

RENTON CITY COUNCIL
Regular Meeting

April 7, 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. MOVED BY PERSSON, SECONDED BY PALMER, COUNCIL EXCUSE ABSENT COUNCILMEMBER RANDY CORMAN. CARRIED.

**CITY STAFF IN
ATTENDANCE**

DENIS LAW, Mayor; JAY COVINGTON, Chief Administrative Officer; ZANETTA FONTES, Assistant City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Public Works Administrator; ALEX PIETSCH, Community and Economic Development Administrator; SUZANNE DALE ESTEY, Economic Development Director; PREETI SHRIDHAR, Communications Director; EMERGENCY MANAGEMENT DIRECTOR DEBORAH NEEDHAM and DEPUTY CHIEF CHUCK DUFFY, Fire Department; COMMANDER PAUL CLINE, Police Department.

SPECIAL PRESENTATION

King County: Update,
Councilmember Julia
Patterson

King County Council Chair Julia Patterson, District 5, gave an update on King County. She explained that King County is a regional government, dependent upon two taxing sources: sales and property tax. The regional services King County is responsible for includes criminal justice, sewage treatment, public transportation, elections, animal control, and public health. She noted that this year, King County will be updating its comprehensive plan, conducting a charter review, and addressing voter approved initiatives and Council initiated measures.

Councilmember Patterson reported that King County is working on an Equity and Social Justice Initiative. The initiative aims to end local inequities in wealth, health, and opportunities to result in greater economic vitality, lower health care and criminal justice costs, and a much more politically engaged population. Pointing out that South King County is not being treated equitably in a number of different public policy arenas, she stressed that it is time for leaders to come together and discuss how to change the economic disparities in King County.

APPEAL
Planning & Development
Committee

Appeal: Monopole Conditional
Use Permit, T-Mobile, CU-07-
065

Planning and Development Committee Chair Parker presented a report regarding the T-Mobile monopole conditional use permit appeal. The Committee recommended that the City Council refer this matter to the Committee of the Whole for the purpose of conducting a hearing to determine the jurisdictional question raised by the City Attorney, and assuming the Committee of the Whole finds there is jurisdiction, to determine the underlying substantive issues raised in the T-Mobile appeal.*

Councilmember Parker explained that the appeal of the Hearing Examiner's decision filed on 1/29/2008 was discussed by the Committee on April 4. The Committee heard argument from the City and T-Mobile solely on the jurisdictional issue raised by the City Attorney. The Committee, having no authority to decide the jurisdictional issue and having been asked by T-Mobile to allow arguments before the full Council on the underlying issues raised in the appeal, voted to recess the hearing and forward the matter to the full

Council.

*MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

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 6th Annual Piazza Renton Spring Festival will be held on April 19 at the Piazza, located on the corner of S. 3rd St. and Burnett Ave. S.
- * Improvements to Burnett Linear Park located between S. 6th and S. 7th Streets will begin in mid-April and continue through mid-July 2008.

CONSENT AGENDA

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

Council Meeting Minutes of 3/24/2008

Approval of Council meeting minutes of 3/24/2008. Council concur.

Appointment: Planning Commission

Mayor Law appointed Ed Prince to the Planning Commission for an unexpired term expiring 6/30/2010 (position previously held by Casey Bui). Refer to Community Services Committee.

Appointment: Airport Advisory Committee

Mayor Law reappointed the following individuals to the Airport Advisory Committee, each for a three year term expiring on 5/7/2011: Jennifer Ann Rutkowski (Talbot Hill neighborhood primary representative); Matthew Devine (Talbot Hill neighborhood alternate representative); Robert Moran (South Renton neighborhood primary representative); Michael Rice, Aerodyne, (Airport Leaseholders primary representative); and Jan Fedor (The Boeing Company representative). Council concur.

CAG: 00-049, Valley Communications Center Interlocal Agreement

Administrative, Judicial and Legal Services Department requested authorization to ratify the first amendment to CAG-00-049, the Valley Communications Center interlocal agreement, to extend the member city rate to Valley Regional Fire Authority and to acknowledge that King County Fire Protection District #39 is successor to the Federal Way Fire Department. Refer to Public Safety Committee.

Human Resources: Administrator Appointment (Nancy Carlson), Hire at Step E

Administrative, Judicial and Legal Services Department recommended confirmation of the appointment of Nancy Carlson as the new Human Resources Administrator, effective 4/7/2008; and approval of her salary at Step E of the salary range. Council concur.

Court Case: State of Washington, CRT-08-003

Court Case filed by the State of Washington regarding the condemnation of property for public use relating to the improvement of I-405 and SR-167. Refer to City Attorney and Insurance Services.

Appeal: 409 Whitworth Condominiums Site Approval, Various, SA-07-125

City Clerk submitted three appeals of the Hearing Examiner's decision regarding 409 Whitworth (Condominiums) Site Plan application (SA-07-125); appeals filed on 2/15/2008 by Phyllis Webb and 2/18/2008 by Harold Deacy and by Chris Cirillo, Capital Homes, LLC, each accompanied by required fee. Refer to Planning and Development Committee.

CED: 2008 Neighborhood Program Grants

Community and Economic Development Department reported submission of grant applications for the 2008 Neighborhood Grant Program and recommended funding thirteen projects and ten newsletters totaling \$68,053,

and authorizing a second round of funding with a deadline of 10/10/2008. Refer to Community Services Committee.

Annexation: New Life - Aqua Barn, Development Agreement with Cedar River Lightfoot

Community and Economic Development Department recommended a public hearing be set on 4/21/2008 to consider a pre-annexation development agreement with Cedar River Lightfoot, Inc. regarding a six-acre parcel located within the New Life - Aqua Barn Annexation area. Council concur.

Lease: LSI Logic Corporation, 200 Mill Bldg (3rd Floor), LAG-00-002

Community Services Department recommended approval of an amendment to the lease with LSI Logic Corporation (LAG-00-002) for the 3rd floor of the 200 Mill Building to extend the lease for an additional year. Expenditure required: \$2,627.19; revenue generated over one-year term: \$105,087.48. Refer to Finance Committee.

Finance: Bond Proceed Reimbursement, Parks Maintenance Facility

Finance and Information Services Department recommended authorizing capital expenditures on the Parks Maintenance Facility project in anticipation of expenditure reimbursement from the proceeds of bonds. Council concur. (See page 109 for resolution.)

Fire: 2007 Rainstorm, WA State Military Department Grant

Fire Department recommended approval of an agreement with the Washington State Military Department for a public assistance grant to receive up to 75 percent of the eligible non-insurance covered damages sustained by the City during the December 2007 rainstorm. Estimated eligible expenses are \$115,000. Council concur.

CAG: 07-124, Emergency Management Performance Grant, WA State Military Department

Fire Department recommended approval of an amendment to CAG-07-124, agreement with the Washington State Military Department regarding Emergency Management Performance Grant funds, which reduces the grant by \$31,516 due to an accounting error that caused an excessive grant award. Council concur.

Public Works: Principal Financial and Administrative Analyst Position Overlap

Public Works Department requested authorization to overfill a Principal Financial and Administrative Analyst position for 30 days for training purposes. Refer to Finance Committee.

Utility: Ripley Lane N Storm System Improvement, WSDOT Grant, Budget Amend

Utility Systems Division recommended approval of an agreement with the Washington State Department of Transportation to accept \$678,223 for the Ripley Lane N. Storm System Improvement project. Approval was also sought to amend the 2008 Budget by \$678,223 for the project. Council concur. (See page 109 for resolution and ordinance.)

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

UNFINISHED BUSINESS
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 item concerning the text amendment for Monopole I in residential zones and housekeeping amendments to wireless regulations in all zones. The Committee recommended concurrence in the staff recommendation to set a public hearing on 4/21/2008 to consider the proposal.

The proposed amendment application would allow Monopole I structures on a one-half acre lot with an administrative conditional use permit provided that they meet a one hundred feet setback from residential, and create some additional flexibility within the City Code to allow a lesser setback with a Hearing Examiner conditional use permit. In the public right-of-way,

Monopole I would only be allowed on designated arterial roads. The housekeeping amendments would provide non-substantive language corrections and cross-references. **MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

Annexation: Shamrock,
Application Fee Waiver

Planning and Development Committee Chair Parker presented a report regarding the Shamrock Annexation fee waiver request. The Committee recommended concurrence in the staff recommendation to approve the waiver of the \$2,500 fee for the Shamrock Annexation, and to keep the issue of revising the annexation fee in Committee for further review and recommendation. **MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

Planning: Development
Regulations (Title IV) 2006
Docket Review

Planning and Development Committee Chair Parker presented a report regarding the City Code Title IV (Development Regulations) 2006 docket review. The Committee recommended concurrence in the staff recommendation to set a public hearing on 4/28/2008 to consider the following docket items: alleys, fast food, and towing.

Alleys: Proposed changes in the R-8 zone include: implementing parking and loading standards for properties abutting an existing paved and/or crushed rock alley. New development would be required to locate parking and/or garages in the side or rear yards with vehicular access to the parking areas through the abutting alley.

Fast Food: Proposed changes include: allowing fast food as a stand-alone use, but with no drive-throughs in the Center Village and Center Downtown zones and to allow stand-alone fast food with drive-throughs only in the Employment Area Valley in the Industrial Light zone. Definitions are revised for fast food restaurants and drive-in/drive-through retail/service.

Towing Operations/Auto Impoundment Yards: Proposed changes include: 1) A new definition for towing operations. 2) In the Industrial Light zone, allow towing operations/auto impoundment yards within a building. 3) In the Commercial Arterial zone, allow as a shared use with auto repair/auto body shops and if the tow truck is garaged. In both zones, tow vehicles will be limited to Class A, B, and E. **MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

Planning: Development
Regulations (Title IV) Docket,
COR Zone

Planning and Development Committee Chair Parker presented a report regarding the City Code Title IV (Development Regulations) docket review. The Committee recommended concurrence in the staff recommendation to approve Docket Item 06-07, Commercial Office Residential (COR) zone text amendments as recommended by the Planning Commission.

The proposed City Code amendment would consolidate the existing three COR zones into one COR zone. The development standards would be amended to include: eliminating the height and density bonus provisions, setting the minimum density at 30 dwelling units per acre and maximum density at 50 dwelling units per acre, and placing two associated footnotes regarding upper story setback and facade modulation in the table. Other City Code changes include striking instances of COR 1, COR 2, or COR 3 and replacing them with COR, and placing COR in the parking requirements section. Additionally, the COR zone will be placed in the Urban Design District C, and with the parking standards for other mixed use/multi-family zoning designations.

The Committee further recommended that the ordinance regarding this matter be presented for first reading. **MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.** (See page 109 for ordinance.)

Community Services Committee

Appointment: Airport Advisory Committee

Community Services Committee Chair Briere presented a report recommending concurrence in Mayor Law's appointment of Lee Chicoine to the Airport Advisory Committee, North Renton neighborhood primary position, for an unexpired term expiring on 5/7/2010. **MOVED BY BRIERE, SECONDED BY ZWICKER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

Human Services: Regional Affordable Housing Program Fund Usage, King County

Community Services Committee Chair Briere presented a report recommending concurrence in the staff recommendation to authorize the Mayor and City Clerk to renew the interlocal cooperation agreement with King County for the Regional Affordable Housing Program (RAHP). The renewal of this agreement will allow Renton to continue its participation in the planning process for RAHP funds, which are used for local affordable housing and community development purposes. The Committee further recommended that the resolution regarding this matter be presented for reading and adoption. **MOVED BY BRIERE, SECONDED BY PARKER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.** (See later this page for resolution.)

RESOLUTIONS AND ORDINANCES

Resolution #3938

Finance: Bond Proceed Reimbursement, Parks Maintenance Facility

A resolution was read approving certain expenditures for reimbursement from the proceeds of debt to be issued in the future related to the new Parks Maintenance Facility. **MOVED BY PERSSON, SECONDED BY PALMER, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.**

Resolution #3939

Utility: Ripley Lane N Storm System Improvement, WSDOT Grant, Budget Amend

A resolution was read authorizing the Mayor and City Clerk to execute the state participating agreement with the Washington State Department of Transportation for the Ripley Lane N. Storm System Improvement project. **MOVED BY PALMER, SECONDED BY PARKER, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.**

Resolution #3940

Human Services: Regional Affordable Housing Program Fund Usage, King County

A resolution was read authorizing the Mayor and City Clerk to sign the Regional Affordable Housing Program interlocal cooperation agreement for the renewed agreement term of 1/1/2007 through 12/31/2011. **MOVED BY BRIERE, SECONDED BY PARKER, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.**

The following ordinances were presented for first reading and referred to the Council meeting of 4/14/2008 for second and final reading:

Utility: Ripley Lane N Storm System Improvement, WSDOT Grant, Budget Amend

An ordinance was read amending the 2008 Budget by increasing the funds in the surface water revenue account and expenditure account in the amount of \$678,223 pursuant to the state participating agreement with the Washington State Department of Transportation for the Ripley Lane N. Storm System Improvement project. **MOVED BY BRIERE, SECONDED BY PARKER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 4/14/2008. CARRIED.**

Planning: Development Regulations (Title IV) Docket, COR Zone

An ordinance was read amending Chapter 2, Zoning Districts - Uses and Standards, Chapter 3, Environmental Regulations and Overlay Districts, Chapter 4, Citywide Property Development Standards, Chapter 7, Subdivision

Regulations, Chapter 8, Permits - General and Appeals, and Chapter 9, Permits - Specific, of Title IV (Development Regulations) of City Code to amend the regulations regarding the Commercial Office Residential zone. MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL REFER THE

ORDINANCE FOR SECOND AND FINAL READING ON 4/14/2008.
CARRIED.

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

Ordinance #5366

Board/Commission: Planning
Commission Membership
Expansion

An ordinance was read amending Chapter 10, Planning Commission, of Title II (Commissions and Boards) of City Code by increasing the membership of the Planning Commission from seven to nine. MOVED BY BRIERE, SECONDED BY PARKER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Ordinance #5367

Finance: Utility Tax Non-
Payment, Penalty and Interest
Collection

An ordinance was read amending Chapter 11, Utility Tax, of Title V (Finance and Business Regulations) of City Code by adding two new subsections, "A," Penalties For Nonpayment, and "B," Interest. MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

NEW BUSINESS

Community Services: Sister
City Visit to Nishiwaki, Japan

Council President Palmer conveyed greetings from Councilmember Corman who is a member of the delegation currently visiting Renton's Sister City Nishiwaki. Mr. Corman reported that the Mayor of Nishiwaki presented the Renton delegation with a symbolic hanging picture and extended his best wishes to the people of Renton.

ADJOURNMENT

MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL ADJOURN.
CARRIED. Time: 7:40 p.m.

Bonnie I. Walton, CMC, City Clerk

Recorder: Michele Neumann
April 7, 2008