

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Discussion of and Possible Motion to Grant a Variance to the Underground Utility Policy Regarding Lake to Sound Trail.		Meeting Date: July 18, 2011
Department: Public Works	Attachments: Letter dated May 12, 2011 from King County to City Clerk's Office Requesting Variance	Fund Source: N/A Activity Cost: N/A Amount Budgeted: N/A Unencumbered Budget Authority: N/A
Contact: Larry R. Blanchard, Director		
Telephone: (206) 248-5514		
Adopted Initiative: Yes No X	Initiative Description: N/A	
PURPOSE/REQUIRED ACTION: King County, as the lead agency for the Lake to Sound Trail Project, has requested a variance from the underground requirements for the Lake to Sound Trail Project – Segment B. The purpose of this Agenda Item is to request approval from the City Council to grant this variance.		
BACKGROUND (Include prior Council action & discussion): King County-Capital Planning and Development Section in conjunction with its work with the Des Moines Memorial Drive Advisory Committee that includes Renton, Tukwila, Sea-Tac, Burien, and King County are working together to construct the Lake to Sound Trail (Burien Sea-Tac portion) Project. Burien Municipal Code 12.40.140 provides for a Request for Variance by the Public Works Director (PWD) based on 1) technological reasons, and 2) the cost is disproportionate to the general welfare. Staff has reviewed the request by King County and because the cost of undergrounding this project is more than anticipated King County is requesting the waiver attached hereto for your reference. Although the PWD has the authority to waive or defer the underground policy in BMC 12.40 a project of this magnitude should be discussed and approved by City Council.		
OPTIONS (Including fiscal impacts): 1) Grant the waiver of the underground utility conversion requirement as described in BMC 12.04 to King County for the Lake to Sound Trail Project (Burien Portion). 2) Do not grant the waiver of the underground utility conversion requirement as described in BMC 12.40 to King County for the Lake to Sound Trail Project (Burien Portion)		
Administrative Recommendation: Grant the Variance to BMC 12.40 – Undergrounding of Utilities, in order to avoid cost overruns and delays to the Lake to Sound Trail Project – Segment B.		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: Move to Grant a Variance to the Underground Utility Policy Regarding Lake to Sound Trail.		
Submitted by: Larry Blanchard		Mike Martin
Administration _____		City Manager _____
Today's Date: July 13, 2011		File Code: R:/CC/AgendaBill 2011/071811 Variance to Undergrounding for Lake to Sound Trail



King County

**Capital Planning and Development Section
Parks CIP Unit**

Facilities Management Division, DES
201 South Jackson, Room 700
Seattle, Washington 98104

(206) 263-7285 FAX (206) 263-6217

May 12, 2011

City of Burien
City Clerk's Office
400 SW 152nd Street, Suite 300
Burien WA 98166

Re: Lake To Sound Trail Project-Segment B,
Request for Variance under Burien Municipal Code 12.40

Dear City Clerk Office:

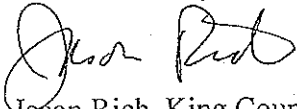
King County, as the leading agency, is writing to request a variance from the underground requirements for the Lake to Sound Trail Project –Segment B, from Ambaum Boulevard S to S 156th Street. As a result of its work with the Des Moines Memorial Drive Advisory Committee, the County is proposing a modified approach in which the overhead utilities are undergrounded for the section of trail from S. 160th St. to S. 156th St. This section is adjacent to the memorial at Sunnysdale School and would serve as a showpiece along the Memorial Drive. It is proposed that the overhead utilities south of the Des Moines Memorial Drive-S. 160th intersection remain above ground. We believe underground requirements along the remaining section of the trail shall be waived for the following reasons:

- Underground requirements would cause an undue hardship on project construction costs. A preliminary opinion of costs for potential undergrounding existing utilities were examined and documented in a technical memorandum dated January 26, 2011. The Illumination and Power Pole Relocation Technical Memorandum is attached for your reference. The additional project costs due to undergrounding requirements were not programmed in the current project budget. Additional funding or share of costs among the utility companies, the City, and King County might need to be considered.
- A variance from the underground requirements would not cause substantial adverse impact to other persons or parties in the project vicinity.

- There are potential technical difficulties undergrounding the utility lines due to presence of other underground utilities such as telephone, gas, sewer, water and storm.
- The potential benefits of undergrounding could be the avoidance of conflicts with new elm tree canopies and the complete frontage improvement. However, costs of undergrounding might outweigh these benefits.

Thank you for your consideration. If you would need additional information supporting the request, please contact me at (206) 263-7314 or by email at Jason.Rich@kingcounty.gov.

Yours Sincerely,



Jason Rich, King County Project Manager

Cc: Doug Lamothe, City of Buriem
Jenny Bailey, Parametrix, Inc.

Attachment: Illumination and Power Pole Relocation Technical Memorandum