

RENTON CITY COUNCIL  
Regular Meeting

January 12, 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; DON PERSSON; KING PARKER; TERRI BRIERE; RICH ZWICKER; GREG TAYLOR. MOVED BY CORMAN, SECONDED BY ZWICKER, COUNCIL EXCUSE ABSENT COUNCILMEMBER MARCIE PALMER. CARRIED.

**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; GREGG ZIMMERMAN, Public Works Administrator; NANCY CARLSON, Human Resources Administrator; MARTY WINE, Assistant CAO; PREETI SHRIDHAR, Communications Director; SUZANNE DALE ESTEY, Economic Development Director; ANGIE MATHIAS, Associate Planner; RON STRAKA, Utility Engineering Supervisor; FIRE CHIEF/EMERGENCY SERVICES ADMINISTRATOR I. DAVID DANIELS, DEPUTY CHIEF ROBERT VAN HORNE and EMERGENCY MANAGEMENT DIRECTOR DEBORAH NEEDHAM, Fire Department; COMMANDER KENT CURRY, Police Department.

**SPECIAL  
PRESENTATIONS**

King County: Update,  
Councilmember Reagan Dunn

King County Councilmember Reagan Dunn, District 9, gave an update on his efforts on the King County Council. Mr. Dunn reported that he brought legislation forward to create a counter-cyclical reserve fund or "rainy-day" fund. He explained that this fund siphons off revenue during good economic times for use during bad economic times. He noted that it requires a super majority vote of the King County Council to access it. Mr. Dunn stated that he supported the County budget over substantial concerns with the Executive's lifeboat and furlough proposals. He noted that many good programs have been placed in a lifeboat and funded for six months with the hope that the County will be able to get additional taxing authority from the State legislature. He remarked that the County has already raised taxes nine times since 2005 and opined that raising taxes is not the right thing to do right now. He noted that he has not supported a legislative agenda that would allow for new taxes.

Mr. Dunn reported that County employees opted for a ten day furlough approach instead of receiving a reduced cost of living allowance. He explained that the County will not open for business for an additional ten days this year. He commented that this approach may work for one year, but will have to be reconsidered if there is another budget shortfall next year.

Mr. Dunn stated that he sponsored a safer neighborhoods initiative that holds landlords accountable for what happens on their land. He explained that if there is a drug house on a property and the property owner receives three notices within six months, the landlord begins accumulating fines for not handling the problem through eviction or some other method. Mr. Dunn noted that the ordinance is already being used effectively by law enforcement.

Mr. Dunn reported that he proposed a series of reforms to make it more costly to illegally dump in King County. He also reported that he chairs the Flood Control District Executive Board and noted that 45 levies were installed last

year. He remarked that \$35 million has been set aside for the next ten years and every year during the fish window new levies will be constructed to protect homes and businesses. Mr. Dunn reported that he was able to save the King County fair and that a Blue Ribbon Commission was created to figure out a way to make the fair profitable and increase attendance.

Mr. Dunn reported that he chairs the new Government Accountability and Oversight Committee, which oversees strategic planning, performance management, audits, elections technology, animal control, facilities management, risk management, procurement, and other issues. He noted that he is also Vice-Chair of the Committee of the Whole. He stated that his priorities for this year are budget, implementing the counter-cyclical reserve fund, regional projects like I-405 and SR 520, and County responsibilities like implementing TransitNow on the Issaquah-Hobart road. Mr. Dunn reported that for Renton specific issues he will stay abreast of annexation measures and support the City's decision regarding regional jail issues.

### **PUBLIC HEARING**

Annexation: Red Mill, 128th Ave SE & SE Petrovitsky Rd

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 the 60% Petition to Annex for the proposed Red Mill Annexation; approximately 224 acres, located primarily east of 128th Ave. SE, south of SE Petrovitsky Rd., and west of SE 171st Way, with most of the area lying north of SE 180th St., and a smaller portion as far south as SE 183rd Pl., if extended.

Associate Planner Angie Mathias stated that there is single family, multi-family, commercial, and vacant land located within the annexation area. She noted that the site contains steep slopes and substantial wetlands, including Class 2 and Class 3 streams. She indicated that public services are currently provided by Fire District #40, Soos Creek Water and Sewer District, Cedar River Water and Sewer District, and the Kent and Renton school districts.

Ms. Mathias reported that current King County zoning is Community Business Center, Urban Residential High, and Urban Residential Medium, which ranges from R-4 to R-24 (four to 24 dwelling units per gross acre) and includes some commercial business. Renton's Comprehensive Plan designates the area as Residential Low Density (RLD), Residential Single Family (RSF), Residential Medium Density (RMD), Residential Multi-family (RMF), and Commercial Corridor (CC). She noted that the Red Mill Annexation area is not yet zoned and reported that the possible zoning scenarios within the RLD zone are RC (Resource Conservation), R-1 (one dwelling unit per net acre), and R-4 (four dwelling units per net acre). She stated that the RSF zone allows R-8 zoning (eight dwelling units per net acre), the RMD zone allows both R-10 (ten dwelling units per net acre) and R-14 (fourteen dwelling units per net acre) zoning, and the RMF zone allows up to 20 dwelling units per net acre. Ms. Mathias stated that the Commercial Corridor zone allows Commercial Arterial and Commercial Office zoning.

Turning to the fiscal impact analysis, Ms. Mathias estimated a deficit of \$19,047 at current development and a surplus of \$338,400 at full development. In conclusion, Ms. Mathias stated that the annexation proposal is consistent with relevant City annexation policies and Boundary Review Board objectives.

Community and Economic Development Administrator Alex Pietsch commented that the Red Mill annexation proposal is intertwined with the Fairwood Incorporation effort. He stated that if Council accepts the Red Mill annexation proposal it will be sent to the Boundary Review Board (BRB). He noted that the BRB must either remove the area from the Fairwood

incorporation area or make a determination regarding the incorporation effort and allow it to go to the ballot before taking action on the annexation proposal. Mr. Pietsch noted that if Council allows the proposal to be forwarded to the BRB, the Administration will ask the BRB to hold the proposal in abeyance until one of those two actions occur.

City Attorney Warren clarified that the election would have to result in the defeat of the incorporation proposition. He also stated that by statute the BRB must act within 120 days once its jurisdiction is invoked. He indicated that he has a letter outstanding with the BRB attorney trying to confirm timing related issues concerning the annexation and incorporation efforts. Mr. Warren stated that the annexation proponents can also request that the BRB remove the Red Mill area from the incorporation petition, but noted that matter is strictly before the BRB.

Responding to Councilmember Parker's inquiry, Mr. Warren stated that the BRB can only make recommendations regarding incorporation petitions and that the issue would still go to a vote regardless of their recommendation. Mr. Pietsch remarked that the BRB had determined that the cityhood of Fairwood was not feasible prior to the last vote.

Correspondence in support of the Red Mill Annexation proposal was acknowledged from: Vida and Eddie Edgecombe (King County), John Teutsch (Seattle), Duncan Walker (Dallas, TX), David G.B. Anderson (Seattle), Gerald and Carole Edlund (King County) and Marilyn Edlund (King County).

Correspondence opposing the Red Mill Annexation was acknowledged from David Powell (King County).

Public comment was invited.

The following speakers spoke in support of the Red Mill Annexation proposal: J. Paul Blake (King County), Bryce Nelson (King County), Doug Gibbs (King County), Doug McDonald (Renton), Russ Radke (King County), Marcia Holland (King County), Linda Sarturak (King County), Linda Petersen (King County), and Dave McCammon (Renton).

Support comments indicated the following: 74% of property owners signed the petition; enthusiasm for the annexation is high; annexation to Renton is the best governance option for the citizens of Fairwood; Renton already provides fire and emergency services to the area through its contract with Fire District #40; King County budget problems will reduce services further if the area remains unincorporated; Firefighter Local 864 supports the proposal; Renton provides better permitting processes; Renton has more health and human services agencies available; Renton provides better road maintenance services; new state initiatives limit city revenue; an earlier vote on incorporation failed; and Renton has a greater system of support for small businesses.

The following speakers spoke in opposition of the proposal: Dick Mathias (King County), Joe Giberson (King County), and Tom Edwards (King County).

Objection comments included the following: locally focused services would reduce the response time for emergencies; the annexation is a controversial proposal that interferes with the incorporation effort; the incorporation proposal has been in front of the BRB for over a year; the previous defeat of the incorporation effort is not a mandate for annexation; the Red Mill Annexation targets the entire commercial core of the Fairwood incorporation area; opponents of the annexation seek a municipal solution for the entire Fairwood

area; and many of the property owners who signed the annexation petition are from out of the area or out of state and do not represent the majority of registered voters in the area.

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 BRIERE, COUNCIL ACCEPT THE 60% DIRECT PETITION FOR THE RED MILL ANNEXATION AND AUTHORIZE FORWARDING THE NOTICE OF INTENT PACKAGE TO THE BOUNDARY REVIEW BOARD. CARRIED.

## **ADMINISTRATIVE REPORT**

### Public Works: Flood Response Update

Public Works Administrator Gregg Zimmerman reported on the recent flood event. He explained that large amounts of precipitation and melting snow in the mountains filled-up area reservoirs, including the headwaters of the Cedar and Green/Dumawish rivers. Mr. Zimmerman reported that current and potential damages to private and public property are still being assessed. He noted that Williams Ave. bridge remains closed to vehicle traffic due to woody debris lodged under the bridge, and that damage also occurred on SR 169 along the approach to the bridge over the Cedar River on the west bound lanes. He stated that the Public Works Department is working with the Washington State Department of Transportation to assess and repair the damage and remarked that the west bound right lane of SR 169 remains closed.

Mr. Zimmerman also reported that the Library piers will be inspected as soon as the water recedes. He stated that a large amount of water ran across the golf course and other parks. He remarked that some of the damage may be costly but reimbursement will be sought from the Federal Highway Administration for all damages that occurred to roads that are part of the federal functional highway system. He reported that reimbursement requests for other areas such as parks will be made to the Federal Emergency Management Administration (FEMA). Mr. Zimmerman stated that residents who experienced property damage should file a report with King County by calling 1-800-523-5044. He also stated that residents who have additional questions can contact the City's Emergency Management Office at 425-430-7027.

Mr. Zimmerman further reported that neither the Emergency Operations Center nor the Public Works Department Incident Command Post was instituted. He stated that this led to some internal confusion during the event, however none of the problems the City experienced resulted in any inconvenience to residents.

Utility Engineering Supervisor Ron Straka reported that the current status of the Cedar and Green rivers is Phase 3 with flows at approximately 6,000 cubic feet per second (CFS) and 10,000 CFS, respectively. He noted that the flood is ongoing and continues as water is released from reservoirs upstream. Mr. Straka reported that the peak flow of the Cedar River was 11,309 CFS on Thursday, January 8. He noted that in the 1990 flood, the peak flow was 10,600 CFS.

Mr. Straka presented photographs of various areas in the City that experienced flooding and damage. He explained that the 1990 flood event caused significant damage to The Boeing Company's facilities and the Renton Municipal Airport. He reported that in 1998 the lower Cedar River Flood Hazard Reduction project was constructed. He explained that the project consisted of dredging the lower 1.25 miles of the Cedar River and constructing levies and flood walls along it.

Comparing photographs from the 1990 and current flooding, Mr. Straka confirmed that the project successfully protected the Airport and Boeing facilities.

Discussion ensued regarding how high the river rose, future dredging of the river, Boeing's ability to deliver planes during the current flood event, and the damage the 1990 flood event caused.

Fire and Emergency Services Department Administrator I. David Daniels complimented the Public Works Department for their hard work during the event. He acknowledged that the Emergency Operation Center could have been instituted, but felt that residents received all required help. Chief Daniels reported that Governor Gregoire extended the emergency declaration across the state, which gives agencies the opportunity to file paperwork to FEMA for reimbursement of non-insured damages.

#### **AUDIENCE COMMENT**

Citizen Comment: Johnson - Various

Arland "Buzz" Johnson (Renton) expressed appreciation for the new parking signs placed around the Spencer Court senior community. He requested Police Department cooperation regarding street parking while re-striping of the Spencer Court parking lot occurs. Mr. Johnson also inquired about time restrictions for trains running through the City. Mayor Law assured Mr. Johnson that a parking solution could be achieved and noted that the City does not have jurisdiction to regulate the train schedule.

#### **CONSENT AGENDA**

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

Council Meeting Minutes of 1/5/2009

Approval of Council meeting minutes of 1/5/2009. Council concur.

Hearing Examiner: Appointment

Mayor Law reappointed Fred Kaufman as the City's Hearing Examiner for a four-year term commencing 2/1/2009 and expiring 1/31/2013. Council concur.

Utility: Oversizing Compensation Request, Barbee Mill Townhouses, Conner Homes Company

City Clerk submitted request from Conner Homes Company, Inc. for reimbursement in the amount of \$285,385.28 for oversizing the Baxter sanitary sewer lift station serving a new neighborhood known as the Barbee Mill Townhouses. Refer to Utilities Committee.

Annexation: Shamrock, NE 10th St

Community and Economic Development Department submitted a 60% Petition to Annex for the proposed Shamrock Annexation and recommended a public hearing be set on 2/2/2009 to consider the petition; approximately 124 acres located south of NE 10th St., east of Jericho Pl. NE. Council concur.

Transportation: Garden Ave N Widening Design Services, KPG Inc

Transportation Systems Division recommended approval of a contract in the amount of \$119,068 with KPG, Inc. for design services related to the Garden Ave. N. Widening project. Council concur.

**MOVED BY CORMAN, SECONDED BY BRIERE, 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 279271 - 280149 and five wire transfers totaling \$9,867,225.80; and approval of 198 Payroll Vouchers, two wire transfers, and 1,575 direct deposits totaling \$5,323,363.75. **MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

Lease: Vision House, Edlund  
Property House, LAG-05-001

Finance Committee Chair Persson presented a report recommending concurrence in the staff recommendation to approve a three-year lease amendment with Vision House for \$1 per year for a City-owned house at 10062 SE Carr Rd., Renton, WA 98055. The Committee further recommended that the Mayor and City Clerk be authorized to sign the lease amendment. **MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

AJLS: 100 S 2nd St Building  
Lease, Warren, Barber, Dean  
& Fontes Building Partnership

Finance Committee Chair Persson presented a report recommending concurrence in the staff recommendation to authorize the Mayor and City Clerk to enter into a lease agreement with Warren, Barber, Dean & Fontes Building Partnership to provide office space for the City Attorney's Office. **MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

Human Resources: City  
Attorney Office Position  
Classifications

Finance Committee Chair Persson presented a report recommending concurrence in the staff recommendation to authorize the proposed classifications and pay grades of eight new classifications created as a result of the transition of the City Attorney's Office from contract services to an in-house department, and the salary steps recommended for the City Attorney (E), two Senior Assistant City Attorneys (E), one Administrative Assistant (E), and one Legal Assistant (D).

The classifications and pay grades are authorized as follows:

- **City Attorney** (Non-Represented, grade M49): One employee
- **Senior Assistant City Attorney** (Non-Represented, grade M42): Two employees
- **Assistant City Attorney** (Non-Represented, grade M35): One employee
- **Chief Prosecuting Attorney** (Non-Represented, grade m35): One employee
- **Prosecuting Attorney** (Non-Represented, grade m29): Two employees
- **Paralegal** (Local 2170, grade a17): One employee
- **Administrative Assistant** (Non-Represented, grade n14): One employee
- **Legal Assistant** (Local 2170, grade a07): Three employees

Additional funds beyond the budgeted amount to implement this recommendation are not required as there will be sufficient savings from the City Attorney's Office lease to fund the difference for the remainder of the year.

The Committee further recommends that the ordinance regarding this matter be presented for first reading and advancement for second and final reading and adoption. **MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.** (See page 18 for ordinance.)

### **Planning & Development Committee**

Appeal: Whitworth  
Condominiums Site Plan  
Application, SA-08-083

Planning and Development Committee Chair Parker presented a report regarding the Whitworth Condominiums appeal. The matter was scheduled to be heard before the Planning and Development Committee on December 11, 2008. Prior to the commencement of this appeal, the parties informed the Committee that they had reached a settlement. In order to allow the parties to execute a written settlement the Committee recessed. On January 8, 2009, the parties submitted to the Committee a written, executed settlement agreement. Based on the terms of that agreement, the appellants withdrew their appeal.

Accordingly, the Committee recommends that the City Council close this matter. MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

## **RESOLUTIONS AND ORDINANCES**

Human Resources: City Attorney Office Position Classifications

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

An ordinance was read amending the 2009 Budget by adding the City Attorney's Office positions to the 2009 Budget index of positions. MOVED BY CORMAN, SECONDED BY TAYLOR, COUNCIL ADVANCE THE ORDINANCE FOR SECOND AND FINAL READING. CARRIED.

**ORDINANCE #5441**  
Human Resources: City Attorney Office Position Classifications

An ordinance was read amending the 2009 Budget by adding the City Attorney's Office positions to the 2009 Budget index of positions. MOVED BY CORMAN, SECONDED BY BRIERE, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL. ALL AYES. CARRIED.

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

**ORDINANCE #5442**  
CED: School District Impact Fees

An ordinance was read amending Chapter 1, Administration and Enforcement, of Title IV (Development Regulations), of City Code, setting the impact fee at \$5,495 per new single-family home in the Issaquah School District; setting the impact fee at \$5,304 per new single-family home and \$3,266 per new multi-family home in the Kent School District; and adopting the Capital Facilities plans of the school districts within the City of Renton. MOVED BY CORMAN, SECONDED BY PERSSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL. ALL AYES. CARRIED.

## **ADJOURNMENT**

MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL ADJOURN. CARRIED. Time: 8:35 p.m.

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Bonnie I. Walton, CMC, City Clerk

Recorder: Jason Seth  
January 12, 2009