Renton City Council
Regular Meeting
July 21, 2003
Council Chambers
Renton City Hall

Minutes

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 Council Members
Kathy Keolker-Wheeler, Council President; Terri Briere; King Parker; Don Persson; Randy Corman; Toni Nelson; Dan Clawson.

City Staff in Attendance
Jesse Tanner, Mayor; Jay Covington, Chief Administrative Officer; Zanetta Fontes, Assistant City Attorney; Bonnie Walton, City Clerk; Sandra Meyer, Transportation Systems Director; Leslie Lahndt, Transportation Design Supervisor; Derek Todd, Assistant to the CAO; Mike Webby, Human Resources Administrator; Commander Kathleen McClincy, Police Department.

Special Presentation
WSDOT: SR-167 Corridor Improvements
Carol Hunter, Transportation Planner with the Washington State Department of Transportation (WSDOT) gave a briefing on the SR-167 corridor analysis requested by South King County elected officials for inclusion on the Regional Transportation Improvements District (RTID) ballot measure. Ms. Hunter explained that the study area is from I-405 to I-5, and the project area is from S. 180th St. to the King/Pierce County line for initial project funding under RTID. She stated that WSDOT has four months to develop a range of options that can be advanced into an environmental process; to select an initial project definition for RTID; to develop a cost estimate and cost estimating evaluation process; and to analyze the potential for a High Occupancy Toll (HOT) lane conversion.

Ms. Hunter reviewed the evaluation criteria used, which included moving more people, reducing congestion, saving time, and improving safety. She also reviewed the four improvement options and explained how Option 4 - ten lanes with managed lanes - was selected as the preferred option. Ms. Hunter reported that the preliminary cost estimates for all options can be phased or constructed within the $650 million South King County budget. In conclusion, she detailed the next steps in the process, which includes submitting the project definition to RTID for its August, 2003 draft outreach plan. She indicated that this analysis will become part of the SR-167 environmental review process that is scheduled to receive $9.6 million in funding in 2005-2007 from the recently adopted five-cent gas tax increase.

Responding to Mayor Tanner's inquiry, Ms. Hunter confirmed that the SR-167 planning group is coordinating with the I-405 planning group (who is responsible for SR-167 down to S. 180th St.) so that the two projects are compatible and result in the same number of lanes.

In response to Councilman Parker's inquiries, Ms. Hunter defined TDM (Transportation Demand Management) as a program where people are encouraged to look for alternative modes of transportation rather than driving alone. She indicated that construction of the SR-167 improvements could start in 2014.

Michael Cummings, WSDOT Corridor Planning Manager, briefed Council on High Occupancy Toll (HOT) lanes and the potential implementation of HOT
lanes on SR-167. Mr. Cummings explained that High Occupancy Vehicle (HOV) lanes need to be used in a more efficient manner, and WSDOT is reviewing changes to the use of HOV lanes including HOT lane implementation. He described HOT lanes as separated lanes dedicated to specific user groups (carpools and transit) and the "extra" capacity is sold to other users. The fees are set to maintain the free-flow conditions of the lane for users.

Stating that San Diego, California currently uses HOT lanes (known as FasTrak) on an eight-mile stretch of I-15, Mr. Cummings reported an 88% approval rating of the FasTrak program by FasTrak customers, and a 66% approval rating by other I-15 users. He explained that candidate roadway segments for HOT lane implementation must meet the following primary requirements: congestion in the peak direction, available HOV lane capacity, and available space to make the needed improvements. Mr. Cummings stated that SR-167 meets the primary requirements for HOT lane implementation and a feasibility study is being conducted. WSDOT's recommendations and final report will be presented to the State's Transportation Commission by the end of this year.

In response to Mayor and Council inquiries, Mr. Cummings explained how the HOT lane usage would be enforced, and he commented that the HOT lanes can likely be implemented within the existing footprint of SR-167. He indicated that the Mayors of Kent and Auburn support going forward with the feasibility study.

**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:

- IKEA Renton River Days begins July 22, and runs through July 27. This week long festival offers many activities and opportunities for family, friends, and neighbors to come together and celebrate the great community of Renton.

- On July 17, over 200 children, parents, and friends attended the first of the Picnic Pizzazz Kids Entertainment Series, held from noon to 1:00 p.m. at either Kiwanis Park or Liberty Park every Thursday through August 14.

- King County advises that the Renton Transfer Station will be closed from September 8 through late November to replace the aging roof and scale house. Alternate disposal and recycling stations are available.

**AUDIENCE COMMENT**

Citizen Comment: DeMastus - Highlands Community Association

Sandel DeMastus, Highlands Community Association (HCA) President, 1137 Harrington Ave. NE, Renton, 98056, reported that HCA will hold a general meeting on July 24, and the annual neighborhood picnic will be held at the Highlands Neighborhood Center on August 20.

**CONSENT AGENDA**

Items on the consent agenda are adopted by one motion which follows the listing. At the request of Council President Keolker-Wheeler, items 6.e. and 6.q. were removed for separate consideration.


Mayor Tanner appointed Jeremy Chambers, 15823 130th Pl. SE, Renton, 98058, to the Municipal Arts Commission to fill the unexpired three-year term of Virginia Corder, who has resigned (term to expire 12/31/2003). Refer to Community Services Committee.
Community Event: Renton River Days City Center Parking Fee Waiver

Administrative, Judicial and Legal Services Department requested waiver of City Center Parking garage fees from July 22 to July 27 for 2003 Renton River Days activities. Council concur.

CAG: 03-113, Logan Ave Bridge Seismic Retrofit, Advanced Construction

City Clerk reported bid opening on 7/15/2003 for CAG-03-113, Logan Ave. Bridge Seismic Retrofit; four bids; engineer's estimate $121,000; and submitted staff recommendation to award the contract to the low bidder, Advanced Construction, Inc., in the amount of $84,864. Council concur.

Appeal: Clover Creek II Preliminary Plat, Labrador Ventures, PP-01-034

City Clerk reported appeal of Hearing Examiner's recommendation denying the rezone for the Clover Creek Preliminary Plat (PP-01-034); appeal filed by James Handmacher representing Labrador Ventures, LLC on 5/08/2003, accompanied by required fee. Refer to Planning and Development Committee.

Court Case: M Monica Fix, CRT-03-004

Court Case (Summons and Complaint for Breach of Contract, Declaration of Easement, and Consumer Protection Act Violations) filed by T. Jeffrey Keane, 14205 SE 36th St., Suite 325, Bellevue, 98006, on behalf of M. Monica Fix alleging negligence or intentional misrepresentation in regards to a sewer easement granted by the plaintiff to Labrador Ventures for access to a sewer connection via the easement across the plaintiff's property located at 3007 Mountain View Ave N. Refer to City Attorney and Insurance Services.

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

Economic Development, Neighborhoods and Strategic Planning Department recommended approval of an amendment to CAG-03-048, contract with Blumen Consulting Group, Inc. for the Boeing Renton Plant Environmental Impact Statement (EIS) preparation, for Phase 3 services. The Boeing Company will reimburse the City in the amount of $103,500. Council concur.

Annexation: Carlo, 136th Ave SE & 140th Ave SE

Economic Development, Neighborhoods and Strategic Planning Department submitted 10% Notice of Intent to annex for the proposed Carlo Annexation, 37 acres located in the vicinity of 136th Ave. SE, 140th Ave. SE, NE 3rd St., and SE 135th St., and recommended that a public meeting be set on August 4, 2003, to consider the petition to annex. Council concur.

Annexation: Merritt, SE May Valley Rd & Lyons Ave NE

Economic Development, Neighborhoods and Strategic Planning Department submitted 10% Notice of Intent to annex for the proposed Merritt Annexation, 4.8 acres located in the vicinity of SE May Valley Rd., Lyons Ave. NE, SE 100th St., and NE 26th St., and recommended that a public meeting be set on August 4, 2003, to consider the petition to annex. Council concur.

Annexation: Mossier, 142nd & 144th Aves SE

Economic Development, Neighborhoods and Strategic Planning Department submitted 10% Notice of Intent to annex for the proposed Mossier Annexation, 31 acres located in the vicinity of 142nd and 144th Avenues SE, and SE 136th St., and recommended that a public meeting be set on August 4, 2003, to consider the petition to annex. Council concur.

Fire: 2003 Emergency Medical Services Funding, King County (Basic Life Support)

Fire Department recommended acceptance of $449,081 from Seattle-King County Department of Public Health/Emergency Medical Services Division for basic life support services in 2003. Council concur. (See page 256 for resolution.)

CAG: 02-115, Airport Security Gate Replacement, CA Carey Corporation

Transportation Systems Division submitted CAG-02-115, Airport Security Gate Replacement; and requested approval of the project, authorization for final pay estimate in the amount of $326,362.98, commencement of 60-day lien period, and release of retained amount of $17,177 to C.A. Carey Corporation, contractor, if all required releases are obtained. Council concur.
Transportation: NE Sunset Blvd & Duvall Ave NE Intersection Improvements, Berger/Abam Engineers

Transportation Systems Division recommended approval of a contract in the amount of $59,000 with Berger/Abam Engineers, Inc. for Duvall Ave. NE and NE Sunset Blvd. intersection improvement design services. Refer to Transportation Committee.

Transportation: Duvall Ave NE Improvements, Berger/Abam Engineers

Transportation Systems Division recommended approval of a contract in the amount of $744,500 with Berger/Abam Engineers, Inc. for Duvall Ave. NE widening project design services. Refer to Transportation Committee.

Transportation: Duvall Ave NE Improvements, King County

Transportation Systems Division recommended approval of an agreement with King County regarding improvements to Coal Creek Parkway, King County's portion of the Duvall Ave. NE widening project. Refer to Transportation Committee.

MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL APPROVE THE CONSENT AGENDA AS AMENDED TO REMOVE ITEMS 6.e. AND 6.q. FOR SEPARATE CONSIDERATION. CARRIED.

Separate Consideration
Item 6.e.
CAG: 03-069, 2003 Overlay, Lakeside Industries

City Clerk reported bid opening on 6/25/2003 for CAG-03-069, 2003 Overlay; five bids; engineer's estimate $577,269.50; and submitted staff recommendation to award the contract to low bidder, Lakeside Industries, in the amount of $714,270.26 (budgeted amount $523,740). Staff also recommended that $96,000 be transferred from the Oakesdale Phase 2 project, and $104,000 be transferred from the Benson Rd. S./S. 31st St. signal installation project to cover the additional costs.

Transportation Systems Director Sandra Meyer stated that the 2003 Overlay project bids exceeded the project estimate due to higher than anticipated asphalt, traffic control, mobilization, finish and clean-up costs. She indicated that since the contractor is not available in September, the item was listed as Council concur rather than referral to Transportation Committee because the work needs to be completed in August.

Ms. Meyer explained that to ensure there are adequate funds to cover the overlay project costs, $200,000 must be reallocated from other projects listed in the Transportation Division's 2003 appropriated budget of approximately $7.6 million. Additional funding for this project can be transferred from the Oakesdale Phase 2 project which has been completed, and from the City's share of the new signal to be installed by King County at the Benson Rd. S./S. 31st St. intersection for which payment to King County would be deferred until 2004.

Responding to Council President Keolker-Wheeler's inquiry as to why an additional $10,000 above the bid award amount was requested, Chief Administrative Officer Jay Covington explained that the budget amounts for all these projects include the design, and in some case project management costs, as well as the actual bid award. Thus the bid award is almost always below the actual appropriation because of the soft costs included in the project. Ms. Keolker-Wheeler requested that a detailed explanation be forwarded to her regarding how the additional $10,000 will be used.

Discussion ensued regarding the project cost estimate, the project budget, the higher than anticipated costs for the project, and the project timeframe.

MOVED BY PERSSON, SECONDED BY NELSON, COUNCIL APPROVE CONSENT AGENDA ITEM 6.e. AS PRESENTED. CARRIED.
Separate Consideration
Item 6.q.
CAG: 01-071, Maple Valley Hwy HOV, Perteet Engineering

Transportation Systems Division recommended approval of a supplement to CAG-01-071, agreement with Perteet Engineering, Inc., for additional engineering services in the amount of $121,884 for the Maple Valley Hwy. (SR-169) HOV, 140th Way SE to SR-900 project. Approval was also sought to transfer $122,000 from the SW 27th St./Strander Blvd. project to cover the additional costs.

Sandra Meyer, Transportation Systems Director, explained that as the preliminary design has progressed, conditions have changed necessitating additional work outside the initial scope of the project. The project limits have increased in the vicinity of I-405 requiring a considerable amount of field surveys, base maps, engineering work, and design plans that were not scoped. She indicated that the transfer of $122,000 from the SW 27th St./Strander Blvd. project will cover the additional costs. The Strander Blvd. project is estimated to spend $400,000 of its $1,610,000 appropriation in 2003, and staff will restore the Strander appropriation in 2004 with 2004 revenues from the per capita business license fee.

Responding to Mayor Tanner's concern that funds dedicated only for the Strander Blvd. project are being borrowed for this project, Ms. Meyer assured that the $1 million of dedicated funds for the Strander Blvd. project will not be touched.

MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL APPROVE CONSENT AGENDA ITEM 6.q. AS PRESENTED. CARRIED.

Added
CORRESPONDENCE
Citizen Comment: Brott - Fireworks Ban

Correspondence was read from Reed Brott, 2306 Vashon Ct. NE, Renton, 98059, requesting that the use of fireworks be banned in Renton. MOVED BY CLAWSON, SECONDED BY KEOLKER-WHEELER, COUNCIL REFER THIS CORRESPONDENCE TO THE PUBLIC SAFETY COMMITTEE. CARRIED.

OLD BUSINESS
Community Services:
"Cinderella" Teen Musical

Council President Keolker-Wheeler stated that the teen musical "Cinderella" playing at Carco Theatre through August 9 is fantastic, and she encouraged everyone to attend.

Planning & Development Committee
Planning: Harrington Square, Highlands Redevelopment

Planning and Development Committee Chair Briere presented a report regarding the Highlands redevelopment area residential-oriented City Code amendments. The Committee met on July 17 to consider the Planning Commission's recommended City Code amendments to Title IV (Development Regulations) that are designed to encourage new residential development in the Highlands area. The Planning Commission recommendation allows up to 80 dwelling units per net acre and urban parking standards in exchange for higher design standards and on-site open space requirements.

The Committee recommended setting a public hearing on August 4, 2003, to consider this proposal. MOVED BY BRIERE, SECONDED BY PARKER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Utilities Committee
Development Services: Street Light System Fee, City Code Amend

Utilities Committee Chair Corman presented a report regarding the amendment to the Utility Fee Code (RMC 4-1-180) regarding the street light system connection fee. The City of Renton requires developers of plats, short plats, and projects with street frontages to install street lighting systems to City specifications and then turn the system over to the City for ownership and maintenance. The Operations Division coordinates and authorizes system
connections and pays the power bills. Under their tariff, Puget Sound Energy began billing the City of Renton a connection charge for time and materials for the physical hookup of new street light systems at an average cost of $317 per project. This fee will increase August 1, 2003, to a base fee of $375 with an anticipated average cost of a minimum of $465 per project. Staff proposes amending the Utility Fee Code to add a new flat fee of $500 per street light system connection payable prior to issue of the construction permit.

The Committee recommended concurrence with the recommendation of the Planning/Building/Public Works Department to approve the proposed City Code amendment to add a street light system connection fee to the public works fees. The new fee will be set at $500 per new street light system and payable prior to issue of the construction permit. The Committee further recommended that the ordinance regarding this matter be presented for first reading. MOVED BY CORMAN, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

SAD: East Kennydale Sanitary Sewer Infill Phase II

Stating that he recused himself from the Utilities Committee meeting during discussion of the special assessment district since his home is affected by it, Councilman Corman also recused himself from the Council meeting for presentation of the related committee report. Time: 8:37 p.m.

Utilities Committee Vice Chair Briere presented a report recommending concurrence in the Planning/Building/Public Works Department recommendation that preliminary approval be given for the East Kennydale Sanitary Sewer Infill Phase II Special Assessment District. The Committee further recommended that staff proceed with the establishment of the final special assessment district upon completion of the construction of the East Kennydale Sanitary Sewer Infill Phase II project. MOVED BY BRIERE, SECONDED BY KEOLKER-WHEELER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Councilman Corman returned to the meeting. Time: 8:39 p.m.

ORDINANCES AND RESOLUTIONS

Resolution #3647
Fire: 2003 Emergency Medical Services Funding, King County (Basic Life Support)

A resolution was read authorizing the Mayor and City Clerk to execute the 2003 King County agency services contract for emergency medical services (basic life support). MOVED BY CLAWSON, SECONDED BY NELSON, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

NEW BUSINESS

Council: Meeting Cancellations (7/28/2003, COW & Regular Meeting)

MOVED BY KEOLKER-WHEELER, SECONDED BY CLAWSON, COUNCIL CANCEL ITS REGULARLY SCHEDULED COMMITTEE OF THE WHOLE AND COUNCIL MEETINGS SCHEDULED FOR JULY 28, 2003. CARRIED.

Fire: Station #12 Contract Issues

MOVED BY KEOLKER-WHEELER, SECONDED BY NELSON, COUNCIL REFER FIRE STATION #12 CONTRACT ISSUES TO COMMITTEE OF THE WHOLE. CARRIED.

Citizen Comment: Wiles - Action Aviation Closure

Councilman Persson reported receipt of correspondence from William O. Wiles, President of Action Aviation, Inc., 840 W. Perimeter Rd., Renton, 98055, regarding Action Aviation's inability to obtain a reasonable sublease at the Renton airport resulting in the closure of the business. MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL REFER THIS CORRESPONDENCE TO THE ADMINISTRATION FOR ACTION. CARRIED.
Community Services: Farmers Market

Councilwoman Nelson announced that a new organic bakery vendor and the "crab man" will be present at the Farmers Market on July 22.

EXECUTIVE SESSION AND ADJOURNMENT

MOVED BY KEOLKER-WHEELER, SECONDED BY NELSON, COUNCIL RECESS INTO EXECUTIVE SESSION FOR APPROXIMATELY 30 MINUTES TO DISCUSS LITIGATION WITH NO OFFICIAL ACTION TO BE TAKEN AND THE COUNCIL MEETING BE ADJOURNED WHEN THE EXECUTIVE SESSION IS ADJOURNED. CARRIED. Time: 8:45 p.m.

Executive session was conducted. There was no action taken. The executive session and the Council meeting adjourned at 9:21 p.m.

Bonnie I. Walton, City Clerk

Recorder: Michele Neumann

July 21, 2003