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### Exemption Log

Document Name	Exemption
<i>Goals Worksheet 1.9.23</i>	<p><b>Unresponsive</b> This goals worksheet is not evaluation feedback and does not summarize the evaluation results.</p> <p><b>RCW 42.56.280</b> This executive session goal survey was a part of the city council’s deliberative process. This was a preliminary note containing opinions, and the signed evaluation superseded it.</p>
<i>00-6 6-Month Survey Evaluation – Executive Session -Goals 06122023</i>	<p><b>RCW 42.56.280</b> This executive session goal survey was a part of the city council’s deliberative process. This was a preliminary note containing opinions, and the signed evaluation superseded it.</p> <p><b>RCW 42.30.110(1)(g)</b> Executive Sessions – This worksheet was created for and used during an executive session to review City Manager Bailon’s performance after six months.</p> <p><b>RCW 42.56.050</b> Invasion of privacy – Comments or notes that are out of context, unfounded, and not relied upon for any action are not a legitimate public concern and would be highly offensive to any reasonable person. Furthermore, “disclosure of performance evaluations, which do not discuss specific instances of misconduct, is presumed to be highly offensive.”</p> <p><b>RCW 42.56.230</b> Personal information maintained by Burien would violate City Manager Bailon’s right to privacy. Again, “disclosure of performance evaluations, which do not discuss specific instances of misconduct, is presumed to be highly offensive.”</p> <p><b>Breach of contract</b> The City Manager’s and consultant’s contracts. According to City Manager Bailon’s employment contract, Section 3.01(B)(c), “the evaluation of the Employee shall at all times be conducted in executive session of the governing body and shall be considered confidential to the extent permitted by law.” The council and City Manager engaged a consultant to implement a <u>confidential</u> survey. To not allow candid and broad discussions without disclosure</p>

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<p><i>CONFIDENTIAL – City Manager 6-Month Feedback Report 6.2.23</i></p>	<p><b>RCW 42.56.280</b> This executive session document was a part of the city council’s deliberative process. This was a preliminary note containing opinions, and the signed evaluation superseded it.</p> <p><b>RCW 42.30.110(1)(g)</b> Executive Sessions – This worksheet was created for and used during an executive session to review City Manager Bailon’s performance after six months.</p> <p><b>RCW 42.56.050</b> Invasion of privacy – Comments or notes that are out of context, unfounded, and not relied upon for any action are not a legitimate public concern and would be highly offensive to any reasonable person. Furthermore, “disclosure of performance evaluations, which do not discuss specific instances of misconduct, is presumed to be highly offensive.”</p> <p><b>RCW 42.56.230</b> Personal information maintained by Burien would violate City Manager Bailon’s right to privacy. Again, “disclosure of performance evaluations, which do not discuss specific instances of misconduct, is presumed to be highly offensive.”</p> <p><b>Breach of contract</b> The City Manager’s and consultant’s contracts. According to City Manager Bailon’s employment contract, Section 3.01(B)(c), “the evaluation of the Employee shall at all times be conducted in executive session of the governing body and shall be considered confidential to the extent permitted by law.” The council and City Manager engaged a consultant to implement a <u>confidential</u> survey. To not allow candid and broad discussions without disclosure would chill the willingness of people to speak candidly in the evaluation.</p>
<p><i>City of Burien CM Evaluation Interviews – Notes (City of Burien CM Interview Analysis (Tom))</i></p>	<p><b>RCW 42.56.280</b> This executive session document was a part of the city council’s deliberative process. This was a preliminary note containing opinions, and the signed evaluation superseded it.</p> <p><b>RCW 42.30.110(1)(g)</b> Executive Sessions – This worksheet was created for and used during an executive session to review City Manager Bailon’s performance after six months.</p> <p><b>RCW 42.56.050</b> Invasion of privacy – Comments or notes that are out of context, unfounded, and not relied upon for any action are not a legitimate public concern and would be highly offensive to any reasonable person. Furthermore, “disclosure of performance evaluations, which do not discuss specific instances of misconduct, is presumed to be highly offensive.”</p>

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<p><i>City Manager 6-month Evaluation Online Survey</i></p>	<p><b>RCW 42.56.280</b> This executive session document was a part of the city council’s deliberative process. This was a preliminary note containing opinions, and the signed evaluation superseded it.</p> <p><b>RCW 42.30.110(1)(g)</b> Executive Sessions – This worksheet was created for and used during an executive session to review City Manager Bailon’s performance after six months.</p> <p><b>RCW 42.56.050</b> Invasion of privacy – Comments or notes that are out of context, unfounded, and not relied upon for any action are not a legitimate public concern and would be highly offensive to any reasonable person. Furthermore, “disclosure of performance evaluations, which do not discuss specific instances of misconduct, is presumed to be highly offensive.”</p> <p><b>RCW 42.56.230</b> Personal information maintained by Burien would violate City Manager Bailon’s right to privacy. Again, “disclosure of performance evaluations, which do not discuss specific instances of misconduct, is presumed to be highly offensive.”</p> <p><b>Breach of contract</b> The City Manager’s and consultant’s contracts. According to City Manager Bailon’s employment contract, Section 3.01(B)(c), “the evaluation of the Employee shall at all times be conducted in executive session of the governing body and shall be considered confidential to the extent permitted by law.” The council and City Manager engaged a consultant to implement a <u>confidential</u> survey. To not allow candid and broad discussions without disclosure would chill the willingness of people to speak candidly in the evaluation.</p>