expertise enables them to credibly represent the perspectives of, and to be accountable to, marginalized demographic populations that are statistically disproportionately represented among people experiencing homelessness in King County
- No member shall be an elected official, an employee of ILA parties, nor an employee, official, agent or representative of current contract holders or any entity that is likely to directly benefit from the actions of the Authority

Powers

The Governing Board is responsible for the management, vision, community accountability, and oversight of the PDA. Specified powers include:

- Hire, fire, and review the performance of the PDA's Executive Director
- Adopt & transmit for Steering Committee confirmation a 5-Year Plan
- Appoint Governing Board Members for confirmation by the Steering Committee after the initial appointment process
- Annually adopt & transmit an operating budget for confirmation by the Steering Committee and approval by the respective funding jurisdictions
- Annually adopt a performance report
- Oversee the PDA's implementation of the 5-Year Plan, Annual Budget, and additional plans and policies necessary to carry out the duties and responsibilities of the PDA
- Other powers legally necessary for the management of the PDA as provided in the Charter

Initial Appointment Process

All appointing bodies in the Steering Committee will bring multiple potential nominees in order to work together to seat the Governing Board consistent with the required skills and characteristics.

- King County Executive, King County Council, Seattle Mayor, Seattle City Council **each appoint 2 Governing Board Members** for Steering Committee Confirmation
- Steering Committee's 2 Lived Experience members **jointly appoint 3 Governing Board Members** for Steering Committee Confirmation

Ongoing Appointment Process

After 5 years, the Governing Board appoints persons to fill Governing Board vacancies subject to Steering Committee confirmation.

Advisory Committee(s)

The Governing Board can create and maintain an Advisory Committee or Committees as needed to ensure that the Governing Board receives the advice of a wide range of stakeholders, including providers and advocates of homelessness services. The Advisory Committee(s) may be constituted, if duly empowered, to perform the functions of the mandatory Federal Continuum of Care Board.

Sub-Regional Planning

The Authority will value distinctions in local context, needs and priorities through effective Sub-Regional Planning, including:

- **collecting and analyzing data** that enables tailored approaches for communities disproportionately impacted by the experience of homelessness and different sub-regions within King County
- **articulating local needs, priorities and solutions** to address homelessness across the different areas of the County
- **providing capacity** to work with stakeholders from geographically diverse parts of the region to analyze, identify, and implement priority services distinct to those sub-regions.

How will the ILA and Charter specify the PDA's planning cycle & staffing?

5-Year Implementation Plan required by the ILA & Charter within 18 months of the PDA's formation

- Incorporates requirements of Service Agreements from funders and the Regional Action Plan to guide the PDA's operations
- Developed by the PDA, approved by the Governing Board, and confirmed or rejected by the Steering Committee
- Inclusive of sub-regionally tailored context, needs, priorities, and approaches

Annual Budget

- Proposed by the Executive Director, approved by the Governing Board, and confirmed or rejected by the Steering Committee
- The annual budget would inform resource requests to be made to each party in accordance with the 5-year Strategic Plan, Service Agreements from funders, and subject to appropriation

Staffing

- The Charter mandates an **Executive Director**, hired by the Governing Board, with authority to hire additional staff as needed
- The Charter mandates an **Ombuds Office** to serve as a single point of contact for direct customer accountability within the PDA and the homeless service delivery system more broadly, ensuring customer accountability in the regional homeless response system, informing continuous improvement of the PDA, and increasing transparency and public trust.
- The Charter **empowers the ED to hire staff** to implement the 5-year strategic plan, including sub-regional planning, subject to budget authority and appropriation

King County Regional Homelessness Authority

Unified Governance

Equity
Efficiency
Accountability

Briefing to the
Kenmore City Council
October 21, 2019

Leo Flor
Director
King County Department of
Community & Human Services

Fragmentation

+

Inequity

Persistent problems in the system we have <u>now</u>

Fragmentation | A Well Studied Problem

"Countless hours of thought, discussion and planning have led to this watershed moment, intended to address major shortcomings in a fragmented regional system which has lacked strong central leadership or direction."

https://www.seattletimes.com/opinion/editorials/organize-regional-homelessness-response-carefully/

"…leading significant changes may not be possible as currently structured."

http://www.seattle.gov/documents/departments/pathwayshome/FS.pdf at 51.

"…[D]iffuse authority still hinders regional homeless response."

https://www.kingcounty.gov/~/media/depts/auditor/new-web-docs/2018/homeless-2018/2018-homeless-rpt.ashx?la=en

"With decision making spread across multiple bodies, the system lacks agility to quickly implement change"

https://www.bizjournals.com/seattle/news/2018/05/17/mckinsey-study-king-county-homelessness-crisis.html#g/434959/16 at slide 16.

" Fragmentation across programs and systems is a critical weakness of the homeless service systems in Seattle and King County."

https://hrs.kc.nis.us/actions/2/

Focus Strategies Report
Sep 2016

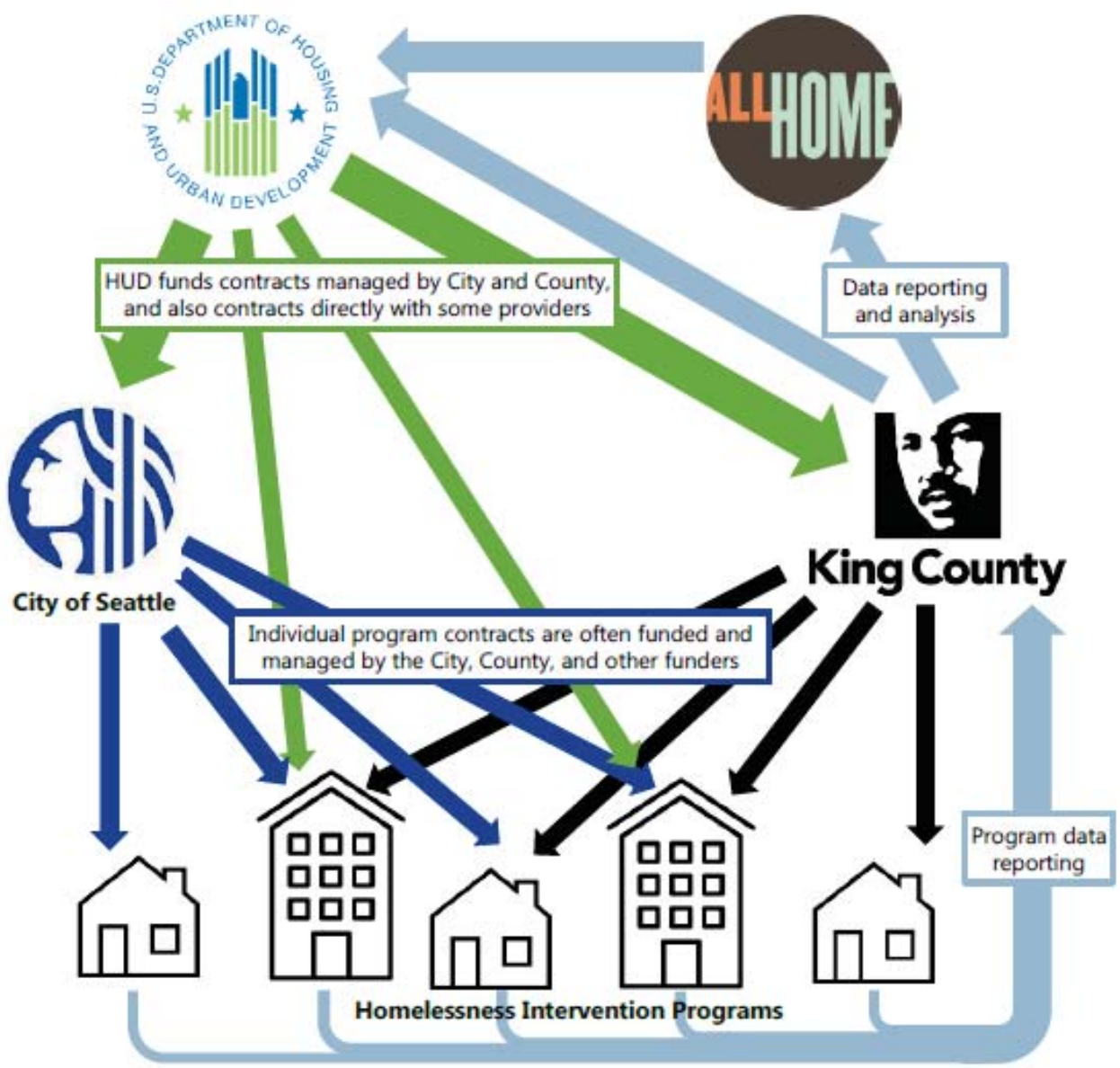
McKinsey Report
Dec 2017

King County Auditor's Report
May 2018

Future Labs Actions
Dec 2018

Seattle Times
July 2019

Fragmentation | *A Well Studied Problem*

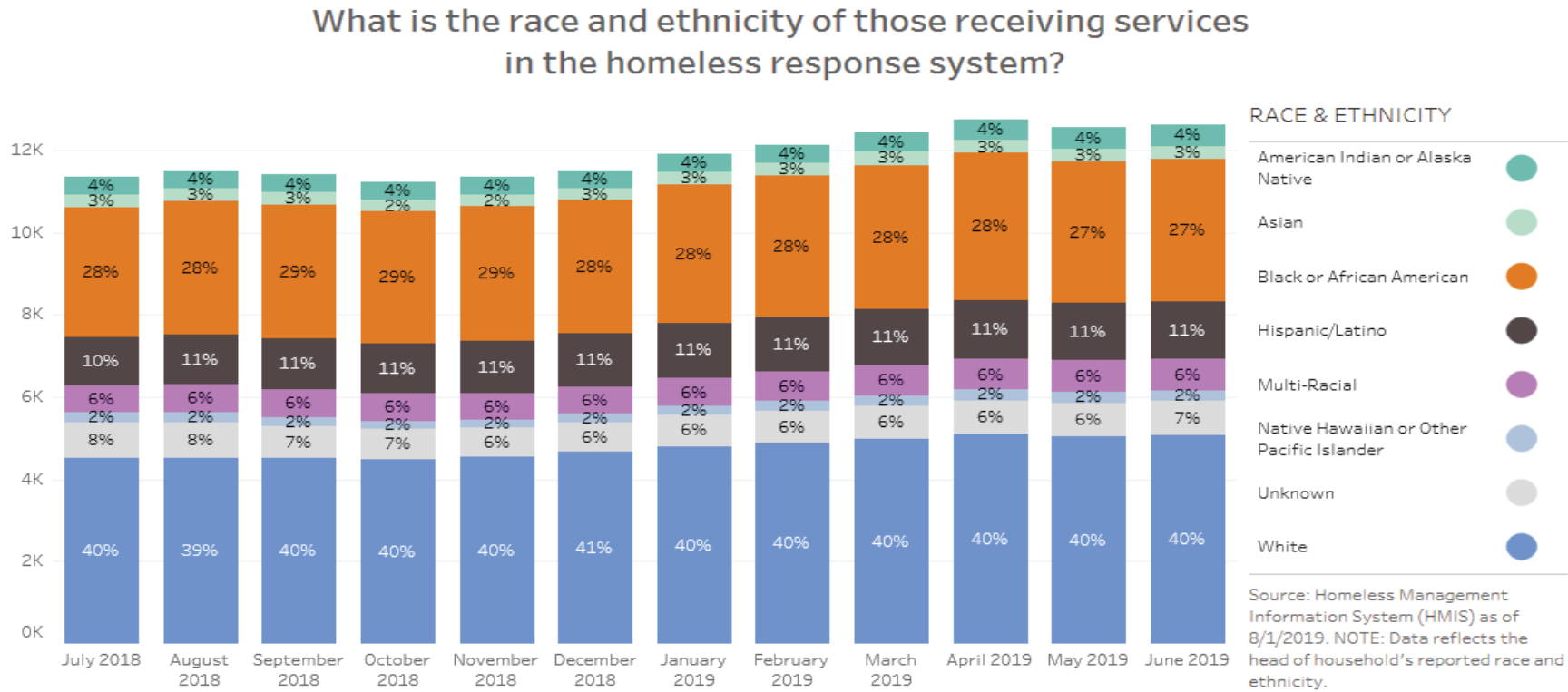


Source: King County Auditor's Office

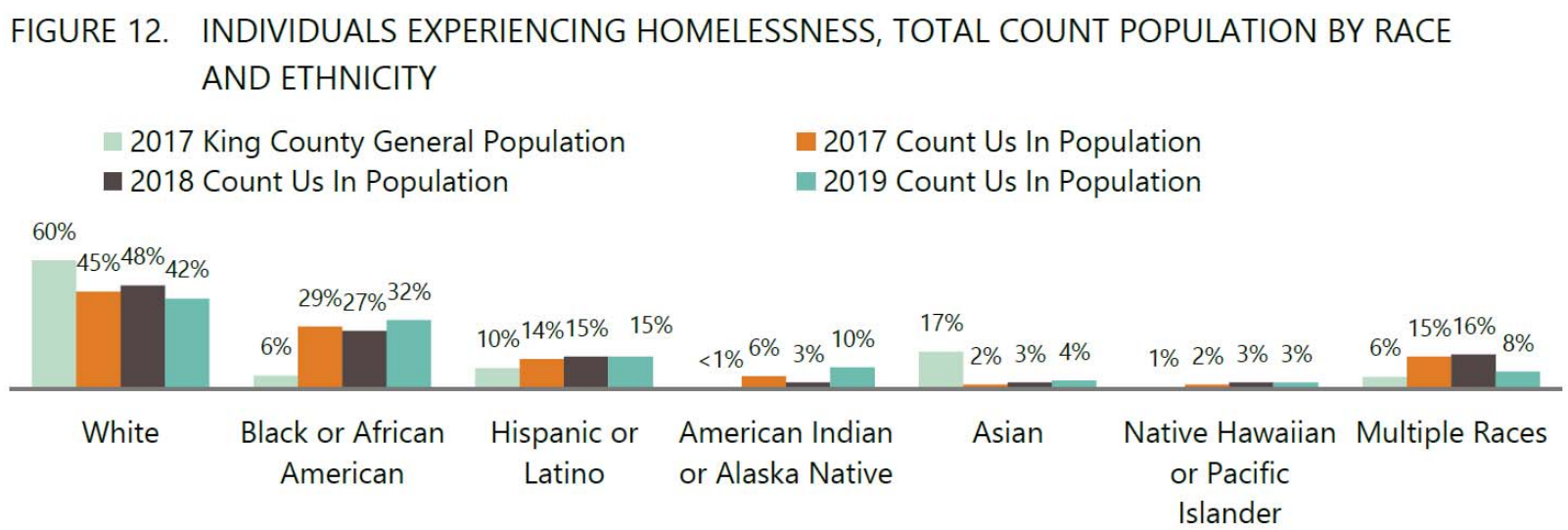
- **Cumbersome for providers**
  Contracts & Duplication
- **Hard to implement systemic change**
  CEA &
  perf. measures
- **Confusing for clients**
  "Where do I go?"
- **Difficult for sub-regions**
  "Where/How to influence approaches?"
- **<u>Diffuse accountability</u>**

Inequity & Disparity | http://allhomekc.org/data-overview/

HMIS Data Dashboard



Point in Time Count



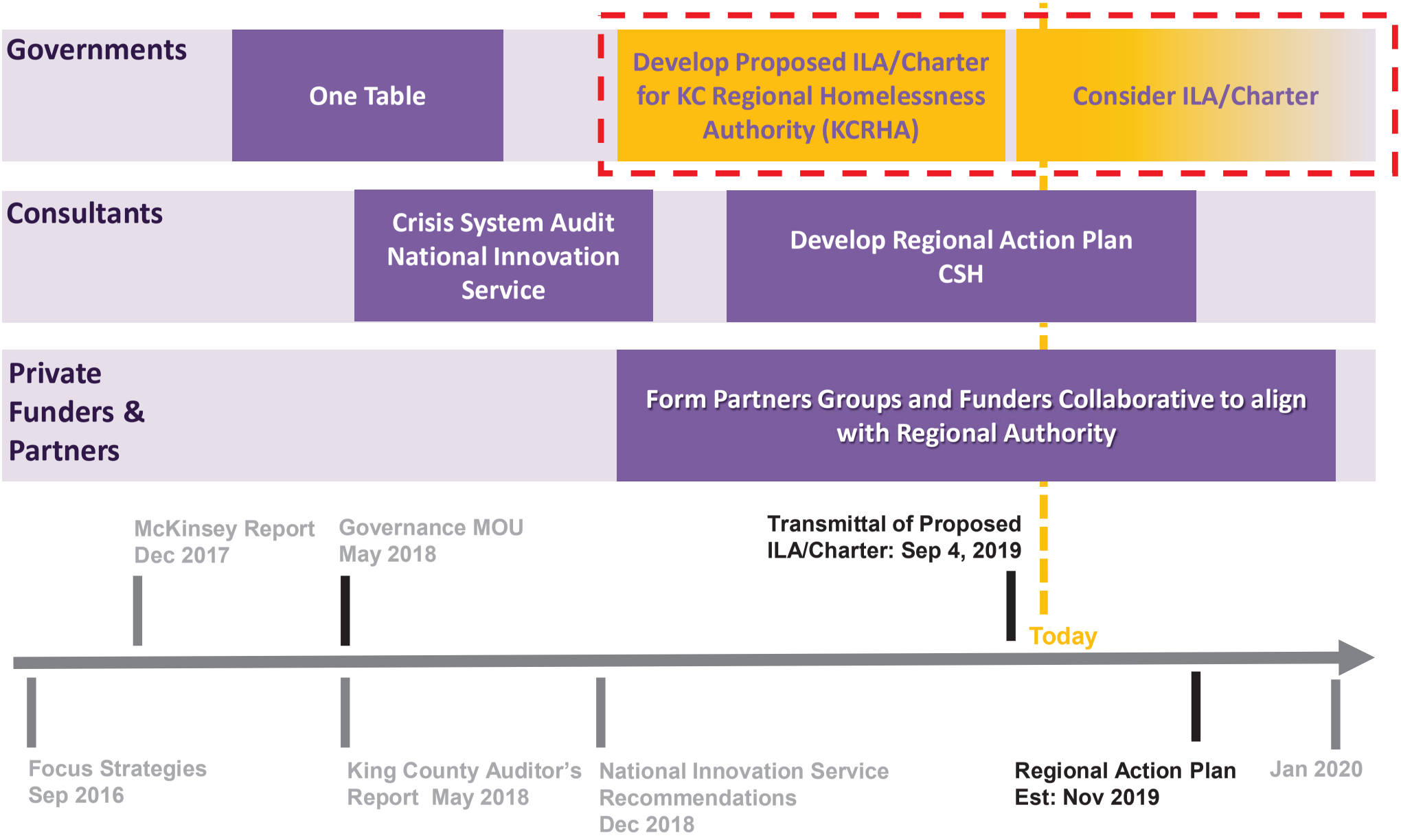
We can solve fragmentation & inequity

Unify Regional Governance

+

Pro-Equity & Person-Centered

Process Overview & Timeline



KCRHA | Engagement

SCA Engagement

- **SCA designated leadership** (Nancy Backus, John Chelminiak, Ed Prince) participated in an Executive Leadership Team in fall 2018 and received two briefings spring 2019
- **SCA Leads and SCA Director** invited/participated in 3 joint KC CMAT/Sea Client Group/SCA meetings. 1 additional meeting is forthcoming.
- **SCA PIC** received briefings nearly monthly on ongoing conversations, including the September meeting
- **SCA Pre-PIC workshop** in fall, 2018 to inform homelessness system redesign recommendations
- DCHS and SCA hosted a briefing/discussion for **all SCA jurisdictions, July 30 & Oct 25**

Additional Jurisdiction/sub-regional Engagement

- **RPC** briefings June 12, July 10, August 21
- **Shoreline City Council** presentation, June 17
- **Bellevue City Council** presentation, September 23
- Individual outreach with elected and/or administrative (city manager or administrator) leadership from: **Auburn, Bellevue, Burien, Kenmore, Kirkland, Redmond, Renton, Tukwila, Shoreline.**
- Briefings/workshops with sub-regional collaborations including **Eastside Homelessness Advisory Committee (EHAC)**, June 6 and August 1

KCRHA | The Basics

Timing

- Council Briefings started 7 months ago at both Seattle and County Councils
- Transmitted on September 4th
- Both Councils currently deliberating

The Legislation & Legal Form

A proposed Interlocal Agreement and Charter to form a **Regional Public Development Authority (PDA)**

Scope

- **Geography**
  King County
- **Levels of Government**
  Federal Continuum of Care, King County, Seattle, Cities that choose to join
- **Services & Programs**
  The Homelessness Response System
- **Unification of <u>Existing</u> Programs & Funding**

KCRHA | Why a PDA?

- **Reduces fragmentation, unifies** governance and administration in a single agency
- **Improves** governmental **efficiency** from **3** to **1** distinct lead entities
- Honors and **retains legislative authority**, including land use and police powers
- **Transforms** to a system centered on equity and customers
- Enables county government to focus on **root causes and upstream prevention**

What is the Homelessness Response System?

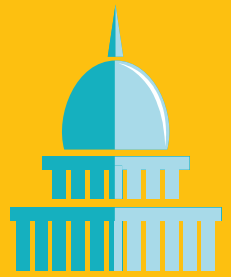
Key Issue: How to coordinate with key systems that the Regional Authority won't control? E.g., Behavioral, & Public Health; Courts; Jails.

Proposed Board Structure

STEERING COMMITTEE

(5-6 Elected Officials; 2 L.E. Appointed)

- King County Executive
- King County Council
- Seattle Mayor
- Seattle City Council
- 1 Sound Cities Member
- 1 additional SCA Member if majority of SCA jurisdictions participate
- 2 Representatives appointed by People who have experienced homelessness



Confirm or Reject Members

Approve or Reject Annual Budgets

Approve or Reject Implementation Plan

GOVERNING BOARD

(11 Seats)

- **Experts** with technical skills, knowledge or connections needed to drive the work
- **Majority of the members** would with experience, expertise or identify to credibly represent and be accountable to populations disproportionately experiencing homelessness

Detailed and Persistent Direction of KCRHA

ADVISORY COMMITTEE

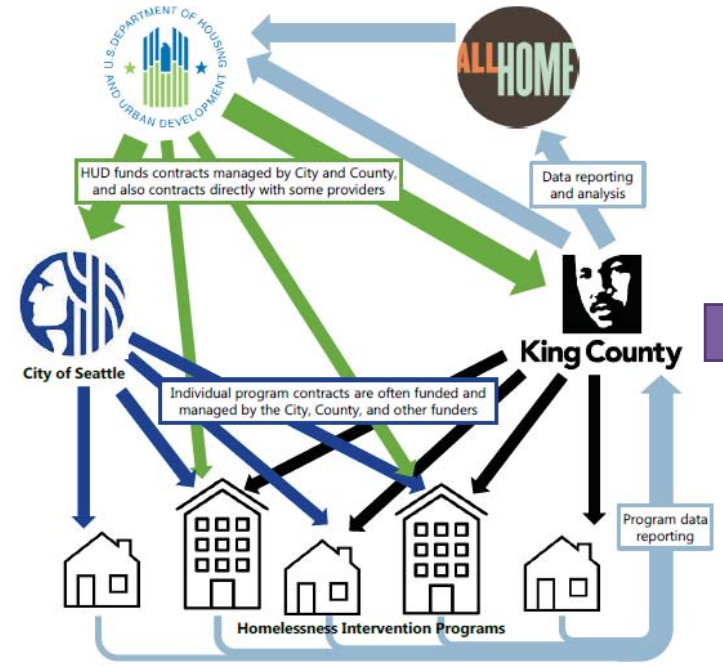
(Appointed by Governing Board as Needed; May Perform CoC Board Role if authorized)

CoC Integration

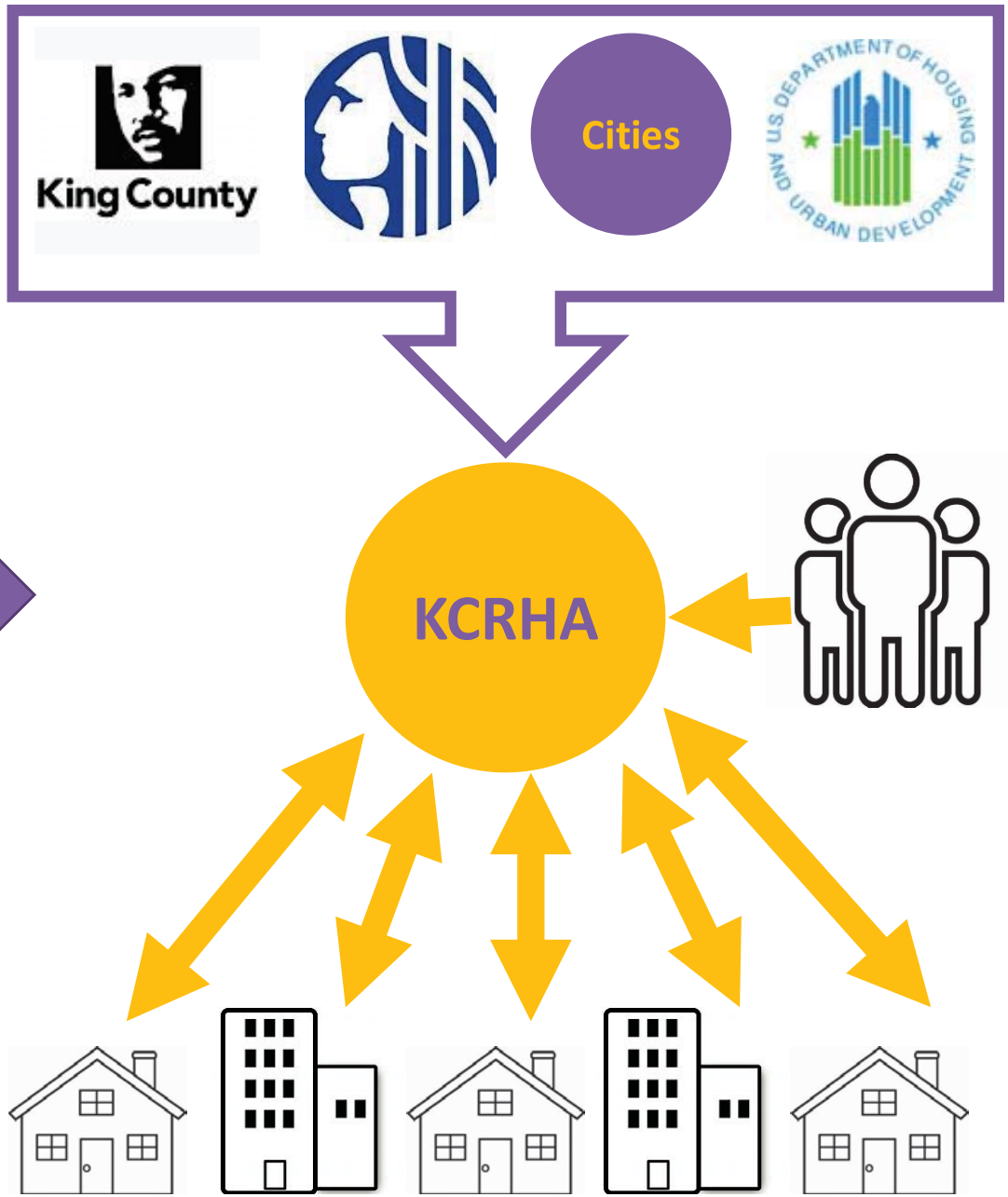
How will KCRHA improve Equity?

- Office of the Ombuds
- Equity-Based Decision Making Framework
- Lived Experience at all levels of Governance
- Pro-Equity Board Composition
- Principles of Equity in ILA
  - Equity Performance Measures
  - Customer Accountability
  - Theory of Change

How will KCRHA reduce fragmentation?



Source: King County Auditor's Office



How will KCRHA increase accountability?

- **Single and Standard Data Region-Wide**
- **Unified Contracting, Technical Assistance, & Performance Measurement**
- **Clear Answer to "Where do I go?"**
- **Requirement for Sub-Regional Planning**

We've transformed our data systems & surfacing. Visit http://allhomekc.org/data-overview/ to see the capability that--matched with complete regional data--will drive our unified system.

Questions?

Unified Governance

Equity
Efficiency
Accountability

Briefing to the
Bellevue Chamber of Commerce
October 9, 2019

Leo Flor
Director
King County Department of
Community & Human Services

King County Regional Homelessness Authority Select Language

SUB-REGIONAL REQUIREMENTS INCLUDED IN THE CURRENT PROPOSAL

ILA

- **Section 1. Definitions:** *"**Sub-Regional Planning**" means efforts to analyze and articulate local needs, priorities and solutions to address homelessness across the different areas of the County, inclusive of Seattle and north, east, south, and rural King County.*
- **Section 2, c, 5 and 8, Principles:**
  (c) *Principles. The Parties agree that the establishment of the Authority is necessary to consolidate homeless response systems under one regional authority which acts according to the following principles:…*
  5. The Authority shall make data-driven decisions and develop policies and practices to incorporate best practices and quantitative and qualitative data in the development of policies, programs, and funding decisions. It shall collect and analyze a broad array of data reflecting the performance and impact of its funded programs. The Authority shall collect and analyze data that enables tailored approaches for communities disproportionately impacted by the experience homelessness **and different sub-regions within King County**. The Authority shall establish community-informed indicators, performance measures, and outcomes that draw on both quantitative and qualitative data.
  *8. The Authority shall value distinctions in local context, needs and priorities **through effective Sub-Regional Planning**. The Authority shall provide capacity to work with stakeholders from geographically diverse parts of the region to analyze, identify, and implement priority services distinct to those sub-regions. Sub-regions shall be defined by the Authority, taking into consideration established sub-regional definitions including the spheres of influence for A Regional Coalition for Housing (ARCH) and the South King Housing and Homeless Partners (SKHHP) as well as any established County guidance.*
- **Section 2, h, (2), Scope of Work:**
  (h) *Scope of Work. In addition to complying with the terms of Service Contracts that provide funding to the Authority, the Authority will, among other things:*
  2. *Within the first 18 months of operations, the Authority shall work with current and former Customers and other stakeholders to develop a Five-Year Plan. The Authority's Five-Year Plan shall be informed by the Regional Action Plan, adopted by the Governing Board, confirmed by the Steering Committee and periodically updated. The Five-Year Plan shall:*
     i) include a theory of change;
     ii) include specific, measurable actions, informed by the Regional Action Plan, that the Authority will take; and
     iii) include Sub-Regional Planning.

Charter

- **Article I. Definitions:***"**Sub-Regional Planning**" means efforts to analyze and articulate local needs, priorities and solutions to address homelessness across the different areas of the County, inclusive of Seattle and north, east, south, and rural King County.*
- **Article VII, Section 2, h, vii:** *Implement the Five-Year Plan through setting policies and funding criteria, **hiring staff to support the implementation of the Sub-Regional Planning component of the Five-Year Plan**, contracting for services, making funding awards and doing all things necessary to oversee and carry out the implementation of programs and plans.*

COUNTYWIDE SERVICE PROVISION

ILA, Section 3, (e): All Additional Parties shall either provide funds to the Authority or align the provision of related services consistent with annual budget requests, the Five-Year Plan, and goals and policies as adopted by the Governing Board and ratified by the Steering Committee, in accordance with the Charter. The Authority shall fund services across the County regardless of whether a local jurisdiction is a Party to this Agreement.

Charter, Article VII. Purpose and Scope of Authority:

1. Providing consolidated, aligned services for individuals and families who are experiencing homelessness or who are at imminent risk of experiencing homelessness **in the jurisdictional boundaries of King County**, as the same may be revised or expanded from time to time consistent with the Five-Year Plan and principles set forth in the Interlocal Agreement.

TERMINATION & DISSOLUTION

ILA, Section 5. Initial Duration; Withdrawal and Termination; Termination of the Authority:

a) *Initial Term*. The initial duration of this Agreement shall be year to year with an automatic renewal for an indefinite period from its Effective Date.

b) *Withdrawal from Agreement; Termination by the Parties*. Any Party to this Agreement may withdraw its participation in this Agreement (and corresponding representation on the Governing Board) by providing written notice to the other Party or Parties hereto. No Party is permitted to withdraw until this Agreement has been in force at least five (5) years from the initial Effective Date. Once this Agreement has been in force for five (5) years from the initial Effective Date, any Party may withdraw by providing at least one-year notice of its intent to withdraw.

c) *Termination of the Authority*. The County Council may terminate the Authority with an affirmative finding of the Seattle City Council that dissolution is warranted, with the concurrence of any Additional Parties, as further provided in the Charter. Furthermore, upon expiration of this Agreement or termination of this Agreement by the Parties hereto, the County Council may, in its discretion, terminate the Charter of the Authority.

Charter, Section 5. Dissolution:

Dissolution proceedings may be initiated by the County Council on its own motion, by request of the Seattle City Council or the council of an Additional Party or, if the Governing Board makes an affirmative finding that dissolution is necessary or appropriate, the Governing Board may adopt a resolution requesting the County to dissolve the Authority.

In all cases, dissolution of the Authority requires an affirmative finding of the County Council and Seattle City Council that dissolution is warranted, with the concurrence of any Additional Parties. The County Council and the Seattle City Council shall make such affirmative finding in a resolution at or after the County Council and the Seattle City Council each holds a public hearing, held with notice to the Authority and affording the Authority a reasonable opportunity to be heard and present evidence. Notice of such public hearing shall be given to the Authority at least thirty (30) days prior to the hearing.

Notwithstanding foregoing or anything to the contrary in this Charter, written notice of any intended dissolution of the Authority, the reasons thereof, and the succession plan shall be provided to the Executive Director of the Authority and the Governing Board at least six months prior to the effective date of any such dissolution. Dissolution shall not take effect until proper provision has been made for disposition of all the Authority assets and liabilities.

Upon adoption of above-referenced resolutions for dissolution of the Authority, the Governing Board of the Authority shall, by resolution, approve a dissolution statement setting forth:

(i) The name and principal office of the Authority;

(ii) A list of the debts, obligations and liabilities of the Authority, and the property and assets available to satisfy the same; the provisions to be made for satisfaction of outstanding liabilities and performance of contracts; and the estimated time for completion of its dissolution;

(iii) A list of any pending litigation or contingent liabilities;

(iv) A request for the rights, property and assets of the Authority to be transferred to its successor agency, or if there is no successor agency, to the County, Seattle and any Additional Party contributing funds, rights, property and/or assets to the Authority, in the manner and as determined by agreement of such parties; and

(v) A list of persons to be notified upon completion of the dissolution.

The dissolution statement shall be filed with the County Executive, the Seattle Mayor and the mayor of any Additional Party. The County Executive, the Seattle Mayor and the mayor of any Additional Party shall appoint a person or party to review the dissolution statement and oversee the dissolution to protect the public interest and prevent impairment of obligation, or if so authorized by law, authorize or initiate proceedings in the Superior Court for the appointment and supervision of a receiver for such purposes.

Upon satisfactory completion of dissolution proceedings, the County shall indicate such dissolution by inscription of “charter cancelled” on this Charter, and file such cancelled Charter with the County Council with a duplicate original to the Authority. At such point the existence of the Authority shall cease. The County shall give notice of such dissolution pursuant to Washington State law and to other persons requested by the Authority in its dissolution statement.

The County, trustee or court may provide for the transfer of any of the Authority rights, assets or property to a qualified entity or entities to fulfill the purposes for which the Authority was chartered.

AGENDA
Business & Economic Development Partnership

Friday, October 25, 2019 - 7:30 a.m.

City Hall, 400 SW 152nd St., Ste. 300

1. PUBLIC COMMENT

2. APPROVAL OF MINUTES

3. CHAIR'S REPORT

4. REVIEW AND DISCUSSION: TARGETED BUSINESS ATTRACTION REPORT

5. PRESENTATION: BUSINESS-TO-BUSINESS COMMUNICATIONS, NEXT STEPS

6. PRESENTATION AND DISCUSSION: BOULEVARD PARK CORRIDOR

7. CITY REPORT

8. DISCOVER BURIEN REPORT

9. AROUND THE TABLE

10. ADJOURNMENT

11. REMINDER

The next meeting is Friday, November 8, 2019 at 7:30 a.m.

BUSINESS & ECONOMIC DEVELOPMENT PARTNERSHIP MEMBERS

Joshua Halpin, Chair

Phoenix Cavalier, Vice-Chair	Dean Anderson
Linda Akey	Garry Crane
Robin Desimone	Hugo Garcia
Anthony Hayes	Nancy Scholl
Rose Symotiuk	Matthew Wendland
Discover Burien, Debra George	King County Labor Council, Vacant

Seattle Southside Chamber of Commerce, Andrea Reay

Hearing assistance devices are available for all meetings. Language interpretation services are available for all meetings by request. To request an interpreter, please send an email to languages@burienwa.gov at least two business days prior to the meeting.

Los dispositivos de asistencia auditiva están disponibles para todas las reuniones. Los servicios de interpretación de idiomas están disponibles para todas las reuniones previa solicitud. Para solicitar un intérprete, envíe un correo electrónico a languages@burienwa.gov al menos dos días hábiles antes de la reunión.

October 31, 2019

TO: Brian Wilson, City Manager, Burien

FM: Mike Doubleday, Federal Relations

RE: **October 2019 Federal Update**

I had several productive meetings last week in Washington D.C. with staff from Senator Cantwell and Murray's offices, and with Representatives Jayapal, Larsen, and Smith's offices. These were all new staff members from my previous visits. Staff were knowledgeable and supportive of our agenda and offered insights into a number of issues. I'll keep in touch.

I've detailed some of our discussions in this monthly.

1. **FAA**

The FAA regional office informed me late last week that a "community engagement officer" – Justin Biassou – had been hired by the regional office in Des Moines and has begun working. He was introduced at the StART October meeting.

This is an interesting name for this position. The idea of a "community engagement officer" surfaced in the FFY 18 omnibus budget bill with the following language: the FAA was provided $2 million "to dedicate staff for activities to address aviation noise concerns, including community engagement." Regional FAA offices around the country were to hire a "community engagement officer." Attached is a May 30, 2018 letter to the FAA Administrator from the Puget Sound delegation that was drafted by Senator Murray's staff urging the appointment of these "officers."

Then the October 2018 FAA Reauthorization bill included the following language re: the hiring of "regional ombudsman" with detailed duties:

SEC. 180. REGIONAL OMBUDSMEN.
(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, with respect to each region of the Federal Aviation Administration, the Regional Administrator for that region shall designate an individual to be the Regional Ombudsman for the region.
(b) REQUIREMENTS.—Each Regional Ombudsman shall—
(1) serve as a regional liaison with the public, including community groups, on issues regarding aircraft noise, pollution, and safety;
(2) make recommendations to the Administrator for the region to address concerns raised by the public and improve the consideration of public comments in decision-making processes; and
(3) be consulted on proposed changes in aircraft operations affecting the region, including arrival and departure routes, in order to minimize environmental impacts, including noise.

The "community engagement officer" language is much less specific.

I had good meetings with federal staff re: FAA issues last week. A number of points arose:

- There was a recent Congressional meeting with Steve Dickson, the new FAA Administrator. The meeting agenda was to hear from Dickson, but staff told me it quickly turned into a session of members voicing their irritation with the FAA's inadequate response to members' constituents on aircraft noise and other FAA issues. Dickson's presentation was apparently cut-off as members vented their frustration with the FAA. One staffer told me Dickson clearly received the message that the FAA's community outreach work was wholly inadequate.

- Rep. Adam Smith is redrafting his "Aviation-Impacted Communities Act." **HR 6168** was introduced in June 2018, in the last Congress (the 115th), and has to be reintroduced for this Congress. The bill allows airport-impacted communities to be so designated, and then to establish "community boards." The FAA is tasked with designating an FAA employee to with the community boards.

- Rep. Smith also has introduced – again – his "Protecting Airport Communities from Particle Emissions Act" in this Congress. **HR 2351** has 12 cosponsors including Congresswoman Jayapal. The summary of the bill at the Congress.gov website says: "This bill directs the Federal Aviation Administration to contract the National Academy of Sciences to conduct a national study on the characteristics, distributions, sources, and potential health effects of airborne ultrafine particles."

- Both Senator Cantwell and Murray's staffs were aware (and had a hand in drafting) the Transportation, Housing and Urban Development (THUD) Senate 2020 appropriations bill airport noise language highlighted in last month's monthly. The staffs said they would work to keep the language in the final budget bill. In short, the language "directs the FAA to improve the development of flight procedures in ways that will give fair consideration to public comment and reduce noise through procedure modification and dispersion to reduce the impact on local communities."

  The language continues, "The Committee directs the FAA to provide a report to the House and Senate Committees on Appropriations within 90 days of enactment of this act that details the efforts made

by the FAA during the last two fiscal years to comply with Committee's directives on this topic."

As I have mentioned previously, the study deadlines in the 2018 FAA Reauthorization Act for the FAA and other agencies is clearly advisory only. The agency's DNL study was due earlier this month, but it does appear that study will be reported to Congress in the next few weeks.

There was much interest from all five Congressional offices on airport noise issues. I sense that this issue is finally taking hold in Congress as more constituents voice their concerns to Congress.

2. **Housing**

The housing and homelessness issue was also much on people's minds in D.C. Congresswoman Jayapal's staff told me the Congresswoman will be introducing a homelessness bill this fall that will say that communities can't criminalize homelessness. I should see the bill once it's filed.

3. **Infrastructure / BUILD UP Act**

Rep. Larsen's staff told me they intend to attach their BUILD UP legislation to the Surface Transportation bill, which is due for renewal in 2020. The BUILD UP Act is Rep. Larsen's successor to the "TIGER CUBS" legislation of recent years. As written now, BUILD UP carves out $100 million annually from the $1 billion BUILD (TIGER) grants for cities with populations up to 70,000. These will be competitive grants awarded annually to smaller cities.

4. **Immigration**

A number of Congressional staff reminded me of the House passage in June of the "American Dream and Promise Act of 2019", **HR 6**, a

comprehensive immigration reform bill. The House passed the bill on a 237-187 vote, with 230 Democrats and 7 Republicans voting "yes." One of the Republican "yes" votes came from Rep. Dan Newhouse of Washington's 4th Congressional district (central Washington). The bill was sent to the Senate which has not acted on the bill. I'm including the Congressional website's short summary of **HR 6** – a longer description of **HR 6** is in my March 2019 update.

American Dream and Promise Act of 2019

This bill cancels and prohibits removal proceedings against certain aliens and provides such aliens with a path toward permanent resident status.

The Department of Homeland Security (DHS) or the Department of Justice (DOJ) shall cancel removal proceedings against certain aliens who entered the United States as minors and grant such aliens conditional permanent residence status for 10 years. The bill imposes various qualification requirements, such as the alien being continuously physically present in the United States and being enrolled in or having completed certain educational programs. DHS shall establish streamlined procedures to apply for conditional permanent residence for aliens who received Deferred Action for Childhood Arrivals (DACA) status and were not disqualified for renewal.

DHS shall remove the conditional permanent resident status granted to such aliens, if the alien applies and meets certain requirements, such as completing certain programs at an educational institution or serving at least two years in the Uniformed Services and being discharged honorably.

DHS or DOJ shall cancel removal proceedings against certain aliens who qualified for temporary protected status or deferred enforced departure status on certain past dates (both statuses temporarily protect covered aliens from removal). For such aliens who apply and pass the required background checks, DHS shall grant permanent residence status.

DHS may not use information from applications to adjust status under this bill for immigration enforcement purposes.

DHS shall establish a grant program for nonprofit organizations that assist individuals with certain immigration-related issues.

5. **FY 2020 Federal Budget**

The current federal budget continuing resolution (CR in Washington speak) expires November 21. The very clear indication from staff I spoke with was there will be another budget CR, probably extending into the new year. A few individual budgets may pass before the 21st, but which ones is unknown. The THUD budget may pass the Senate this week, but it is different than the House THUD budget, so it will likely move to a conference committee and be part of the new CR. A federal government shutdown over the FY 2020 budget is still possible, but staff thought it unlikely.

6. **Howard Hanson Dam Fish Passage Facility**

Fast forwarding to an item in our 2020 federal legislative agenda – Senator Cantwell's staffer was very knowledgeable on this issue. He mentioned that the fish passage facility at the Dam has exceeded its' original cost allocation and that the Corps of Engineers needed to suggest raising the authorization amount to reflect the new costs of the proposed facility.

He also said the Trump administration sees the recent final biological opinion (BiOp) from the National Marine Fisheries Service for operations and maintenance of Howard A. Hanson Dam delivered to the U.S. Army Corps of Engineers as a new regulation, (and the administration opposes new regulations), and that they are not supportive of ecosystem restoration projects in general. He thought the next possibility to include this project would be the 2020 Water Resources Development Act, which may be delayed next year due to the presidential election.

City of Burien
400 SW 152nd Street
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Burien, WA 98166-1911

P 206.241.4647
F 206.248.5539

burienwa.gov

DATE: **October 16, 2019**
FOR RELEASE: **October 20, 2019**
CONTACT: **Finance Department**
Telephone: (206) 439-3150

CITY OF BURIEN
2019-2020 MID-BIENNIUM BUDGET REVIEW
PUBLIC HEARING NOTICE

The City of Burien will hold a public hearing on Monday, November 4, 2019 for the purpose of:

Receiving comments on revenue sources, including a possible increase of up to 1% in property tax revenue, and expenditures for the 2019-2020 Mid-Biennium Budget review and adjustment.

The hearing will be in the Council Chambers at 400 SW 152nd Street, at approximately 7:00 pm. The 2019-2020 Adopted Budget is available on the City's website, www.burienwa.gov, or a copy can be obtained by calling the Finance Department at (206) 439-3150.

###

The City of Burien strives to provide alternate communication opportunities. Please contact the City Clerk's office, 206/248-5517, twenty-four hours prior to the meeting, for assistance.

Published in The Seattle Times: October 20, 2019 ✓

The Westside Seattle: October 25, 2019

cc	Burien City Council	B-Town Blog	Westside Seattle
	Burien City Staff	Discover Burien	Web site: www.burienwa.gov
	Burien Library	LaRaza	White Center Now

Notice of Public Hearing

City of Burien WA

Date

October 30, 2019

Hearing Information

The City of Burien Planning Commission will hold a public hearing on **November 13, 2019,** at **7:00 p.m.** at Burien City Hall, 400 SW 152nd St, to receive public comments on the following application:

Applicant

Scott Becker

Proposal

Change Comprehensive Plan Map designation on one parcel from Community Commercial to High Density Multi-Family Neighborhood.

The City is also recommending that the land use designation of the properties to the east (149, 151 & 159 SW 160th St) also be amended from Community Commercial to High Density Multi-Family Neighborhood.

File No.

PLA19-0456

The project file is available for viewing at Burien City Hall during regular business hours.

Site Location

213 SW 160th Street, Burien, WA 98166

Current Comprehensive Plan Land Use Designation

Community Commercial

Current Zoning

Community Commercial 2 (CC-2)

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)

Thara Johnson, Senior Planner
Department of Community Development
City of Burien
400 SW 152nd Street, Suite 300
Burien, WA 98166
Phone: (206) 436-5574
E-Mail: tharaj@burienwa.gov

Published in the Seattle Times

Date of Notice: October 30, 2019

Notice of Public Hearing

cc	Burien City Council	B-Town Blog	Westside Seattle
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R://CC/Notices 2019/103019 Ph Chg Comp Plan Map

400 SW 152nd St., Suite 300, Burien, WA 98166
Phone (206) 248-5507 • Fax (206) 248-5539 • burienwa.gov

Notice of Public Hearing

City of Burien WA

Date October 30, 2019

Applicant City of Burien

Hearing Information The City of Burien Planning Commission will hold a public hearing on **November 13, 2019,** at **7:00 p.m.** at Burien City Hall, 400 SW 152nd St, to receive public comments on proposed amendments to the Burien Comprehensive Plan policies pertaining to the Land Use and Housing elements and adoption of an Urban Centers subarea Plan.

Proposal The proposed amendments to the Comprehensive Plan will amend policies pertaining to the Land Use and Housing elements and adopt an Urban Centers subarea Plan

File No. 2019 Comprehensive Plan Amendments (Policy Amendments)
A summary of the proposed amendments and the 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)

Thara Johnson
Department of Community Development
City of Burien
400 SW 152nd Street, Suite 300
Burien, WA 98166
Phone: (206) 436-5574
E-Mail: tharaj@burienwa.gov

Published in the Seattle Times Date of Notice: October 30, 2019

cc	Burien City Council	B-Town Blog	Westside Seattle
	Burien City Staff	Discover Burien	Web site: www.burienwa.gov
	Burien Library	LaRaza	White Center Now

R://CC/Notices 2019/03019 Ph Comp Plan Amend

NOTICE OF APPLICATION

	City of Burien WA
Date	October 31, 2019
Applicant	Paul Multani
Proposal	Short plat 1 lot into 2 lots
File No.	PLA 19-2028 File is available for viewing at Burien City Hall during regular business hours.
Location	305 SW 134th Street, Burien WA
Tax Parcel No.	182304-9248
Current Zoning	Residential Single-family 7,200 (RS-7,200)
Application Submitted/Complete	Submitted: August 27, 2019 Complete: October 10, 2019
Other Permits Needed	None
Other Studies Needed	None
Existing Environmental Information	N/A
Review Process and Public Comment	The decision on this application will be made by the Community Development Director. Prior to the decision, there is an opportunity for the public to submit written comments. **Written comments must be received prior to 5:00 p.m. Monday, November 2, 2019.** Send written comments to the project planner at the address or email below. Please indicate your name and address and refer to the file indicated above. Only people who submitted comments as indicated above may appeal the decision on this application.
Project Planner	Thara Johnson, Senior Planner Department of Community Development City of Burien 400 SW 152nd St. (Suite 300) Burien, WA 98166 Phone: (206)436-5574 E-Mail: tharaj@burienwa.gov
Published in the Seattle Times	October 31, 2019

NOTICE OF APPLICATION

cc	Burien City Council	B-Town Blog	Westside Seattle
	Burien City Staff	Discover Burien	Web site: www.burienwa.gov
	Burien Library	LaRaza	White Center Now

R:/CC/Notices 2019/103119 NOA Multani

400 SW 152nd St., Suite 300, Burien, WA 98166-3066
Phone (206) 248-5507 • Fax (206) 248-5539 • burienwa.gov

NOTICE OF APPLICATION

Date	October 25, 2019
Applicant	LDG Architects, Attn. Mike Baily
Proposal	Short plat 1 lot into 2 lots
File No.	PLA 19-2199 File is available for viewing at Burien City Hall during regular business hours.
Location	11622 12th Ave SW, Burien WA
Tax Parcel No.	505580-0065
Current Zoning	Residential Single-Family 7200 (RS-7200)
Application Submitted	September 16, 2019
Application Deemed Complete	October 11, 2019
Other Permits Needed	None
Other Studies Needed	None
Existing Environmental Information	N/A
Review Process and Public Comment	The decision on this application will be made by the Community Development Director. Prior to the decision, there is an opportunity for the public to submit written comments. **Written comments must be received prior to 5:00 p.m. Monday, November 25, 2019.** Send written comments to the project planner at the address or email below. Please indicate your name and address and refer to the file indicated above. Only people who submitted comments as indicated above may appeal the decision on this application.
Project Planner	Chad Tibbits, Planner Department of Community Development City of Burien 400 SW 152nd St. (Suite 300) Burien, WA 98166 Phone: (206)812-7575 E-Mail: chadt@burienwa.gov
Published in the Seattle Times	Date of October 25, 2019

cc	Burien City Council	B-Town Blog	Westside Seattle
	Burien City Staff	Discover Burien	Web site: www.burienwa.gov
	Burien Library	LaRaza	White Center Now

SEPA Determination of Non-significance (DNS)
WAC 197-11-970

City of Burien WA

Date **October 18, 2019**

Applicant City of Burien

Proposal The proposed amendment to the zoning code will amend regulations pertaining to Accessory Dwelling Unit regulations and removing the allowance for Single-family detached land uses in multi-family zones.

File No. 2019 Zoning Code Amendments on ADU's and residential regulations
A summary of the proposed zoning regulations and the project file are available for viewing at Burien City Hall during regular business hours.

Lead Agency City of Burien

Environmental Determination The lead agency for this proposal has determined that the proposal does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after a review of a completed environmental checklist and other information on file with the lead agency.

This Determination of Non-significance is specifically conditioned on compliance with the applicable regulations set forth in the Burien Municipal Code.

All information relating to this proposal is available to the public upon request.

Public Comment and Appeal Process This DNS is issued under 197-11-340 (2). The lead agency will not act on this proposal for 14 days from the date above. Written comments must be submitted by November 1, 2019. Questions regarding the DNS or proposal above may be directed to Thara Johnson at 206-436-5574 or tharaj@burienwa.gov.

SEPA Responsible Official Susan McLain
Community Development Director
City of Burien
400 SW 152nd St, Suite 300
Burien, WA 98166

Signature: _____

Published in the Seattle Times October 18, 2019 ✓

cc	Burien City Council	B-Town Blog	Westside Seattle
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Notice of Decision

Date October 22, 2019

Applicant Kenny Pham, Donaco Investments, LLC

Proposal Construction of a multi-family development consisting of 3 duplex buildings (6 townhouse units), landscaping, parking, and common and private recreation areas.

File No. PLA 18-2981

Location 504 Ambaum Blvd SW

Tax Parcel No. 121900-0044

Decision Approve with conditions

Appeals **Type 1** -The City of Burien has issued the decision described above. Parties of record may appeal this decision to the Hearing Examiner pursuant to Burien Municipal Code Section 2.20.020. The deadline for filing a written Notice of Appeal with the City Clerk is prior to **5:00 p.m. on November 5, 2019**. Copies of the "Notice of Appeal" document may be obtained at the Department of Community Development. There is a non-refundable filing fee of $358.00 for the submittal of an appeal. For more information please contact the project planner (see below).

Property Tax Revaluation Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation. For more information, please contact the King County Assessor's Office at (206) 296-7300.

Project Planner Brandi Eyerly, AICP
Department of Community Development
400 SW 152nd Street Suite 300
Burien WA 98166
brandie@burienwa.gov

Attachments

CONDITIONS OF APPROVAL

PLA 18-2981

Donaco Investments LLC

1. This application is subject to the applicable requirements contained in the Burien Municipal Code (including but not limited to the Zoning Code, Building Code and Fire Code), the 2016 King County Surface Water Design Manual (KCSWDM) and the 2016 Stormwater Pollution Prevention Manual (SPPM) as adopted by the City of Burien (ref. BMC § 13.10.020) and the 2016 Burien Road Design and Construction Standards (BRS). It is the responsibility of the applicant to ensure compliance with the various provisions contained in these documents. See Attachment 2, Development Requirements, for a summary of the City's Development Standards. **Land use approval does not guarantee that the number of dwelling units proposed can be accommodated on the subject parcel**.

2. **Prior to the issuance of development permits, the Applicant shall:**

a. Coordinate with all utilities serving or proposed to serve the site regarding undergrounding such utilities, and any other requirements, prior to application for a right-of-way use permit or construction. Coordination with Seattle City Light regarding underground power and other electrical connection requirements should be done early in the project planning.

b. On the civil plans show items 1 through 6 that are listed on pages 2 and 3 of the Development Review Engineer's January 30, 2019 Memorandum.

c. Submit approved utility plans to the Development Review Engineer for the various utilities serving the site.

d. Update the stormwater site plan, the erosion and sediment control plan, and the technical information report.

e. All required utilities, stormwater facilities, drainage, and street improvement plans shall be designed by a Washington State Licensed Engineer in accordance with City of Burien standards, including the 2016 BRS, and the standards and requirements of the 2016 KCSWDM, and the 2016 SPPM as adopted by the City of Burien (ref. BMC § 13.10.020).

f. Apply for and obtain a clearing and grading permit from the City for all on-site improvements. The Applicant shall submit approved utility plans for the various underground utilities serving or proposed to serve the site prior to obtaining a clearing and grading permit.

g. Design the access road as a private access tract, minimum 20-foot paved width, including curb, gutter, walkway and storm drainage system, in accordance with 2016 BRS. Per BRS Section 3.01 Driveways, the approach shall be a minimum width of 25 feet and the maximum width 35 feet (BRS figures 3.5 t0 3.8).

h. Per the Fire Marshal the 20-foot wide paved access drive shall be designed to HS-25 standard, maximum grade 10%, with truck turnaround, and marked as fire lane.

i. Pay a Transportation Impact Fee of $493.00 for each unit as set forth in BMC Table 19.35-2.

j. Prepare and submit detailed landscape and irrigation plans that comply with Category B Landscaping for review by the City.

k. Show on the landscape plan the location of the significant trees' replacements, species, and diameter. Show the replacement calculations on the plan.

l. Apply for a separate building permit for the children's play structure.

m. Clearly delineate the details for the private and common recreation areas on the plans submitted for development permits.

n. Coordinate with the Fire Department to ensure appropriate emergency access is provided.

o. Revise building elevations and plans to decrease the height of buildings B and C to 35 feet or less.

p. Provide more detail on the southeast retaining wall at time of building permit application to determine location.

q. Delete the two visitor parking spaces.

r. Submit a revise site plan demonstrating how pedestrians will safely reach SW 156th Street.

s. Contact the garbage contractor, Burien Recology, and create a plan that solves the garbage and recycled materials pick-up problem.

3. Upon issuance of any development permits for any construction on the lot the Applicant shall:

a. Underground all utilities serving the property, including all new electrical, phone, water, sewer, and cable services, unless exempt under BMC Chapter 12.40. Construction of these facilities shall be inspected and approved by the City of Burien Public Works Inspector.

b. Apply for and obtain a right-of-way use permit from the City Public Works Department for the drainage connection and any work within the existing right-of-way.

c. Construct a full width overlay of the existing pavement as required for all street widening projects including paved shoulder (BRS 4.03.(1)). Any widening of channelization shall require 2" full width of the street grind and overlay along project frontage on SW 156th Street in accordance with 2016 Burien Road and Construction Standards (BRS), Section 4.03. All appropriate repairs to the existing sub-grade, base material, surfacing and pre-level may be required prior to placing overlay. This area may be expanded by the Right of Way Inspector if area outside of this limit are damage during construction prior to project completion.

d. The Public Works director may accept restoration, performance, and maintenance security bonds, in forms acceptable to the City, if requested by the Applicant. Such bonds shall be posted for required site and right-of-way improvements as required by the Burien Municipal Code and the 2016 King County Stormwater Design Manual.

e. Follow the recommendations made on page 5 and 6 of the Geotechnical Engineering Report. The Geotech will monitor construction activity.

f. At time of framing inspection, the height for all three buildings will be verified by a surveyor and if found over the maximum 35 feet, a height reduction will be required.

4. Prior to final inspection, the applicant shall:

a. Install all landscaping and trees prior to final inspection of the proposed dwelling units and maintain for the life of the project, as required by BMC Chapter 19.25. All landscape materials and trees shall be pruned and trimmed as necessary to maintain healthy growing conditions, or to prevent limb failure, as required by BMC 19.25.170.2. Dead, diseased, damaged or stolen plantings shall be replaced within three months, or during the next planting season (if the loss does not occur in a planting season), and all landscaped areas shall be kept free from trash, as required by BMC 19.25.170.3 and -4. All installed landscaping shall comply with the requirements of BMC 19.25.080. The Applicant shall install all mitigating trees and irrigation, request inspection, and acquire a maintenance bond prior to final inspection for the new dwelling units.

b. Per the King County Fire District 2 Fire Marshal, install a NFPA 13D fire sprinkler system in each dwelling unit.

c. install a fire sprinkler system in all units; type to be determined upon occupancy classification.

d. Install the children's play structure and schedule an inspection with the Building Inspector.

e. Submit a report from the GeoTech that they monitored the construction and the buildings were constructed as recommended in the Geotechnical Engineering Report.

f. Provide as-built drawings prepared by a professional surveyor, signed and wet stamped by the responsible professional engineer and surveyor, prior to submittal to the relevant reviewing agency, as required by the Burien Municipal Code, the 2016 BRS, and per the 2016 KCSWDM (where applicable).

g. Provide on-site mail box services.