

RENTON CITY COUNCIL  
Regular Meeting

March 2, 2009  
Monday, 7 p.m.

Council Chambers  
Renton City Hall

MINUTES

**CALL TO ORDER**

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

**ROLL CALL OF  
COUNCILMEMBERS**

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

**CITY STAFF IN  
ATTENDANCE**

DENIS LAW, Mayor; JAY COVINGTON, Chief Administrative Officer;  
LAWRENCE J. WARREN, City Attorney; BONNIE WALTON, City Clerk;  
ALEX PIETSCH, Community and Economic Development Administrator;  
IWEN WANG, Finance and Information Services Administrator; MARTY  
WINE, Assistant CAO; PREETI SHRIDHAR, Communications Director;  
ANGIE MATHIAS, Associate Planner; DEPUTY CHIEF ROBERT VAN  
HORNE, Fire Department; CHIEF KEVIN MILOSEVICH and COMMANDER  
KATIE MCCLINCY, Police Department.

**SPECIAL PRESENTATION**  
Public Safety: Marine Patrol  
Operations Update

Sergeant Keith McDonough, Mercer Island Marine Patrol, reported that there was a substantial decrease in boating activities in 2008. He stated that this was due in part to economic challenges and gas prices that reached nearly \$6.00 per gallon on Lake Washington. Sergeant McDonough stated that Mercer Island Marine Patrol began teaching mandatory boater education classes to all vessel operators 21 years of age and under, and noted that operators under the age of 25 will be required to complete the course in 2009. He stated that eventually all boat operators born after 1955 will be required to take the course.

Sergeant McDonough stated that Patrol 14 construction was completed and placed into service last spring providing a second vessel with full firefighting and medical aid capabilities. He reported that in 2008 they responded to five boating accidents, 72 search and rescue operations, issued 263 citations, and made 59 arrests. He also reported that they patrolled 160 hours and 25 minutes in Renton waters.

Concluding, Sergeant McDonough reported that with continued funding from the Federal Emergency Management Administration (FEMA) the patrol will continue to remove log jams from the mouth of the Cedar River.

Responding to Council inquiries, Sergeant McDonough stated that citizens who complete the mandatory boater education classes are awarded a lifetime boater operator card. He indicated that the card is required for operation of motorized boats and is not required for the operation of small sail boats.

**PUBLIC HEARINGS**

Community and Economic Development Administrator Alex Pietsch introduced Associate Planner Angie Mathias. Ms. Mathias explained the process of annexing territory under the unincorporated island method. She reported that each annexation being considered is generally consistent with City annexation policies and Boundary Review Board objectives.

Annexation: Duvall South,  
NE 1st St & Field Ave NE

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Law opened the public hearing to consider annexation, under the Unincorporated Island method, of the proposed Duvall South Annexation; 11.6 acres located south of NE 1st. St., west of Field Ave. NE.

Associate Planner Mathias reported that the annexation site is an unincorporated island surrounded approximately 81% by City limits and contains 25 single-family homes, steep slopes, and a portion of a Class 3 waterway. She stated that public services are currently provided by Renton Fire and Emergency Services, Renton water and sewer service and Water District #90, and the Renton School District.

Reviewing the site's zoning, Ms. Mathias stated that the existing King County zoning is R-4 (four dwelling units per gross acre). She reported that the area was zoned as part of the East Renton Plateau zoning process and is designated as residential single family and residential low density zoning. She noted that the zoning that was adopted is R-4 (four dwelling units per net acre) and R-8 (eight dwelling units per net acre) and will become effective if the annexation becomes effective.

Ms. Mathias reported that the proposed annexation is generally consistent with City annexation policies and Boundary Review Board objectives. Regarding the fiscal impact analysis, she stated that a slight surplus of \$1,460 is estimated at current development and a surplus of \$19,617 is estimated at full development.

Public comment was invited.

John Hines (King County) expressed concern regarding address changes and sewer hook-up. Community and Economic Development Administrator Pietsch stated that addresses within the proposed annexation area will change and that the annexation process does not require residents to hook-up to sewer.

Joe Riedi (King County) expressed concern over Asian gang activity in the area and inquired about ordinances that address the problem. Mayor Law stated that there are many laws already in place that address gang activity and that problems reported to the Police Department would be handled in a timely manner. Mr. Riedi also expressed concern about public employee unions and about the Health Department condemning septic systems, forcing home owners to connect to sewers.

Discussion ensued regarding City employee work habits, work habits of crews under City contract, construction of capital improvements in the proposed annexation area, costs and timelines associated with hooking up to sewers, the convenience of having sewers nearby in case a septic system fails, and rules associated with local improvement districts.

Colin Fowler (King County) questioned how eighty percent of the proposed annexation area is surrounded by City limits when the area is mostly surrounded by water detention ponds and a creek. He asked if any financial gain the City receives from the annexation would result in capital improvements for the area. Mr. Pietsch stated that the proceeds from the annexation are nominal and no capital improvements are scheduled. Mr. Fowler also expressed concern regarding existing City laws noting that he opposes the City's fireworks ban.

There being no further public comment it was, **MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.**

**MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL AUTHORIZE THE ADMINISTRATION TO FORWARD THE DUVALL SOUTH ANNEXATION NOTICE OF INTENT PACKAGE TO THE BOUNDARY REVIEW BOARD. CARRIED.**

Annexation: Honey Creek Estates, NE 12th St & 148th Ave NE

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Law opened the public hearing to consider annexation, under the Unincorporated Island method, of the proposed Honey Creek Estates Annexation; 18.2 acres located south of NE 12th. St., west of 148th Ave. NE.

Associate Planner Mathias reported that the annexation site is an unincorporated island surrounded approximately 83% by City limits and contains 46 single-family homes, steep slopes, and a portion of a Class 3 waterway. She stated that public services are currently provided by Eastside Fire and Rescue, King County Water District #90, Renton sewer service, and the Issaquah School District.

Reviewing the site's zoning, Ms. Mathias stated that the existing King County zoning is R-4 (four dwelling units per gross acre). She reported that the City's Comprehensive Plan designates the site as eligible for residential low density zoning. Ms. Mathias stated that there are three possible zones: Resource Conservation (one dwelling unit per ten net acres); R-1 (one dwelling unit per net acre); and R-4 (four dwelling units per net acre). She remarked that two separate hearings regarding potential zoning will be held in the future if the annexation proposal is accepted.

Ms. Mathias reported that the proposed annexation is generally consistent with City annexation policies and Boundary Review Board objectives. Regarding the fiscal impact analysis, she stated that a slight deficit of \$2,170 is estimated at current development and a surplus of \$29,117 is estimated at full development.

Correspondence from Eric and Tanya Lindsey (Renton) stating opposition to the annexation was acknowledged.

Public comment was invited.

John Pavlik (King County) submitted a petition signed by area property owners opposed to the proposed annexation. He urged Council to deny the annexation and stated that if annexed, voters in the area will request a referendum in order to attempt to defeat the annexation by election.

Discussion ensued regarding the timeliness of the petition, the estimated cost of an election, and the obligation of the City to provide services to urban areas.

Brian Bader (King County) raised questions regarding the proposed annexation including the overall benefit to property owners, hiring of additional police officers, sewer hook-up requirements and fees, and utility rate increases.

Further discussion ensued regarding the City's fiduciary responsibility to provide services to urban areas, King County's inability to provide services, and sewer hook-up requirements.

Martin Kenney (King County) stated that he owns property abutting the proposed annexation area and requested help from the City regarding the design and engineering of sewer lift stations. He remarked that he is required to build a lift station prior to redeveloping his property and does not have the appropriate resources. He also questioned the need for enlarging a road on his property and then having to transfer ownership of the road to the City.

MOVED BY CORMAN, SECONDED BY TAYLOR, COUNCIL ALLOW THE SPEAKER FIVE ADDITIONAL MINUTES. CARRIED.

Continuing, Mr. Kenney opined that if City policy is to help property owners do what is in the best interest for the City after being annexed, the City should help the property owners achieve that goal.

Council President Corman clarified that the City, in general, does not build the infrastructure to support the subdivision of lots. He pointed out that most developers hand over capital improvements in subdivisions so that the City will take over the long-term maintenance costs of the improvements. He also noted that additional benefits to annexing are better police and fire service, and access to local parks and facilities.

City Attorney Warren pointed out that Mr. Kenney did not speak in favor of or against the proposed annexation.

David Roe (King County) questioned the motive for annexing the area and how the area became an unincorporated island. Mr. Pietsch responded that the City is mandated by the Growth Management Act to provide urban services within its potential annexation area. He also stated that numerous annexations have occurred during the City's long history and a few pockets or islands have formed. He remarked that it is in the City's interest to have efficient boundaries.

Lora Shannon (King County) requested more information regarding the proposed annexation including tax and utility rate information, possible library, fire, and police service changes, and address changes.

Susan Owen (King County) stated that she may have to register to vote in order to vote against the annexation to maintain her lifestyle. She expressed concern over high density housing and objected to the area being rezoned. Ms. Owen stated that she moved to the area for the quality of life and that she is pleased with the level of service she receives from King County.

There being no further public comment it was, **MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.**

**MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL AUTHORIZE THE ADMINISTRATION TO FORWARD THE HONEY CREEK ESTATES ANNEXATION NOTICE OF INTENT PACKAGE TO THE BOUNDARY REVIEW BOARD. CARRIED.**

Annexation: Sunset East,  
NE 16th St & 148th Ave NE

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Law opened the public hearing to consider annexation, under the Unincorporated Island method, of the proposed Sunset East Annexation; 15.9 acres located south of NE 16th. St., west of 148th Ave. NE.

Associate Planner Mathias reported that the annexation site is an unincorporated island surrounded 100% by City limits and contains 15 single-family homes, generally level topography, and a portion of a Class 4 waterway. She stated that public services are currently provided by Renton Fire and Emergency Services, King County Water District #90, Renton sewer service, and the Issaquah School District.

Reviewing the site's zoning, Ms. Mathias stated that the existing King County zoning is R-4 (four dwelling units per gross acre). She reported that the City's Comprehensive Plan designates the site as eligible for residential low density zoning. She noted that the area must be rezoned, as the prezoned designation of R-5 is obsolete. Ms. Mathias noted that there are three possible zones: Resource

Conservation (one dwelling unit per ten net acres); R-1 (one dwelling unit per net acre); and R-4 (four dwelling units per net acre). She stated that two separate hearings regarding potential zoning will be held in the future if the annexation proposal is accepted.

Ms. Mathias reported that the proposed annexation is generally consistent with City annexation policies and Boundary Review Board objectives. Regarding the fiscal impact analysis, she stated that a surplus of \$3,837 is estimated at current development and a surplus of \$29,600 is estimated at full development.

Public comment was invited.

John Pavlik (King County) stated that the creation of unincorporated islands goes against annexation policies. He suggested that the area was created solely for the purpose of being annexed under the Unincorporated Island method, and opined that most of the residents in the proposed annexation area are opposed to the annexation.

Mr. Pietsch stated that annexation policy calls for not creating unincorporated islands and the City is correcting that action. Council President Corman declared that in 15 years on the Council he had not intentionally voted to create an unincorporated island, and perhaps with Boundary Review Board adjustments and other reasons, islands and peninsulas have formed. Mr. Pietsch clarified that the recently adopted Aster Park annexation, which borders the Sunset East area, was adopted after developers exercised their covenants to annex and therefore may have inadvertently created the island.

Sue Morrison (King County) expressed opposition to the annexation. She questioned whether a gravel road near her property would be paved if it was determined to be public road, and whether other capital improvements would be installed. She also requested confirmation that her garbage service would remain unchanged for seven years after being annexed.

Llora Maertins (King County) requested information regarding the boarding of horses in City limits. Council President Corman stated that he is a horse owner and horses are allowed in City limits dependent on lot size.

Willard Morrison (King County) opined that 144th Ave. SE is a public road and expressed concern regarding garbage pick-up. He stated that large garbage trucks would damage the gravel road that services his and four other properties. He requested that if 144th Ave. SE is annexed and determined to be a public road, that the City maintain it.

There being no further public comment it was, **MOVED BY PARKER, SECONDED BY BRIERE, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.**

**MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL AUTHORIZE THE ADMINISTRATION TO FORWARD THE SUNSET EAST ANNEXATION NOTICE OF INTENT PACKAGE TO THE BOUNDARY REVIEW BOARD. CARRIED.**

## **CONSENT AGENDA**

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

Council Meeting Minutes of  
2/23/2009

Approval of Council meeting minutes of 2/23/2009. Council concur.

- CED: Structural Plans Review, Reid Middleton      Community and Economic Development Department recommended approval of a contract in the amount of \$40,000 with Reid Middleton for structural plans review. Council concur.
- CED: 2009-2012 Consultant Roster      Community and Economic Development Department recommended approval of the 2009 through 2012 environmental review and related disciplines, land use planning/economic development, and building plan review consultant roster. Council concur.
- CED: Impact Fee Analysis, Henderson, Young and Company      Community and Economic Development Department recommended approval of a contract in the amount of \$121,250 with Henderson, Young and Company for impact fee analysis and recommendations. Refer to Finance Committee.
- Community Services: Golf Course Water Right Attorney, 2009 Budget Amendment      Community Services Department recommended amending the 2009 budget to transfer \$13,600 from the golf course reserve fund balance for water right attorney fees to assist in the water rights change application and claim for golf course irrigation. Refer to Finance Committee.
- Finance: 2009 Threshold and Sales Tax Rebate, Benson Hill Annexation      Finance and Information Services Department recommended adopting a resolution to set the threshold and state sales tax rebate for 2009, related to annexations. Council concur. (See page 68 for resolution.)
- Utility: 2009 Wastewater Lift Station Pre-Design, Carollo Engineers      Utility Systems Division recommended approval of a contract in the amount of \$206,418 with Carollo Engineers for the 2009 Wastewater Lift Station Pre-Design project. Council concur.
- CAG: 08-012, 2008 Sanitary Sewer Repairs, Shoreline Construction      Utility Systems Division submitted CAG-08-012, 2008 Sanitary Sewer Repairs; and requested approval of the project, authorization for final pay estimate in the amount of \$15,538.57, commencement of a 60-day lien period, and release of retained amount of \$33,516.27 to Shoreline Construction Co., contractor, if all required releases are obtained. Council concur.
- CAG:08-033, Ripley Lane North Storm System Improvement, Rodarte Construction      Utility Systems Division submitted CAG-08-033, Ripley Lane North Storm System Improvement; and requested approval of the project, authorization for final pay estimate in the amount of \$55,073.50, commencement of a 60-day lien period, and release of a retainage bond in the amount of \$66,720.93 to Rodarte Construction, Inc., contractor, if all required releases are obtained. Council concur.

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

**UNFINISHED BUSINESS**

**Finance Committee**

- Community Services: Renton Cropwalk Fee Waiver Request, Kenyon      Finance Committee Chair Persson presented a report recommending concurrence in the staff recommendation to waive the Liberty Park and Riverview Park shelter fees of \$300 for the Crop Hunger Walk on May 3, 2009. The Community Services Department will take the lead in finalizing the details/coordination of this event.

MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**UNFINISHED BUSINESS**

**Community Services Committee**

- Appointment: Advisory Committee on Diversity      Community Services Committee Chair Briere presented a report recommending concurrence in Mayor Law's appointment of Barbara Clark-Elliott (an unexpired term expiring 12/31/2009; position previously held by Audrey Godwin) to the Advisory Commission on Diversity.

MOVED BY BRIERE, SECONDED BY TAYLOR, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**RESOLUTIONS AND ORDINANCES**

**RESOLUTION #4000**

Finance: 2009 Threshold and Sales Tax Rebate, Benson Hill Annexation

The following resolution was presented for reading and adoption:

A resolution was read authorizing the City of Renton to impose a sales and use tax as authorized by RCW 82.14.415 as a credit against state sales and use tax, relating to annexations. **MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.**

The following ordinance was presented for second and final reading and adoption:

**ORDINANCE #5450**

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

An ordinance was read correcting Chapter 10, Planning Commission, Chapter 14, Environmental Review Committee, Chapter 16, Lodging Tax Advisory Committee, and Chapter 17, Airport Advisory Committee, of Title II (Commissions and Boards); Chapter 3, Economic Development, Neighborhoods and Strategic Planning Department, and Chapter 7, Planning/Building/Public Works Department, of Title III (Departments and Officers); Chapter 1, Administration and Enforcement, Chapter 2, Zoning Districts - Uses and Standards, Chapter 3, Environmental Regulations and Overlay Districts, Chapter 4, City-Wide Property Development Standards, Chapter 5, Building and Fire Prevention Standards, Chapter 6, Street and Utility Standards, Chapter 7, Subdivision Regulations, Chapter 8, Permits - General and Appeals, Chapter 9, Permits - Specific, and Chapter 11, Definitions, of Title IV (Development Regulations); Chapter 3, Salaries, Chapter 12, Adult Entertainment Standards, and Chapter 19, Telecommunication Licenses and Franchises, of Title V (Finance and Business Regulations); Chapter 1, Garbage, and Chapter 7, Noise Level Regulations, of Title VIII (Health and Sanitation); Chapter 2, Excess Right-of-Way Use, Chapter 5, Latecomer's Agreements, Chapter 8, Sidewalk Construction, Chapter 9, Street Closure, Chapter 10, Street Excavations, Chapter 11, Street Grid System, Chapter 14, Vacations, Chapter 15, Weeds and Noxious Matter, and Chapter 16, Special Assessment Districts, of Title IX (Public Ways and Property); Chapter 8, One-Way Streets and Alleys, Chapter 10, Parking Regulations, and Chapter 13, Commute Trip Reduction, of Title X (Traffic), of City Code, to complete a second set of housekeeping amendments to Title IV amendments made during docket review and to correct references to the former Economic Development, Neighborhoods, and Strategic Planning Department and the former Planning/Building/Public Works Department. **MOVED BY PARKER, SECONDED BY BRIERE, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL. ALL AYES. CARRIED.**

**NEW BUSINESS**

Community Services: Fee Waivers

**MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL REFER THE TOPIC OF FEE WAIVERS INVOLVING THE COMMUNITY SERVICES DEPARTMENT TO THE FINANCE COMMITTEE. CARRIED.**

**ADJOURNMENT**

**MOVED BY PERSSON, SECONDED BY CORMAN, COUNCIL ADJOURN. CARRIED. Time:8:50 p.m.**

*Bonnie I. Walton*

Bonnie I. Walton, CMC, City Clerk

**RENTON CITY COUNCIL COMMITTEE MEETING CALENDAR**  
**Office of the City Clerk**  
**COUNCIL COMMITTEE MEETINGS SCHEDULED AT CITY COUNCIL MEETING**  
**March 2, 2009**

COMMITTEE/CHAIRMAN	DATE/TIME	AGENDA
COMMITTEE OF THE WHOLE (Corman)	MON., 3/9 6:00 p.m.	Legislative Update <b>*7th Floor Conferencing Center*</b>
COMMUNITY SERVICES (Briere)		
FINANCE (Persson)	MON., 3/9 5:00 p.m.	Vouchers; Water Rights Attorney Fees; Impact Fees Analysis Contract with Henderson, Young & Company
PLANNING & DEVELOPMENT (Parker)	THURS., 3/5 3:00 p.m.	Community Planning Area Boundaries (briefing only); Extending Land Use & Subdivision Permit Application Validity Periods
PUBLIC SAFETY (Taylor)		
TRANSPORTATION (AVIATION) (Palmer)		
UTILITIES (Zwicker)		

NOTE: Committee of the Whole meetings are held in the Council Chambers unless otherwise noted.  
All other committee meetings are held in the Council Conference Room unless otherwise noted.