RENTON CITY COUNCIL
Regular Meeting

May 12, 2003 Council Chambers
Monday, 7:30 p.m. M I N U T E S Renton City Hall

CALL TO ORDER
Mayor Jesse Tanner led the Pledge of Allegiance to the flag and called the meeting of the Renton City Council to order.

ROLL CALL OF COUNCILMEMBERS
KATHY KEOLKER-WHEELER, Council President; TERRI BRIERE; DON PERSSON; RANDY CORMAN; TONI NELSON. MOVED BY KEOLKER-WHEELER, SECONDED BY NELSON, COUNCIL EXCUSE ABSENT COUNCILMEMBERS KING PARKER AND DAN CLAWSON. CARRIED.

CITY STAFF IN ATTENDANCE
JESSE TANNER, Mayor; JAY COVINGTON, Chief Administrative Officer; LAWRENCE J. WARREN, City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; DENNIS CULP, Interim Community Services Administrator; DEREK TODD, Assistant to the CAO; CHIEF LEE WHEELER and FIRE MARSHAL/BATTALION CHIEF LARRY RUDE, Fire Department; COMMANDER KENT CURRY, Police Department.

APPEAL
Planning & Development Committee
Appeal: Nicholson Short Plat, NE 28th St, Brad Nicholson, SHP-02-111

Planning and Development Committee Chair Briere presented a report regarding the appeal of the Nicholson Short Plat (SHP-02-111) submitted by Brad Nicholson. The Committee convened to consider the appeal of the decision of the Hearing Examiner dated February 20, 2003. The subject property is located at 2300 NE 28th St., Renton, 98056. The applicant, Brad Nicholson, sought to subdivide a .82-acre parcel into four lots.

Mr. Nicholson appealed several of the conditions of approval recommended by City staff. That appeal hearing was held on January 28, 2003. During the hearing the City conceded the inapplicability of the parks mitigation fee as applied to Mr. Nicholson's short plat. The Hearing Examiner upheld the majority of the remaining conditions. The Hearing Examiner remanded to staff the issue of whether a native growth protection easement could be made a condition of approval for Mr. Nicholson's short plat. Staff removed the native growth protection easement as a condition of approval and the Hearing Examiner modified his decision to reflect the removal in a letter dated March 6, 2003.

Mr. Nicholson has appealed that portion of the Hearing Examiner's decision upholding City staff's conditions of approval of the short plat in question. Specifically, Mr. Nicholson challenged City staff's drainage mitigation measures, the traffic mitigation fee, and the fire mitigation fee.

FINDINGS OF FACT:

1) The Committee adopted the findings of fact as stated by the Hearing Examiner in the decision dated February 20, 2003.

2) The Committee found that the proposed paving alternative does not meet the Renton Municipal Code's private drive paving requirements.

3) Considering the presence of May Creek in close proximity to the subject site and the heightened environmental concerns it causes, the Committee found that the drainage mitigation measures proposed by City staff are the appropriate measures for the proposed short plat.

4) The Committee found that the State Environmental Protection Act,
specifically RCW 43.21C.060, authorizes mitigation fees as a condition approval.

CONCLUSIONS OF LAW:

1) The City of Renton's fire and traffic mitigation policies satisfy the requirements of RCW 43.21C.060 and authorize the imposition of the challenged fees.

2) The drainage mitigation measures are appropriate for the proposed short plat.

3) There are no errors of fact or law in the Hearing Examiner's findings or conclusions.

RECOMMENDATIONS:

The Committee recommended that the City Council uphold the Hearing Examiner's decision as modified in the March 6, 2003, letter.

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

ADMINISTRATIVE REPORT

Chief Administrative Officer Jay 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 2003 and beyond. Items noted included:

- A groundbreaking ceremony will be held on May 14, to kick off the construction process for the new Henry Moses Aquatic Center.

- Mayor Tanner appointed Dennis Culp as the Community Services Department Administrator, effective May 16. Mr. Culp has served as the City's Facilities Director since February, 1999.

- The Transportation Operations Section has re-striped that portion of S. 23rd St. in front of Talbot Hill Elementary School to add a second westbound lane that parents can use in lieu of using Smithers Ave. S. when dropping off or picking up their children.

- On May 8, the Sound Transit Board approved improvements to the Regional Express Bus Service, including the creation of a third bus route, 564, in Renton. This new route will augment service on Route 565 to provide service every 15 minutes in the morning and afternoon between the Auburn Station and Bellevue Transit Center, with intermediate stops at Kent, Renton, and Bellevue. In addition, Routes 560 and 570 will be consolidated at SeaTac Airport to provide service between Bellevue and Seattle via SeaTac. This combined route has seven stops in Renton. These service changes are scheduled to be implemented this September.

King County: Parks Levy (5/20/2003 Special Election)

In regards to the administrative report item regarding the Henry Moses Aquatic Center, Mayor Tanner pointed out that the King County Parks Levy, which goes before voters on May 20, 2003, does not affect Renton's parks. He explained that if the Parks Levy passes, none of the revenue will go towards the Henry Moses Aquatic Center or any City of Renton parks; and if it fails, funding for Renton parks and the aquatic center will not be reduced. He noted that as King County closes its parks, the closures may increase the use of Renton's parks.

CONSENT AGENDA

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

May 5, 2003

Appointment: Library Board

Mayor Tanner appointed Lynne Shioyama, 4301 NE 9th Pl., Renton, 98059, to the Library Board for a five-year term expiring 6/1/2008. Refer to Community Services Committee.

CAG: 03-048, Boeing Renton Site EIS Preparation, Blumen Consulting Group

Economic Development, Neighborhoods and Strategic Planning Department recommended approval of a contract amendment to CAG-03-048 with Blumen Consulting Group, Inc. for the Boeing Renton Plant preliminary EIS (Environmental Impact Statement) preparation, to cover additional work related to transportation and visual analysis. The Boeing Company will reimburse the City for the additional cost in the amount of $58,850. Council concur.

Airport: Runway/Taxiway Lighting Signage & Paving Project, Transfer of Funds

Transportation Systems Division requested authorization to transfer $1,050,000 from the Airport Reserve Fund to the 2003 Paving, Lighting and Signage Improvement Project for the taxiway improvements at the Renton Airport. Refer to Transportation (Aviation) Committee.

Utility: SW 7th St Drainage Improvement Project Briefing

Utility Systems Division requested a briefing on the SW 7th St. Drainage Improvement Project which will replace 3,600 linear feet of undersized mainline storm pipe with new corrugated polyethylene pipe and concrete pipe. Refer to Committee of the Whole.

CAG: 02-177, Fire Station #12 Construction, E Kent Halvorson

Community Services Department recommended approval of a cost plus fee construction contract with E. Kent Halvorson, Inc. for an estimated $1,929,324.73 construction budget that includes a 7.7% fee to continue with the construction of Fire Station #12 as it was discovered that the former contractor was operating under an invalid contract. Council concur.

MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

Added CORRESPONDENCE

Citizen Comment: Grimes – Utility Bill Charges for Wastewater & Water Treatment

Council President Keolker-Wheeler noted receipt of a letter from Barb Grimes, PO Box 3309, Renton, 98056, concerning the charges on her City of Renton utility bill for wastewater and water treatment. Ms. Keolker-Wheeler reported that the letter was referred to the Administration for review.

Mayor Tanner invited Planning/Building/Public Works Administrator Gregg Zimmerman to comment on the letter. Mr. Zimmerman stated that Ms. Grimes lives in the Windwood development, located on the eastside of the City, and the City provides her sewer service. He explained that residents are charged a flat rate fee for sewer service, and Ms. Grimes wants the fee changed to a graduated rate or step rate fee.

OLD BUSINESS

Community Event: Safeway Employee Recognition, Ron Brown

Council President Keolker-Wheeler reported that she attended a Safeway Corporation event for Safeway employee Ron Brown who is deaf, blind, and developmentally disabled. She stated that she forwarded a Certificate of Achievement to Mr. Brown on behalf of the City in recognition of his ten year anniversary with Safeway.

Planning & Development Committee

Development Services: Uniform Codes Adoption

Planning and Development Committee Chair Briere presented a report recommending concurrence in the recommendation of staff that Council approve the adoption of the 1999 National Electric Code, the 2000 Uniform Plumbing Code, the 2001 Washington State Energy Code, and the 2000 Washington State Ventilation & Indoor Air Quality Code, all as adopted by the
Public Safety Committee
Police: Valley Special Response Team Interlocal Agreement

Public Safety Committee Vice Chair Persson presented a report recommending concurrence in the staff recommendation to approve the interlocal cooperative agreement between the cities of Auburn, Federal Way, Kent, Renton, Tukwila, and the Port of Seattle for creation of the Valley Special Response Team. The Committee further recommended that the Mayor and City Clerk be authorized to execute the interlocal agreement and that the resolution regarding this matter be presented for reading and adoption. MOVED BY PERRSON, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See later this page for resolution.)

Fire: Records Management System, FDM Software

Public Safety Committee Vice Chair Persson presented a report recommending concurrence in the staff recommendation to approve a contract with FDM Software, Ltd., for the purpose of implementing the Fire Department integrated records management software system to include providing software, training, implementation effort, and reimbursable expenses in the total amount of $332,223. This represents the final phase of the 1995 Technology Plan. Funding for this project is budgeted in the 2003 – 2008 CIP (Capital Improvement Plan).

The Committee further recommended that the Mayor and City Clerk be authorized to sign the contract.*

At the request of Councilman Persson, Fire Marshal/Battalion Chief Larry Rude introduced the following representatives from FDM Software, Ltd.: President Ed Colin and Regional Sales Director Brad Smith. In addition he introduced records management project consultant Bob Baumgardner with Public Safety Consultants, Inc.

*MOVED BY PERRSON, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

ORDINANCES AND RESOLUTIONS

The following resolutions were presented for reading and adoption:

Resolution #3636
Police: Valley Special Response Team Interlocal Agreement

A resolution was read authorizing the Mayor and City Clerk to enter into an interlocal cooperative agreement for the Valley Special Response Team. MOVED BY KEOLKER-WHEELER, SECONDED BY PERRSON, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

Resolution #3637
Streets: Main Ave S Closure, Veterans Memorial Park Dedication (5/26/2003)

A resolution was read authorizing the one-day temporary closure of Main Ave. S. between S. 2nd St. and S. 3rd St. for the Veterans Memorial Park dedication ceremony on May 26, 2003, between the hours of 8:00 a.m. to approximately 7:00 p.m. MOVED BY CORMAN, 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 5/19/2003 for second and final reading:

Development Services: Uniform Codes Adoption

An ordinance was read amending Sections 4-5-040.A, 4-5-050.G, and 4-5-100 of Chapter 5, Building and Fire Prevention Standards, of Title IV (Building Regulations) of City Code by adopting the current uniform codes. MOVED BY BRIERE, SECONDED BY CORMAN, COUNCIL REFER THE
ORDINANCE FOR SECOND AND FINAL READING ON 5/19/2003. CARRIED.

NEW BUSINESS
Police: Renton Transit Center Safety

MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL REFER RENTON TRANSIT CENTER INCIDENTS AND SAFETY CONCERNS TO THE PUBLIC SAFETY COMMITTEE. CARRIED.

EXECUTIVE SESSION AND ADJOURNMENT

MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL RECESS INTO EXECUTIVE SESSION FOR APPROXIMATELY 20 MINUTES TO DISCUSS POTENTIAL LITIGATION WITH NO OFFICIAL ACTION TO BE TAKEN AND THAT THE COUNCIL MEETING BE ADJOURNED WHEN THE EXECUTIVE SESSION IS ADJOURNED. CARRIED. Time: 7:55 p.m.

Executive session was conducted. There was no action taken. The executive session and the Council meeting adjourned at 8:18 p.m.

Bonnie I. Walton, City Clerk

Recorder: Michele Neumann
May 12, 2003