

RENTON CITY COUNCIL  
Regular Meeting

March 26, 2007  
Monday, 7 p.m.

Council Chambers  
Renton City Hall

MINUTES

**CALL TO ORDER**

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

**ROLL CALL OF COUNCILMEMBERS**

TONI NELSON, Council President; DENIS LAW; MARCI PALMER; DON PERSSON. MOVED BY NELSON, SECONDED BY LAW, COUNCIL EXCUSE ABSENT COUNCILMEMBERS DAN CLAWSON, TERRI BRIERE, AND RANDY CORMAN. CARRIED.

**CITY STAFF IN ATTENDANCE**

KATHY KEOLKER, Mayor; JAY COVINGTON, Chief Administrative Officer; LAWRENCE J. WARREN, City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; ALEX PIETSCH, Economic Development Administrator; SUZANNE DALE ESTEY, Economic Development Director; MARTY WINE, Assistant CAO; PREETI SHRIDHAR, Communications Director; DEPUTY CHIEF CHUCK DUFFY, Fire Department; CHIEF KEVIN MILOSEVICH and COMMANDER DAVID LEIBMAN, Police Department.

**SPECIAL PRESENTATION**  
Planning: Multipurpose Events Center (Sonics & Storm Basketball)

Clay Bennett, Seattle Sonics and Storm owner, gave a presentation on the proposed King County Events Center in Renton. He reported that his organization is more encouraged and more pleased every day since the decision was made to locate to Renton, and he thanked everyone at the City for their hard work. Mr. Bennett indicated that the events center will host not only professional sports, but other types of sports and entertainment as well. Stating that the building is envisioned to be active 200 days per year with various events, he pointed out that the vibrant and dynamic regional economy suggests that the events center will do very well operationally.

Continuing, Mr. Bennett stated that the proposed events center will create many jobs, increase the tax base, and help build the City of Renton. He noted his organization's vision of a public and private partnership in the development of this project, and described the efforts being made towards that end. Mr. Bennett pointed out that although the Sonics and Storm will only be a tenant in the building, the building will be a public building and serve the greater good. He further pointed out that the franchise aspires to be the best in the league, to win championships, and to reach out and bond with the community.

Mr. Bennett announced that the organization will open an office in Renton this Wednesday in order to interact with citizens, answer questions, and provide information. He noted the uniqueness of the whole experience and praised the Renton community's willingness to find a way to make this significant economic development happen.

MOVED BY NELSON, SECONDED BY LAW, COUNCIL SUSPEND THE RULES AND ADVANCE TO AUDIENCE COMMENT. CARRIED.

**AUDIENCE COMMENT**  
Citizen Comment: Simon - Multipurpose Events Center (Sonics & Storm Basketball)

Ben Simon, 27111 41st Pl. S., Kent, 98032, said he has had a lot of interaction with the Sonics and Storm teams, and noted the good that the teams bring to the community. He indicated that the positive energy and community support that is provided is vital to any major city, and entices corporations to move into the

area. Mr. Simon pointed out that the proposed King County Events Center in Renton will spur new business, clean up neighborhoods, and increase land values.

Citizen Comment: Taylor -  
Multipurpose Events Center  
(Sonics & Storm Basketball)

Bill Taylor, Greater Renton Chamber of Commerce President/CEO, 517 Chelan Pl. NE, Renton, 98059, stated that one of the strengths of Renton is the unique stakeholder relationship that exists, consisting of Renton Technical College, Valley Medical Center, Renton School District, City of Renton, and Chamber of Commerce. He relayed that the stakeholders had written a letter to Clay Bennett, Seattle Sonics and Storm owner, encouraging him to locate the King County Events Center in Renton and be part of Renton's transformation. Mr. Taylor noted the economic development opportunities and community building prospects the events center will provide to Renton and its residents.

Citizen Comment: Sens -  
Multipurpose Events Center  
(Sonics & Storm Basketball)

Gene Sens, 410 Burnett Ave. S., Renton, 98057, expressed his excitement about the prospect of a new King County Events Center in Renton, which will aid in making Renton a world-class city. Speaking as a businessman, he indicated that the events center is an opportunity that cannot be duplicated. He pointed out that as long as the process is careful and respectful of the affected neighborhoods, he does not see why this opportunity cannot come to fruition.

Citizen Comment: Searing -  
Multipurpose Events Center  
(Sonics & Storm Basketball)

Kimberly Searing, 2100 SE 2nd Pl., Renton, 98056, speaking as a partner in the Melrose Grill located in downtown Renton, pointed out that the proposed King County Events Center in Renton will have a positive financial impact on the community extending to the downtown area. Ms. Searing noted that the City's past hosting of the Cirque du Soleil significantly increased patronage at her restaurant. She indicated that the events center will provide the same type of exposure for local businesses in the Renton community.

Citizen Comment: Sanford -  
Multipurpose Events Center  
(Sonics & Storm Basketball)

Michael Sanford, Holiday Inn General Manager, One S. Grady Way, Renton, 98057, expressed support for the proposed King County Events Center in Renton. He stated that the events center will be a tremendous asset to the City, and for his hotel alone, he will need to hire 35 new employees if the center is located in Renton. Mr. Sanford pointed out that the events center will help attract conferences and conventions, which will benefit from Renton's close proximity to Seattle-Tacoma International Airport and from lower costs as compared to downtown Seattle. He also pointed out that the events center will improve the quality of life by generating additional jobs.

Citizen Comment: Secord -  
Multipurpose Events Center  
(Sonics & Storm Basketball)

Alan Secord, 375 Union Ave. SE, #152, Renton, 98059, stated that at first he opposed the proposed King County Events Center, but after conducting research and asking questions, he now favors the proposal. He suggested that the media refer to the facility as the King County Events Center rather than the Sonics Arena, and that people be better informed about the project. Mr. Secord asked the City to do whatever it takes to get the events center built.

Citizen Comment: Runge -  
Multipurpose Events Center  
(Sonics & Storm Basketball)

Ryan Runge, 3016 Benson Rd. S., Renton, 98055, noted the amazing changes that the arts and heritage communities have made in Renton over the past couple years. He stated that many people are excited about the opportunities the proposed events center will provide to Renton, but noted that the funding (lodging tax) also helps arts committees. He explained that King County's 4Culture receives funding and offers grants to over 200 arts, historical, and heritage organizations. Mr. Runge emphasized that the Renton community benefits from these organizations and they should not be forgotten.

Citizen Comment: Hanson -  
Multipurpose Events Center  
(Sonics & Storm Basketball)

Roxanne Hanson, 120 Union Ct. NE, Renton, 98059, representing GSG Corporation, owners of Diamond Lil's and Freddie's Clubs, voiced support for the proposed King County Events Center in Renton. She explained that since smoking was banned in public places, business has decreased, layoffs have resulted, and now Freddie's Club is unable to sponsor this year's 4th of July celebration. She pointed out that the additional revenue from the events center will provide the service industry the added income needed to be able to continue supporting events in Renton. Ms. Hanson urged Council to do whatever it can to support bringing the King County Events Center to Renton.

Citizen Comment: Maxwell -  
Multipurpose Events Center  
(Sonics & Storm Basketball)

Marcie Maxwell, PO Box 2048, Renton, 98056, said she is proud to call Renton her home and place of business, and now the rest of the Puget Sound area is learning to appreciate everything Renton has to offer. She noted that new and diverse businesses and activities are now a reality due to economic development work and marketing partnerships. Ms. Maxwell stated that although the events center will benefit Renton and the region, the scheduled events will cause an increase in traffic from all directions and on all roadways. Pointing out that solving transportation issues should be given high priority, she asked that consideration be made for Renton neighborhoods, and for employees and customers of Renton businesses who will continue to use the roadways.

## **PUBLIC HEARINGS**

City Clerk: Cable Franchise,  
Basic Programming Service  
Rate & Permitted Equipment  
& Installation Rates

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Keolker opened public hearings to consider the following:

- Basic (limited) cable service rates, as calculated by Comcast Cable Communications, LLC, in its March 1999 and March 2006 rate filings, and proposed settlement of disputed issues: FCC (Federal Communications Commission) Form 1235 filed by Comcast on 3/1/99, and FCC Form 1240 filed by Comcast on 4/1/2006; and
- Cable equipment and installation rates, as calculated by Comcast, in its FCC Form 1205 rate filing of 4/1/2006, and proposed settlement of disputed issues.

Assistant Chief Administrative Officer Wine stated that the purpose of the public hearings is to receive public comment on whether Renton should approve settlements with Comcast for cable television rates and adopt revised FCC rate orders. She explained that the City grants Comcast the right to operate and provide cable television services in Renton. Since the franchise is due to expire in September 2008, Renton is conducting its due diligence to determine whether Comcast is in compliance with the City's current cable franchise and applicable laws and regulations. Included in this process is a review and audit of three rate forms that Comcast files with the City and the FCC.

Starting with FCC Form 1205, which is used to justify the maximum permitted rates for installation and equipment, Ms. Wine stated that Comcast is unable to justify some of their rates. Therefore, Comcast proposes a settlement whereby a refund plan and rate reduction will be offered to cable subscribers, which entails: one-time refunds for most types of installation and equipment services, and in some cases, lower-than-current rates.

Ms. Wine then reviewed FCC Forms 1235 and 1240. Form 1235 focuses on the cable system's ability to recoup the cost of upgrading the system as it is being

expanded. She explained that the initial form filed in 1999 allowed Comcast to charge subscribers \$1.16 per month for 14 years. However, Comcast failed to file a final FCC Form 1235. Form 1240 justifies the maximum permitted rates that Comcast can charge for the basic cable programming. Ms. Wine noted that Comcast improperly included the business and occupation tax in the basic service rate, and excluded the FCC regulatory fee in its calculation of maximum permitted rates.

Ms. Wine explained that the settlement proposes the following in regard to FCC Forms 1235 and 1240: eliminating the FCC Form 1235 fee, eliminating the business and occupation tax, including the FCC fee in the calculation of the FCC Form 1240 maximum permitted rates, and providing the requested advertising revenue information. She noted that with this settlement, Comcast will not be able to charge subscribers the additional \$1.16 per month.

Public comment was invited. There being none, it was MOVED BY NELSON, SECONDED BY PALMER, COUNCIL CLOSE THE PUBLIC HEARINGS. CARRIED. (See later this page and 109 for Committee of the Whole reports.)

**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 2007 and beyond. Items noted included:

- \* Washington State Department of Transportation will begin construction of the City/WSDOT Springbrook Creek Wetland and Habitat Mitigation Bank project on April 2. The construction will occur on City-owned property located south of SW 27th St. between Oakesdale Ave. SW and Lind Ave. SW and north of SW 41st St. Work on the project will extend over a two-year period.

**CONSENT AGENDA**

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

Council Meeting Minutes of 3/19/2007

Approval of Council meeting minutes of 3/19/2007. Council concur.

Appointment: Planning Commission

Mayor Keolker appointed Michael Chen, 6214 NE 5th Ct., Renton, 98059, to the Planning Commission for a three-year term expiring 1/31/2010. Refer to Community Services Committee.

Vacation: Index Pl NE, A&D Quality Construction Company, VAC-07-001

City Clerk submitted petition for vacation of portion of Index Pl. NE, between NE 7th and NE 8th Streets; petitioner A&D Quality Construction Company, LLC, 220 SW Sunset Blvd., Suite E202, Renton, 98057. Refer to Planning/Building/Public Works Administrator; set public hearing on 4/23/2007 to consider the petition. (See page 110 for resolution setting public hearing.)

Development Services: Traverso Short Plat, ROW Dedication, Redmond Ave NE, SHP-06-021

Development Services Division recommended acceptance of a deed of dedication for additional right-of-way in the vicinity of Redmond Ave. NE and NE 19th St. to fulfill a requirement of the Traverso Short Plat. Council concur.

Plat: Bremerton Townhomes, Bremerton Ave NE, PP-06-133

Hearing Examiner recommended approval, with conditions, of the Bremerton Townhomes Preliminary Plat; 26 attached townhome units on 1.8 acres located at 320 and 330 Bremerton Ave. NE. Council concur.

MOVED BY NELSON, SECONDED BY LAW, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

**UNFINISHED BUSINESS**  
**Committee of the Whole**  
 City Clerk: Cable Franchise,  
 Basic Programming Service  
 Rate

Council President Nelson presented a Committee of the Whole report regarding the cable franchise renewal basic programming rate regulation and network upgrade add-on calculation and the FCC (Federal Communications Commission) Forms 1235 and 1240 rate review and settlement. The Committee recommended approval of the revised FCC rate orders and the settlement offer from Comcast Cable Communications, LLC. The Committee further recommended that the resolution regarding the matter be presented for reading and adoption. **MOVED BY NELSON, SECONDED BY LAW, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.** (See page 110 for resolution.)

City Clerk: Cable Franchise,  
 Permitted Equipment &  
 Installation Rates

Council President Nelson presented a Committee of the Whole report regarding the cable franchise renewal annual rate review of the equipment and installation rate regulation and the FCC (Federal Communications Commission) Form 1205 proposed rate settlement. The Committee recommended approval of the revised FCC rate orders and the settlement offer from Comcast Cable Communications, LLC. The Committee further recommended that the resolution be presented for reading and adoption. **MOVED BY NELSON, SECONDED BY LAW, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.** (See page 110 for resolution.)

**Transportation (Aviation)**  
**Committee**  
 Airport: Development Policy  
 Priorities, Key Governing  
 Policies

Transportation (Aviation) Committee Chair Palmer presented a report regarding the Renton Municipal Airport development policy priorities - key governing policies. The Committee recommended that the following four governing policies, first presented at the 3/1/2007 Council workshop, be formally adopted.

Key Governing Policies for the Airport:

1. Airport operations should be sensitive to neighborhood impacts and should strive to minimize those impacts.
2. The airport should be financially self-sustaining.
3. The mix of uses at the airport should operate within the regulatory framework set by the Federal Aviation Administration.
4. The mix of uses at the airport should contribute to the City's Business Plan goals and objectives.

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

Airport: Development Policy  
 Priorities, Options for  
 Proceeding

Transportation (Aviation) Committee Chair Palmer presented a report regarding the Renton Municipal Airport development policy priorities - options for proceeding. The Committee recommended that the following options for proceeding, first presented at the 3/1/2007 Council workshop, be formally adopted.

Recommended Options for Proceeding:

1. Review and clarify policies adopted in 2005 as part of the May 2005 Renton Municipal Airport Development Study.
2. Continue with financial analysis of the various layout options.
3. Enter into a memorandum of understanding with the City of Mercer Island, outlining cooperative actions taken and those to be taken (information sharing, Renton Airport Advisory Committee involvement, noise study, and approach alternatives).
4. Continue with the noise study, jointly with Mercer Island.
5. Find a way to satisfy the Federal Aviation Administration's (FAA) direction to finish the ALP (airport layout plan) work in the near term. This may

suggest that the area currently designated in one option as a corporate aviation center would be left as a "potential future aviation center" with no steps taken to implement it; or this area could be more vaguely labeled "undetermined use"; or the area could be designated for a different aviation use, and modified in the future.

6. Bring this new information together in very late 2007 or 2008.
7. Continue pursuing the LPV-WAAS (lateral precision approach with vertical guidance) approach development by the FAA.
8. Formally ask the FAA to develop an RNP (required navigational performance) (resource issue).
9. Include a process for community involvement.
10. Determine the role of the Renton Airport Advisory Committee in this revised process.

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

**Finance Committee**

Finance: Vouchers

Finance Committee Chair Persson presented a report recommending approval of Claim Vouchers 257963 - 258458 and two wire transfers totaling \$2,876,205.13; and approval of Payroll Voucher 137, one wire transfer, and 666 direct deposits totaling \$2,192,083.35. MOVED BY PERSSON, SECONDED BY LAW, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Finance: Springbrook Wetlands Bank Fund Creation, Park Memorial Fund Change

Finance Committee Chair Persson presented a report recommending concurrence in the staff recommendation to amend the Financial Management Policies and approve the ordinance to provide for a new Fund 135 for the Springbrook Wetlands Bank and to change the Park Memorial Fund (131) to an internal fund. The Committee further recommended that the ordinance regarding this matter be presented for first reading. MOVED BY PERSSON, SECONDED BY LAW, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See later this page for ordinance.)

**RESOLUTIONS AND ORDINANCES**

**Resolution #3867**

City Clerk: Cable Franchise, Basic Programming Service Rate

A resolution was read regarding the basic programming service rate set forth in the Federal Communications Commission Form 1240 filed on or about 4/1/2006, and the network upgrade add-on calculated in the Federal Communications Commission Form 1235 filed on or about 3/1/99. MOVED BY LAW, SECONDED BY NELSON, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

**Resolution #3868**

City Clerk: Cable Franchise, Permitted Equipment & Installation Rates

A resolution was read regarding the maximum permitted equipment and installation rates set forth in the Federal Communications Commission Form 1205 filed by Comcast Cable Communications, LLC, on or about 4/1/2006. MOVED BY LAW, SECONDED BY PALMER, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

**Resolution #3869**

Vacation: Index Pl NE, A&D Quality Construction Company, VAC-07-001

A resolution was read setting a public hearing date of 4/23/2007 to vacate the portion of Index Pl. NE between NE 7th and NE 8th Streets (Petitioner: A&D Quality Construction Company). MOVED BY LAW, SECONDED BY NELSON, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following ordinance was presented for first reading and referred to the Council meeting of 4/2/2007 for second and final reading:

Finance: Springbrook  
Wetlands Bank Fund Creation,  
Park Memorial Fund Change

An ordinance was read creating new Fund 135 titled "Springbrook Wetlands Bank" and a new subfund under general fund titled "Park Memorial Fund" and closing Fund 131 "Park Memorial Fund" under special revenue fund for the year 2007. **MOVED BY LAW, SECONDED BY PERSSON, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 4/2/2007. CARRIED.**

#### **AUDIENCE COMMENT**

Citizen Comment: Breeden -  
Wonderland Estates Mobile  
Home Park

Raymond A. Breeden, Sr., 15279 Maple Dr., Renton, 98058, resident of the Wonderland Estates Mobile Home Park, expressed appreciation for the City's support.

Citizen Comment: Holman -  
Airport, Multipurpose Events  
Center (Sonics & Storm  
Basketball)

Steve Holman, 95 S. Tobin St., Renton, 98057, expressed support for the Renton Municipal Airport and any jet ports that may be placed there, noting that the airport is essential to the economy. On the subject of the proposed King County Events Center in Renton, Mr. Holman indicated that King County taxpayers will pay \$.50 on a \$100 restaurant bill. He acknowledged people's concerns regarding traffic, and pointed out that the event traffic can be managed very efficiently and without a lot impact to the neighborhoods. Mr. Holman stated that the benefits of the events center far out weigh the concerns.

Citizen Comment: Pyeatt -  
Multipurpose Events Center  
(Sonics & Storm Basketball)

Steven Pyeatt, PO Box 2622, Kirkland, 98083, spoke on the subject of the proposed King County Events Center in Renton. Mr. Pyeatt said he is the co-founder of Save Our Sonics and Storm, and complimented Renton on figuring out how to recreate itself. He stated that some are scared by change, but change is inevitable and Renton is growing and becoming an even better city than it was before. Mr. Pyeatt indicated that he looks forward to coming to Renton to attend Sonics games, and offered his assistance towards that end.

#### **ADJOURNMENT**

**MOVED BY NELSON, SECONDED BY PERSSON, COUNCIL ADJOURN. CARRIED. Time: 8:03 p.m.**

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Bonnie I. Walton, CMC, City Clerk

Recorder: Michele Neumann  
March 26, 2007