

RENTON CITY COUNCIL
Regular Meeting

February 11, 2008
Monday, 7 p.m.

Council Chambers
Renton City Hall

MINUTES

CALL TO ORDER

Mayor Denis Law called the meeting of the Renton City Council to order and led the Pledge of Allegiance to the flag.

ROLL CALL OF COUNCILMEMBERS

MARCIE PALMER, Council President; DON PERSSON; KING PARKER; TERRI BRIERE; RICH ZWICKER; GREG TAYLOR; RANDY CORMAN.

CITY STAFF IN ATTENDANCE

DENIS LAW, Mayor; JAY COVINGTON, Chief Administrative Officer; LAWRENCE J. WARREN, City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; FIRE CHIEF/EMERGENCY SERVICES ADMINISTRATOR I. DAVID DANIELS, DEPUTY CHIEF CHUCK DUFFY, DEPUTY CHIEF ROBERT VAN HORNE and LIEUTENANT CRAIG SOUCY, Fire Department; COMMANDER CHARLES KARLEWICZ, Police Department.

SPECIAL PRESENTATION
Fire: Jim Ashurst Recognition,
Firefighters Union Charter
Member

Renton Retired Firefighters Association representative Bruce Phillips reported that retired Assistant Fire Chief Jim Ashurst worked for the Fire Department from 1944 to 1968. Mayor Law presented Mr. Ashurst with a plaque in recognition of his valuable years of service to Renton as a volunteer firefighter from 1938 to 1944, and as a paid firefighter from 1944 to 1968.

Additionally, Renton Firefighters Local 864 President Soucy presented Mr. Ashurst with a copy of the original union charter from 1946, on which Mr. Ashurst's name is listed. Fire Chief/Emergency Services Administrator Daniels commented on the changes that have taken place within the Fire Department over the years, noting Mr. Ashurst's contribution to the strong foundation on which the department was built. Finally, Mr. Phillips presented Mr. Ashurst with the badge that he wore during his years of service to Renton.

ADMINISTRATIVE REPORT

Chief Administrative Officer Covington reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 2008 and beyond. Items noted included:

- * The poplar trees surrounding Renton Stadium, including those along Logan Ave., have been determined to be diseased and dangerous by a qualified arborist. Work began today to remove and replace the trees with a different variety.

AUDIENCE COMMENT
Citizen Comment: Duncan -
Potential Annexation Area
Boundaries Agreement with
Kent

Rodger Duncan (Kent) requested that the City reopen a Potential Annexation Area boundaries interlocal agreement with the City of Kent that was signed, but not implemented, in July 1999. He explained that a 31.63-acre area, located in the vicinity of S. 55th St. and 92nd Ave. S., is isolated from Kent by SR-167, but with Renton's annexation of the Benson Hill Communities area, is now directly adjacent to Renton.

MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL REFER THIS MATTER TO THE ADMINISTRATION. CARRIED.

Citizen Comment: Walker -
McKnight Middle School
History Day Competition

Kristie Walker (Renton) introduced herself as a teacher at McKnight Middle School, and expressed her appreciation for the community support of the National History Day competition that took place last week. She explained that

eighty 8th graders took part in the competition, and their projects were judged by community members. Ms. Walker presented Councilmembers Persson and Parker with thank you notes from the students for their participation in the judging process. Councilmember Parker indicated that he was amazed by the talent displayed by the students.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing.

Council Meeting Minutes of 2/4/2008

Approval of Council meeting minutes of 2/4/2008. Council concur.

AJLS: Renton Pool, Renton School District

Administrative, Judicial and Legal Services Department recommended approval of an agreement in the amount of \$175,000 with Renton School District #403 to provide financial support for the Renton Pool at Lindbergh High School. Refer to Committee of the Whole.

Appeal: Monopole Conditional Use Permit, T-Mobile, CU-07-041

City Clerk reported appeal of Hearing Examiner's decision regarding T-Mobile's conditional use permit application for monopole at SE 3rd Pl. by T-Mobile USA, Inc., represented by Linda Atkins of Davis Wright Tremaine, accompanied by required fee. Refer to Planning and Development Committee.

Vacation: Queen Ave NE, Newfourth, VAC-07-003

City Clerk recommended adoption of an ordinance finalizing the vacation of a portion of Queen Ave. NE, south of NE 4th St., as all conditions of the vacation approval have been satisfied (VAC-07-003; petitioner Newfourth, LLC). Council concur. (See page 47 for ordinance.)

Vacation: Whitworth Ave S, TEAM Properties, VAC-07-002

City Clerk recommended adoption of an ordinance finalizing the vacation of a portion of Whitworth Ave. S., south of S. 4th St., as all conditions of the vacation approval have been satisfied (VAC-07-002; petitioner TEAM Properties, LLC). Council concur. (See page 47 for ordinance.)

Plat: Magnussen, NE 2nd St, FP-07-129

Development Services Division recommended approval, with conditions, of the Magnussen Final Plat; 49 single-family lots on 8.37 acres located at NE 2nd St. between Duvall Ave. NE and Field Ave. NE. Council concur. (See page 46 for resolution.)

EDNSP: Shoreline Master Program, Parametrix

Economic Development, Neighborhoods and Strategic Planning Department recommended approval of a contract with Parametrix, Inc. in the amount of \$199,890 to update the Shoreline Master Program. Council concur.

Annexation: Benson Hill Communities, State Funding

Finance and Information Services Department recommended adoption of an ordinance establishing the State funding threshold and sales tax rebate rate related to the Benson Hill Communities Annexation. Council concur. (See page 47 for ordinance.)

CAG: 07-140, Benson Rd S Water Line Relocation, Ceccanti

Utility Systems Division submitted CAG-07-140, Water Line Relocation for Realignment of Benson Rd. S. and I-405 Overpass; and requested approval of the project, authorization for final pay estimate in the amount of \$11,979, commencement of 60-day lien period, and release of retained amount of \$54,193.25 to Ceccanti, Inc., contractor, if all required releases are obtained. Council concur.

Utility: White Fence Ranch Sewer Extension Survey, PACE Engineers

Utility Systems Division requested approval of an agreement in the amount of \$48,000 with PACE Engineers, Inc. to perform base mapping for the White Fence Ranch Sewer Extension project. Council concur.

MOVED BY PALMER, SECONDED BY CORMAN, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

UNFINISHED BUSINESS**Finance Committee**

Finance: Vouchers

Finance Committee Chair Persson presented a report recommending approval of Claim Vouchers 268639 - 269146 and two wire transfers totaling \$6,701,920.06; and approval of 163 Payroll Vouchers, one wire transfer, and 692 direct deposits totaling \$2,301,601.64. **MOVED BY PERSSON, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

Community Services: Cedar River Natural Zone Boundary Survey, PACE Engineers

Finance Committee Chair Persson presented a report recommending concurrence in the staff recommendation to approve an agreement with PACE Engineers, Inc. in the amount of \$79,500 to perform a property boundary survey of parcels comprising the Cedar River Natural Zone, set property corners or recover existing corners, identify boundary encroachments onto City property, and produce a record of survey to be filed with the King County Recorder. The Committee also recommended authorizing the use of 2007 funds in the amount of \$40,000 from 316.000000.020.5940.0076.63.000001. Funds were previously identified for this project and are to be carried forward in a future budget amendment.

The Committee further recommended that the Mayor and City Clerk be authorized to execute the survey services agreement. **MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

Planning & Development Committee

Planning: Development Regulations (Title IV) Docket Review

Planning and Development Committee Chair Parker presented a report regarding the City Code Title IV (Development Regulations) docket. The Committee recommended concurrence in the staff recommendation to approve the following three zoning text amendments as recommended by the Planning Commission: 1) Docket Item 06-01, Housekeeping Group I; 2) Docket Item 06-10, Household Pets and Keeping of Animals Regulations; and 3) Docket Item 06-29, Downtown Code Text Amendments.

The Committee further recommended that the three ordinances regarding this matter be presented for first reading. **MOVED BY PARKER, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.** (See page 47 for ordinances.)

Utilities Committee

Utility: Upper Springbrook Creek Restoration, US Army Corps of Engineers

Utilities Committee Chair Zwicker presented a report recommending concurrence in the staff recommendation to approve the agreement with the U.S. Army Corps of Engineers (USACE) to share in the cost and design to permit the Upper Springbrook Creek Restoration project. The terms of the agreement require USACE to fund 75 percent (\$286,950) of the total design cost of \$382,600, with the City contributing the remaining 25 percent local match (\$95,650). The Committee further recommended that the resolution regarding this matter be presented for reading and adoption. **MOVED BY ZWICKER, SECONDED BY TAYLOR, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.** (See page 47 for resolution.)

RESOLUTIONS AND ORDINANCES**Resolution #3929**

Plat: Magnussen, NE 2nd St, FP-07-129

The following resolutions were presented for reading and adoption:

A resolution was read approving the Magnussen Final Plat; approximately 8.37 acres located in the vicinity of NE 2nd St., between Duvall Ave. NE and Field Ave. NE. **MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL**

ADOPT THE RESOLUTION AS READ. CARRIED.

Resolution #3930

Utility: Upper Springbrook
Creek Restoration, US Army
Corps of Engineers

A resolution was read authorizing the Mayor and City Clerk to enter into a design agreement with the U.S. Army Corps of Engineers regarding the Upper Springbrook Creek Restoration project. MOVED BY BRIERE, SECONDED BY ZWICKER, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following ordinances were presented for first reading and referred to the Council meeting of 2/25/2008 for second and final reading:

Vacation: Queen Ave NE,
Newfourth, VAC-07-003

An ordinance was read vacating a portion of right-of-way, six feet wide and approximately 293 feet in length, of Queen Ave. NE, south of NE 4th St. (VAC-07-003; petitioner Steve Beck, Newfourth, LLC). MOVED BY BRIERE, SECONDED BY PARKER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 2/25/2008. CARRIED.

Vacation: Whitworth Ave S,
TEAM Properties, VAC-07-
002

An ordinance was read vacating a portion of right-of-way, approximately 60 feet in width and 100 feet in length, of Whitworth Ave. S., south of S. 4th St. (VAC-07-002; petitioner Brian Allen, TEAM Properties, LLC). MOVED BY BRIERE, SECONDED BY PARKER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 2/25/2008. CARRIED.

Annexation: Benson Hill
Communities, State Funding

An ordinance was read setting the threshold and tax rates in accordance with RCW 82.14.415 with respect to the Benson Hill Communities Annexation. MOVED BY PERSSON, SECONDED BY PALMER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 2/25/2008. CARRIED.

Planning: Development
Regulations (Title IV) Docket,
Housekeeping Amendments

An ordinance was read amending Chapter 1, Administration and Enforcement; Chapter 2, Zoning Districts - Uses and Standards; Chapter 3, Environmental Regulations and Overlay Districts; Chapter 4, Citywide Property Development Standards; Chapter 9, Permits - Specific; and Chapter 11, Definitions, of Title IV (Development Regulations); and Chapter 1, Garbage, of Title VIII (Health and Sanitation) of City Code to complete housekeeping amendments to Title IV amendments made during docket review. MOVED BY PARKER, SECONDED BY BRIERE, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 2/25/2008. CARRIED.

Planning: Development
Regulations (Title IV) Docket,
Animal Regulations

An ordinance was read amending Chapter 1, Administration and Enforcement; Chapter 2, Zoning Districts - Uses and Standards; Chapter 4, Citywide Property Development Standards; Chapter 8, Permits - General and Appeals; Chapter 9, Permits - Specific; and Chapter 11, Definitions, of Title IV (Development Regulations); Chapter 4, Animal Licenses, of Title V (Finance and Business Regulations); and Chapter 6, Animals and Fowl at Large, of Title VI (Police Regulations) of City Code to amend the regulations regarding the keeping of animals. MOVED BY PARKER, SECONDED BY BRIERE, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 2/25/2008. CARRIED.

Planning: Development
Regulations (Title IV) Docket,
Downtown Core

An ordinance was read amending Chapter 4-2, Zoning Districts - Uses and Standards; and Chapter 4-4, Citywide Property Development Standards, of Title IV (Development Regulations) of City Code to amend regulations in effect for Downtown Renton, including removing the boundary of the Downtown Core

District, amending the boundary of the City Center Sign District, amending the boundary of the Downtown Pedestrian District, and amending the parking regulations for commercial businesses. **MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 2/25/2008. CARRIED.**

The following ordinances were presented for second and final reading and adoption:

Ordinance #5341

Annexation: Benson Hill Communities, RC Zoning

An ordinance was read amending Chapter 2, Zoning Districts - Uses and Standards, of Title IV (Development Regulations) of City Code establishing the zoning classification of certain property annexed within the City of Renton from King County zoning to Resource Conservation (RC) zoning; Benson Hill Communities; CPA 2007-M-06. **MOVED BY CORMAN, SECONDED BY BRIERE, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.**

Ordinance #5342

Annexation: Benson Hill Communities, CN Zoning

An ordinance was read amending Chapter 2, Zoning Districts - Uses and Standards, of Title IV (Development Regulations) of City Code establishing the zoning classification of certain property annexed within the City of Renton from King County zoning to Commercial Neighborhood (CN) zoning; Benson Hill Communities; CPA 2007-M-06. **MOVED BY CORMAN, SECONDED BY BRIERE, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.**

Ordinance #5343

Annexation: Benson Hill Communities, CO Zoning

An ordinance was read amending Chapter 2, Zoning Districts - Uses and Standards, of Title IV (Development Regulations) of City Code establishing the zoning classification of certain property annexed within the City of Renton from King County zoning to Commercial Office (CO) zoning; Benson Hill Communities; CPA 2007-M-06. **MOVED BY CORMAN, SECONDED BY BRIERE, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.**

Ordinance #5344

Annexation: Benson Hill Communities, RM-F Zoning

An ordinance was read amending Chapter 2, Zoning Districts - Uses and Standards, of Title IV (Development Regulations) of City Code establishing the zoning classification of certain property annexed within the City of Renton from King County zoning to Residential Multi-Family (RM-F) zoning; Benson Hill Communities; CPA 2007-M-06. **MOVED BY CORMAN, SECONDED BY BRIERE, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.**

Ordinance #5345

Annexation: Benson Hill Communities, RMH Zoning

An ordinance was read amending Chapter 2, Zoning Districts - Uses and Standards, of Title IV (Development Regulations) of City Code establishing the zoning classification of certain property annexed within the City of Renton from King County zoning to Residential Manufactured Home (RMH) zoning; Benson Hill Communities; CPA 2007-M-06. **MOVED BY CORMAN, SECONDED BY BRIERE, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.**

Ordinance #5346

Annexation: Benson Hill Communities, CA Zoning

An ordinance was read amending Chapter 2, Zoning Districts - Uses and Standards, of Title IV (Development Regulations) of City Code establishing the zoning classification of certain property annexed within the City of Renton from King County zoning to Commercial Arterial (CA) zoning; Benson Hill Communities; CPA 2007-M-06. **MOVED BY CORMAN, SECONDED BY BRIERE, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.**

Ordinance #5347

Annexation: Benson Hill
Communities, R-1 Zoning

An ordinance was read amending Chapter 2, Zoning Districts - Uses and Standards, of Title IV (Development Regulations) of City Code establishing the zoning classification of certain property annexed within the City of Renton from King County zoning to R-1 (Residential - one dwelling unit per net acre)

zoning; Benson Hill Communities; CPA 2007-M-06. MOVED BY CORMAN, SECONDED BY BRIERE, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Ordinance #5348

Annexation: Benson Hill
Communities, R-4 Zoning

An ordinance was read amending Chapter 2, Zoning Districts - Uses and Standards, of Title IV (Development Regulations) of City Code establishing the zoning classification of certain property annexed within the City of Renton from King County zoning to R-4 (Residential - four dwelling units per net acre) zoning; Benson Hill Communities; CPA 2007-M-06. MOVED BY CORMAN, SECONDED BY BRIERE, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Ordinance #5349

Annexation: Benson Hill
Communities, R-8 Zoning

An ordinance was read amending Chapter 2, Zoning Districts - Uses and Standards, of Title IV (Development Regulations) of City Code establishing the zoning classification of certain property annexed within the City of Renton from King County zoning to R-8 (Residential - eight dwelling units per net acre) zoning; Benson Hill Communities; CPA 2007-M-06. MOVED BY CORMAN, SECONDED BY BRIERE, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Ordinance #5350

Annexation: Benson Hill
Communities, R-10 Zoning

An ordinance was read amending Chapter 2, Zoning Districts - Uses and Standards, of Title IV (Development Regulations) of City Code establishing the zoning classification of certain property annexed within the City of Renton from King County zoning to R-10 (Residential - ten dwelling units per net acre) zoning; Benson Hill Communities; CPA 2007-M-06. MOVED BY CORMAN, SECONDED BY BRIERE, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Ordinance #5351

Annexation: Benson Hill
Communities, R-14 Zoning

An ordinance was read amending Chapter 2, Zoning Districts - Uses and Standards, of Title IV (Development Regulations) of City Code establishing the zoning classification of certain property annexed within the City of Renton from King County zoning to R-14 (Residential - 14 dwelling units per net acre) zoning; Benson Hill Communities; CPA 2007-M-06. MOVED BY CORMAN, SECONDED BY BRIERE, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

NEW BUSINESS

Finance: Benson Hill
Communities Annexation
Funding, Capital Funding
Financial Policy, Newly
Annexed Areas
Franchise/Utility Fees

MOVED BY PERSSON, SECONDED BY CORMAN, COUNCIL REFER THE FOLLOWING THREE TOPICS TO THE FINANCE COMMITTEE: CONTINUED FUNDING FOR THE BENSON HILL COMMUNITIES ANNEXATION PLAN, FINANCIAL POLICY FOR CAPITAL FUNDING PLAN, AND FRANCHISE/UTILITY FEES FOR NEWLY ANNEXED AREAS. CARRIED.

Citizen Comment: Various -
Monopole Conditional Use
Permit Appeal, T-Mobile, CU-
07-041

Councilmember Parker reported receipt of letters from Valerie and Michael O'Halloran (Renton), and Chuck and Fran Gitchel (Renton) regarding the appeal of the Hearing Examiner's decision concerning the T-Mobile monopole conditional use permit application. MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL REFER THE CORRESPONDENCE TO THE

PLANNING AND DEVELOPMENT COMMITTEE. CARRIED.

AUDIENCE COMMENT

Citizen Comment: Ellifrits -
Monopole Conditional Use
Permit Appeal, T-Mobile, CU-
07-041

Newton Ellifrits (Renton) noted a correction to the consent agenda item concerning the appeal of the Hearing Examiner's decision regarding the T-Mobile monopole conditional use permit application. He pointed out that the location is SE 3rd Pl., not S. 3rd Pl. as stated.

ADJOURNMENT

MOVED BY PERSSON, SECONDED BY PALMER, COUNCIL ADJOURN.
CARRIED. Time: 7:39 p.m.

Bonnie I. Walton, CMC, City Clerk

Recorder: Michele Neumann
February 11, 2008