



**CITY OF BURIEN  
AGENDA BILL**

<b>Agenda Subject:</b> Discussion on Environmental Science Center Development and Construction Agreement Amendment		<b>Meeting Date:</b> November 2, 2009
<b>Department:</b> City Manager	<b>Attachments:</b>	<b>Fund Source:</b> N/A <b>Activity Cost:</b> N/A <b>Amount Budgeted:</b> N/A <b>Unencumbered Budget Authority:</b> N/A
<b>Contact:</b> Jenn Ramirez Robson, Management Analyst		
<b>Telephone:</b> (206) 439-3165		
<b>Adopted Work Plan Priority:</b> Yes    No <input checked="" type="checkbox"/> x	<b>Work Plan Item Description:</b> N/A	
<p><b>PURPOSE/REQUIRED ACTION:</b> The purpose of this agenda item is to discuss a proposed amendment to the Development and Construction Agreement between the City of Burien and the Environmental Science Center (ESC).</p> <p><b>BACKGROUND (Include prior Council action &amp; discussion):</b> Representatives from the ESC came before the Council on October 25, 2009 to explore the possibility of the City acting as a guarantor of a bridge loan in order to complete Phase II of the ESC Learning Center at Seahurst Park. The Council agreed to hold a further discussion in order to review ESC's proposal at the November 2<sup>nd</sup> council meeting. The Council also asked that staff report back on the whether or not this project can be deemed a public benefit.</p> <p>Staff recommends that the proposed amendment should include ESC's plan to pay back the City in the event it defaults on the loan. Staff also offers the following recommendations if the Council favors moving forward with this amendment.</p> <ol style="list-style-type: none"> <li>1) The city's participation is contingent upon the success of the Murdock grant.</li> <li>2) The ESC agrees in writing that all grants received in the future be used to pay down the bank loan. This means that paying off the loan will have priority over aggregating additional funds (with the exception of the Murdock grant).</li> <li>3) The city formally identifies its contingency fund as the source of money to pay off the loan, should fundraising efforts fall short.</li> </ol> <p><b>OPTIONS (Including fiscal impacts):</b></p> <ol style="list-style-type: none"> <li>1. Authorize the City Manager to accept the bridge loan guarantee amendment to the Design and Construction Agreement with the ESC.</li> <li>2. Do not authorize the Agreement amendment.</li> </ol>		
<b>Administrative Recommendation:</b> Discuss ESC's proposed amendment and consider placement on the November 9 <sup>th</sup> Consent Agenda for approval.		
<b>Committee Recommendation:</b> N/A		
<b>Advisory Board Recommendation:</b> N/A		
<b>Suggested Motion:</b> None required at this time.		
Submitted by: Jenn Ramirez Robson <b>Administration</b> 		<b>City Manager</b> 
<b>Today's Date:</b> October 28, 2009		<b>File Code:</b> R:\CC\Agenda Bill 2009\110209cm-1 ESC amendment.doc

