AGENDA
City Council Study Session
Monday, September 24, 2018 - 7:00 p.m.
City Hall, 400 SW 152nd St., Council Chambers

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PRESENTATIONS

4.1 Presentation from Burien Police Chief Boe Regarding an Update on the Homicide Investigation Initiated on September 19, 2018. (Brian J. Wilson, City Manager / Ted Boe, Burien Police Chief)

4.2 Presentation on the Economic Development Service Benefits from Being a Member of the Seattle Southside Regional Tourism Authority and Seattle Southside Chamber of Commerce. (Andrea Snyder, Economic Development Manager / Katherine Kertzman, Seattle Southside RTA / Andrea Reay, Seattle Southside Chamber of Commerce – Rescheduled from 8/20/18)

5. PUBLIC COMMENT
Individuals will please limit their comments to two minutes. Concerns will be referred to staff for a response as appropriate and will be included in the next City Manager’s Report. The Council will take comments for a maximum of 20 minutes.

6. CORRESPONDENCE TO THE COUNCIL

6.1 12 Sep 2018 - 19 Sep 2018  3

7. DISCUSSION ITEMS

7.1 Discussion on Potential Amendments to the Recology Garbage Collection Contract. (Maiya Andrews, Public Works Director)
Agenda Bill - Pdf
7.2 Further Discussion on the Sustainable Airport Master Plan (SAMP) Environmental Impact Statement (EIS) Process Update with Consultant's Response. (Chip Davis, Community Development Director)  
[Agenda Bill - Pdf](#)

7.3 Review of the Council Proposed Agenda Schedule. (Brian J. Wilson, City Manager)  
[Agenda Bill - Pdf](#)

8. COUNCIL REPORTS

9. ADJOURNMENT

COUNCILMEMBERS

Mayor Jimmy Matta  
Deputy Mayor Austin Bell  
Councilmember Krystal Marx  
Councilmember Bob Edgar  
Councilmember Pedro Olguín  
Councilmember Lucy Krakowiak  
Councilmember Nancy Tosta

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CORRESPONDENCE TO THE COUNCIL

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9/12/18 (noon) – 9/19/18 (noon)

For full Council Correspondence, please follow this link: https://burienwa.civicweb.net/filepro/documents/10314

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<td>9/12/18</td>
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<td>Southern Height Park Razor Wire</td>
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<td>9/11/18</td>
<td>David Feinberg</td>
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<td>9/2/18</td>
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<td>David Feinberg</td>
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<td>David Feinberg</td>
<td>Southern Height Park Razor Wire</td>
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</tr>
<tr>
<td>9/18/18</td>
<td>Jessica Beckstrand</td>
<td>Childhood Cancer Awareness Month Proclamation</td>
<td>9/19/18 City Clerk Monica Lusk</td>
</tr>
<tr>
<td>9/19/18</td>
<td>Cathie Felix</td>
<td>1st Ave S And S 157th ST</td>
<td>9/19/18 City Manager Brian Wilson</td>
</tr>
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Agenda Bill
City Council Study Session - 24 Sep 2018

Department
Public Works

Staff Contact
Maiya Andrews, Public Works Director (206) 248-5521

Agenda Bill Title
Discussion on Potential Amendments to the Recology Garbage Collection Contract.

Summary
Over the past year, policy changes in China have severely impacted Recology's ability to process and market recyclables resulting in significant increases in their costs. Under their existing contract with Burien, an annual adjustment to their rates is made on January 1st of each year to compensate for increases in actual solid waste disposal costs at King County, and for 80% of a consumer price index. Recology is requesting that their annual rate adjustment for next year include an additional consideration of the unexpected increase in costs to recycle (letter dated August 15, 2018 attached).

The cities served by Recology in the Puget Sound area have joined together to discuss a response to Recology's request. After a few meetings, it has become apparent that it is unlikely the cities will agree on a unified response. Several of the cities have contracted with Jeff Brown at Epicenter Services to assist with the negotiation and preparation of contract amendments. Current negotiations revolve around three major issues. These are:

1. Recology has specifically requested an increase in their rate to allow them to make improvements to their recycling processing facility to handle high levels of contamination and to produce higher quality materials for markets. They have also asked for additional revenue to address lower than expected commodity revenues.
2. Some cities are considering eliminating marginal materials that Recology is required to collect in hopes of reducing the amount of contaminants that inadvertently get in the recycling stream.
3. Some cities are requiring Recology to implement a more stringent enforcement program for contaminated recycling containers, including contamination fees and/or removing recycling containers from customers who can’t or won’t remove contamination from their recycling containers.

As noted, the range of opinions and responses by the cities to these issues is broad. At this Council Study Session, staff would like to discuss these issues and get direction from Council on whether they would like staff to develop a contract amendment addressing one or more of the items. Jeff Brown and staff from Recology will be available to answer questions and discuss the impacts of each item.
Options

1. Direct staff to develop a contract amendment based on feedback received in this discussion, and return to Council in October for potential action.
2. Direct staff to take no action at this time.
3. Provide other direction.

Advisory Board Recommendation

N/A

Administrative Recommendation

Staff recommends Option 1.

Suggested Motion

N/A

Fiscal Impact

FUND: N/A
COST OF PROPOSAL: A rate adjustment will be part of the discussion.
AMOUNT BUDGETED: N/A
ADDITIONAL REQUIRED: N/A

Attachments

Letter Dated August 15, 2018 from Recology CleanScapes
August 15, 2018

City of Burien
Brian Wilson, City Manager
400 SW 152nd Street, Suite 300
Burien, WA 98166

Dear Mr. Wilson:

Over the past year, drastic policy changes in China have severely impacted global recycling markets. China is the primary market for recycled materials for the West Coast, and recent policy changes have had a significant impact on Recology as well as all North American recyclers. Smaller, alternative end markets for recyclable materials have emerged. However, the closure of the Chinese scrap market has resulted in a significant price drop to the point that it now costs more to ship recyclables than is gained from their sale. Revenue from these commodities has historically been used to support recycling collection programs.

Recology has responded by expanding markets for recyclable materials, slowing our processing line at the recycling facility and hiring additional employees to create a higher quality product, deploying new technology to better identify contamination and communicate with customers, and intensifying efforts to proactively communicate with customers with high contamination levels.

To help mitigate some of the rising costs, Recology formally requests a recycling rate adjustment in the City of Burien. The proposed rate adjustment methodology is outlined in the attached rate sheet. Of the three options outlined, Recology supports the Balancing Account approach and proposes that the rate adjustment take effect January 1, 2019.

Below is an overview of previous communication with the City on this issue over the past year:

- 10/30/2017: Introductory letter from Recology to City of Burien regarding China Sword Initiative
- 2/13/2018: Update letter from Recology to City of Burien regarding China Sword Initiative
- 3/23/2018: Changes to Recyclables Markets letter from Recology to City of Burien
- 5/14/2018: Recology Stakeholders Summit on China Sword Initiative
- 5/25/2018: In-person meeting with City staff regarding China Sword Initiative

In the wake of China’s policy changes, the international recycling community has responded in a variety of ways to address the significant cost implications. Strategies for responding to current market conditions range throughout the United States. Some communities have limited or suspended existing recycling programs, while others have turned to concurrence or landfilling of recyclable material. Still other communities have implemented fees for contamination of recyclable loads, rate increases, and/or
recycling surcharges. Recology remains committed to the environmental and social benefits of recycling, and in partnership with the City of Burien, and believes we can maintain recycling programs and move toward a responsible and sustainable future.

Please reach out to me directly with any questions or concerns you may have.

Regards,

Kevin Kelly
General Manager
Recology CleanScapes

Cc: Maiya Andrews, Public Works Director
### Recycling Adjustment Options

<table>
<thead>
<tr>
<th>Description</th>
<th>Balancing Account</th>
<th>Revenue Sharing</th>
<th>Temporary Adjustment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customer rates adjusted based on actual operating expenses, new capital, and return on revenue target (minus commodity revenue).</td>
<td>Customer rates adjusted to recover current operating expenses and new capital. Commodity revenue is shared between customers and Recology. Customers' share of commodity revenues increases with prices.</td>
<td>Customer rates adjusted to cover annualized gap between commodity revenue and operating expenses (based on 2nd quarter of FY 2018), new capital, and return on revenue target. Adjustment is temporary; continues until commodity values recover.</td>
<td></td>
</tr>
</tbody>
</table>

### Financial Assumptions Provided by Recology

- **Average Commodity Revenue ($ per outbound ton)**: $79.42
- **Average Operating Cost ($ per inbound ton)**: $138.10
- **New capital cost to meet contamination thresholds**: $5,696,140
- **Monthly capital contribution**: $67,811

### Policy Assumptions Provided by Recology

- **Operating cost reduction from capital investment**: -7.00%
- **Return on revenue target**: 10.00%
- **First $35 of ACR is shared 50%/50% between Recology and customers. 100% of commodity revenue above $35 ACR is retained by customers.**

### System Recycling Adjustment Required (Annualized)

<table>
<thead>
<tr>
<th></th>
<th>Balancing Account</th>
<th>Revenue Sharing</th>
<th>Temporary Adjustment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recology Service Area</td>
<td>$5,849,482</td>
<td>$5,803,591</td>
<td>$5,622,464</td>
</tr>
<tr>
<td>% of Inbound Tons from Burien</td>
<td>11.8%</td>
<td>11.8%</td>
<td>11.8%</td>
</tr>
<tr>
<td>Share of Recycling Adjustment (Annualized)</td>
<td>$691,093</td>
<td>$685,671</td>
<td>$661,009</td>
</tr>
</tbody>
</table>

**Results based on market pricing through first six months of FY 2018. Changes to market pricing will impact results.**

### Burien Customer Class Results

<table>
<thead>
<tr>
<th></th>
<th>Balancing Account</th>
<th>Revenue Sharing</th>
<th>Temporary Adjustment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Share of Recycling Adjustment (Annualized)***</td>
<td>$691,093</td>
<td>$685,671</td>
<td>$661,009</td>
</tr>
<tr>
<td>% of Burien Inbound Recycling Tons from:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-Family Residential</td>
<td>53.9%</td>
<td>53.9%</td>
<td>53.9%</td>
</tr>
<tr>
<td>Multi-Family &amp; Commercial</td>
<td>46.1%</td>
<td>46.1%</td>
<td>46.1%</td>
</tr>
<tr>
<td>Other Classes****</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Total</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
</tr>
<tr>
<td>Share of Recycling Adjustment (Annualized) To:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-Family Residential</td>
<td>$372,266</td>
<td>$369,346</td>
<td>$356,546</td>
</tr>
<tr>
<td>Multi-Family &amp; Commercial</td>
<td>$318,827</td>
<td>$316,325</td>
<td>$305,363</td>
</tr>
<tr>
<td>Other Classes****</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Note:** Recycling adjustment allocated across customer classes based on share of inbound recycling tons.

**Note:** Costs attributed to processing materials outside city franchise service areas are allocated to other classes and excluded from adjustment options.
### Key Definitions

<table>
<thead>
<tr>
<th>Definition</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Commodity Revenue (ACR)</td>
<td>Commodity revenue divided by outbound tons</td>
</tr>
<tr>
<td>Commodity Revenue</td>
<td>Revenue generated from the sale of recyclable material</td>
</tr>
<tr>
<td>Inbound Ton</td>
<td>Recycling tons delivered to MRF for processing</td>
</tr>
<tr>
<td>New Capital</td>
<td>Cost estimate for MRF facility improvements presented on 5/14 by BHS</td>
</tr>
<tr>
<td>Operating Processing Fee</td>
<td>Fee paid by Recology customers to offset a portion of MRF operating costs</td>
</tr>
<tr>
<td>Outbound Ton</td>
<td>Recycling tons sold</td>
</tr>
<tr>
<td>Return on Revenue</td>
<td>Measure of profitability, calculated by dividing net income by revenue</td>
</tr>
</tbody>
</table>

### Recycling Material from Service Area (October 2017 to March 2018):

<table>
<thead>
<tr>
<th>Recycling Inbound Tons</th>
<th>3753</th>
</tr>
</thead>
<tbody>
<tr>
<td>As a Percent of Facility Inbound Tons</td>
<td>11.8%</td>
</tr>
</tbody>
</table>

### Service Area Characteristics (October 2017 to March 2018)

<table>
<thead>
<tr>
<th>Customer Class</th>
<th>Accounts</th>
<th>Recycling Tons</th>
<th>Monthly Recycling Service Volume (in cubic yards)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family Residential</td>
<td>11,042</td>
<td>2,022</td>
<td>22,113</td>
</tr>
<tr>
<td>Multi-Family Residential</td>
<td>-</td>
<td>433</td>
<td>-</td>
</tr>
<tr>
<td>Commercial</td>
<td>1,153</td>
<td>1,298</td>
<td>12,049</td>
</tr>
<tr>
<td>Other</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Extra 5</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Extra 6</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>12,195</td>
<td>3,753</td>
<td>34,162</td>
</tr>
</tbody>
</table>

### Monthly Recycling Service Volume (in cubic yards)

<table>
<thead>
<tr>
<th>Customer Class</th>
<th>Accounts</th>
<th>Recycling Tons</th>
<th>Monthly Recycling Service Volume (in cubic yards)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family Residential</td>
<td>90.5%</td>
<td>53.9%</td>
<td>64.7%</td>
</tr>
<tr>
<td>Multi-Family &amp; Commercial</td>
<td>9.5%</td>
<td>46.1%</td>
<td>35.3%</td>
</tr>
<tr>
<td>Other Classes****</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Total</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
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Agenda Bill
City Council Study Session - 24 Sep 2018

Department  
Community Development  
Staff Contact  
Chip Davis, Director (206) 248-5501

Agenda Bill Title


Summary

The Port of Seattle has initiated the environmental review process for Near-Term Project improvements proposed as part of the Sustainable Airport Master Plan (SAMP). Lockridge, Grindal, Nauen, the firm selected by the cities of Burien, Des Moines, Normandy Park and SeaTac to assist with the environmental review of the SAMP, is in the process of drafting detailed scoping comments to be submitted under the signatures of the four jurisdiction’s SEPA officials.

At the September 17th Council meeting staff provided a briefing on the scoping process that will conclude on Friday September 28th. Following the briefing staff was directed to provide a draft of the consultant’s scoping comments for Council review and to provide an avenue for Burien residents to participate in the scoping process. At the Airport Committee's September 18th meeting staff presented draft comments to be submitted for inclusion in the consultant's final draft of the scoping response. Staff is anticipating receiving a final draft of the comments for distribution to the City Council prior to the September 24th study session.

Options

N/A

Advisory Board Recommendation

N/A

Administrative Recommendation

Conduct discussion and provide direction to staff.

Suggested Motion

N/A

Fiscal Impact

FUND: N/A  
COST OF PROPOSAL: N/A
AMOUNT BUDGETED: N/A
ADDITIONAL REQUIRED: N/A
Agenda Bill
City Council Study Session - 24 Sep 2018

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<tr>
<td>Administrative Services</td>
<td>Monica Lusk, City Clerk (206) 248-5517</td>
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Agenda Bill Title
Review of the Council Proposed Agenda Schedule.

Summary
Per the City Council Meeting Guidelines, the proposed meeting schedule is reviewed at each meeting. New items or items that have been rescheduled are in bold.

Options
1. Review the schedule and add, delete, or move items.
2. Review the schedule and make no modifications.

Advisory Board Recommendation
N/A

 Administrative Recommendation
Review the schedule and provide direction to staff.

Suggested Motion
N/A

Fiscal Impact
- FUND: N/A
- COST OF PROPOSAL: N/A
- AMOUNT BUDGETED: N/A
- ADDITIONAL REQUIRED: N/A
Attachments

Council Proposed Agenda Schedule
October 1, 7 pm Regular Meeting
City Manager’s Report On Emerging Issues
Presentations
  (Eric Christensen, Finance Director)
Presentation on the Burien Regional Growth Center Subarea Plan.
  (Chip Davis, Community Development Director – Council direction on 7/2/18, Rescheduled from 9/24/28)
Business Agenda
  Motion to Approve the Allocation of 2019 Community Development Block Grant (CDBG) Funds.
  (Colleen Brandt-Schluter, Human Services Manager)
  Motion to Approve the Allocation of 2019-2020 General Fund Human Services Funds.
  (Colleen Brandt-Schluter, Human Services Manager)
  Discussion on the 2019 State and Federal Legislative Agenda.
  (Brian J. Wilson, City Manager)
  Continued Discussion on the City Council Meeting Guidelines.
  (Lisa Marshall, City Attorney)
  Review of Council Proposed Agenda Schedule.
  (Brian J. Wilson, City Manager)

October 15, 7 pm Regular Meeting
City Manager’s Report On Emerging Issues
Presentations
  Presentation on the Preliminary Capital Improvement Program (CIP) Budget.
  (Eric Christensen, Finance Director)
Business Agenda
  First Public Hearing on Revenue Sources and Expenditure Levels.
  (Eric Christensen, Finance Director)
  Adoption of the 2019 State and Federal Legislative Agenda.
  (Brian J. Wilson, City Manager)
  Staff Presentation of the CARES Six Month Report.
  (Lori Fleming, Management Analyst)
  (Chip Davis, Community Development Director)
  Continued Discussion on Law Enforcement Assisted Diversion (LEAD) Program.
  (Lisa Marshall, City Attorney)
  Continued Discussion on the Ban of Plastic Bags and Single Use Plastics.
  (Maiya Andrews, Public Works Director)
  Review of Council Proposed Agenda Schedule.
  (Brian J. Wilson, City Manager)
October 22, 7 pm Study Session
Department Presentations on the 2019-2020 Budget.
(Brian J. Wilson, City Manager)
Discussion on Lodging Tax.
(Andrea Snyder, Economic Development Manager - Council direction on 6/18/18)
Staff Presentation on the Economic Development Quarterly Report.
(Andrea Snyder, Economic Development Manager)
Review of Council Proposed Agenda Schedule.
(Brian J. Wilson, City Manager)

November 5, 7 pm Regular Meeting
City Manager’s Report On Emerging Issues
Business Agenda
Discussion on the Preliminary Operating and Capital Improvement Program (CIP) Budget Follow-Up.
(Eric Christensen, Finance Director)
Discussion on the Financial Policies.
(Eric Christensen, Finance Director)
Discussion on the Property Tax Levy.
(Eric Christensen, Finance Director)
Discussion on the Proposed Surface Water Management (SWM) Rates.
(Eric Christensen, Finance Director)
Review of Council Proposed Agenda Schedule.
(Brian J. Wilson, City Manager)

November 19, 7 pm Regular Meeting
City Manager’s Report On Emerging Issues
Business Agenda
Second Public Hearing on Revenue Sources and Expenditure Levels.
(Eric Christensen, Finance Director)
Discussion on the Preliminary Operating and Capital Improvement Program (CIP) Budget Follow-Up. (IF NEEDED)
(Eric Christensen, Finance Director)
Discussion on the Budget Ordinance.
(Eric Christensen, Finance Director)
Motion to Adopt the 2018 Property Tax Levy.
(Eric Christensen, Finance Director)
Motion to Adopt the Surface Water Management (SWM) Rate.
(Eric Christensen, Finance Director)
Review of Council Proposed Agenda Schedule.
(Brian J. Wilson, City Manager)

November 26, 7 pm Study Session
Review of Council Proposed Agenda Schedule.
(Brian J. Wilson, City Manager)

December 3, 7 pm Regular Meeting
City Manager’s Report On Emerging Issues
Business Agenda
(Eric Christensen, Finance Director)
Motion to Adopt the Financial Policies.
(Eric Christensen, Finance Director)
Motion to Adopt the 2019-2020 Budget.
(Eric Christensen, Finance Director)
Review of Council Proposed Agenda Schedule.
(Brian J. Wilson, City Manager)
December 17, 7 pm Regular Meeting
City Manager’s Report On Emerging Issues

Business Agenda
Review of Council Proposed Agenda Schedule.
(Brian J. Wilson, City Manager)

December 24, 7 pm Study Session CANCELED (Christmas Holiday)

FUTURE AGENDA ITEMS (identified by Council)

a. Schedule a Briefing with the Police Regarding the Shooting of Tommy Le
b. Discussion on Expanding Affordable Housing (Council direction on 2/5/18)
c. Discussion Regarding a Council Environmental Committee, Committee Structure
   (Council direction on 2/5/18)
d. Discussion and Potential Action on a Resolution Regarding the Puget Sound Energy Liquefied Natural Gas (LNG) Facility. (Council direction on 2/26/18)
e. City Council Meeting Guidelines (To be placed on the schedule until adoption)
f. Discussion on Options Regarding Bicycle and Ride Share Services (Council direction on 3/5/18)
g. Discussion on the Use of Alleyways in Relation to Building Codes (Council direction on 6/18/18)
h. Continued Discussion on Renters Rights to Include a Matrix of Council Comments/Suggestions (Council direction on 6/18/18)
i. Continued Discussion on Changing the Date and Time of Council Meetings (Council direction on 7/2/18)
j. Discussion on Gun Safety (Council direction on 7/16/18)
k. Joint Meeting of the City Council, Human Services Commission and Planning Commission to Discuss Affordable Housing (Council direction on 7/2/18 & 9/17/18)

FUTURE AGENDA ITEMS (identified by Staff)

3rd Quarter
a. Communications Plan

4th Quarter
b. Economic Development Quarterly Report
c. Financial Quarterly Report
d. Litigation Written Quarterly Summary
e. Human Services Commission Quarterly & Annual Report
f. Introduction and Discussion on Permit Technology Fee and Permit Tracking System
g. Discussion and Potential Action on Title 17 Subdivision Code Revision
h. Discussion and Potential Action on Business License Code Update
i. Discussion on Utility Franchises
j. 2019 Arts and Culture Grant Recommendations
k. Business Revenue Generated from NERA area
l. Comprehensive Plan Amendments
m. Shoreline Master Program Periodic Update
n. South King Housing and Homelessness Partnership (SKHHP)
o. Presentation and Discussion on the 30th Ave. SW Outfall Project
p. Discussion on Options to Extend the Noise Ordinance on Fridays and Saturdays

COUNCIL PROPOSED AGENDA SCHEDULE 2019

FUTURE AGENDA ITEMS (identified by Staff)

1st Quarter
a. Proclamation Recognizing the Centennial of the Rainier Golf and Country Club
   (To be scheduled on March 4)
b. Discussion and Potential Action on Sign Code Amendments