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; DAN CLAWSON; TONI NELSON; RANDY CORMAN; DON PERSSON; KING PARKER; TERRI BRIERE.

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; ALEX PIETSCH, Economic Development Administrator; CHIEF LEE WHEELER, Fire Department; MIKE WEBBY, Human Resources Administrator; DEREK TODD, Assistant to the CAO; CHIEF GARRY ANDERSON, Police Department.

PROCLAMATION
Jalisco Week – August 15 to 17, 2003
A proclamation by Mayor Tanner was read declaring August 15 to August 17, 2003, to be "Jalisco Week" in the City of Renton, and encouraging all citizens to join in this special observance. MOVED BY CLAWSON, SECONDED BY NELSON, COUNCIL CONCUR IN THE PROCLAMATION AS READ. CARRIED.

Alberto Diaz, Executive Director of Washington-Jalisco Sister State Association and Sergio Fernandez, Director of the Cuautla-Renton Sister City Committee, accepted the proclamation. They invited everyone to Jalisco Week in Washington, a three-day celebration sponsored by the government of the State of Jalisco, Mexico, which features a craft and products exhibition, cultural activities, and tourist information. The celebration takes place at Renton High School from August 15 through August 17.

Council President Keolker-Wheeler and Mayor Tanner both noted that arts and crafts made in Jalisco will be available for sale during the event, and they encouraged everyone to attend the celebration.

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:

* Rotary Club of Renton members volunteered their time to paint the exterior of a house and a garage located in downtown Renton on August 1. The house is owned by a senior citizen who is also a client of the City's Housing Repair Assistance Program.

* The annual Kennydale Splash Day will be held on August 14. This free event is hosted by the Kennydale lifeguards and includes races, arts and crafts, games, and a watermelon-eating contest.

AUDIENCE COMMENT
Citizen Comment: Hower - Jane Hower, 1425 S. Puget Dr. #118, Renton, 98055, spoke on the issue of the City recognition of the Matricula Consular as legal identification for Mexican
<table>
<thead>
<tr>
<th>Matricula Consular as Legal Identification for Mexican Citizens Living in US</th>
<th>citizens living in the United States, expressing concern about the security of the country and the safety of its citizens. She described how the issue was originally brought forward to the Council, and she detailed the various ways people enter the United States and how they are screened. Ms. Hower relayed that she spoke with three legal immigrants, and they indicated that with their green cards, they had no difficulty obtaining any needed services. Therefore, she claimed that the Matricula Consular identification is only of use to illegal aliens.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Continuing, Ms. Hower pointed out that only 1,000 of the 19,000 law enforcement agencies throughout the country recognize this identification card. She also made reference to a congressional statement by a member of the FBI stating that this is not a reliable form of identification. Ms. Hower asked Council to review its decision approving recognition of this type of identification card.</td>
</tr>
<tr>
<td>Mayor Tanner stated that he brought the issue of the Matricula Consular identification card to Council on behalf of the Administration with the support of the Renton Police Chief. He confirmed that he and the Police Chief still approve the use of the card.</td>
<td></td>
</tr>
<tr>
<td>Councilman Clawson displayed pages from Internet anti-immigrant websites, and expressed concern regarding the anti-immigrant movement. He stated that Council cannot enforce Federal immigration law, and cannot tell a bank to accept this identification card. Mr. Clawson emphasized that the Matricula Consular is a form of identification for Mexican citizens and does not establish immigration status.</td>
<td></td>
</tr>
<tr>
<td>In response to Councilman Parker's inquiry regarding the specific reason she is against the use of this card, Ms. Hower stated that it makes it easier for illegal immigrants to get services that taxpayers pay for, and may help people who have reason to not enter the United States legally.</td>
<td></td>
</tr>
<tr>
<td>Police Chief Garry Anderson listed some of the common uses for the Matricula Consular identification card as follows: it allows Mexican nationals to reenter Mexico; it is accepted by many banks; it is used by law enforcement agencies for identification purposes; and it can be used to obtain IRS taxpayer identification numbers, marriage licenses, and birth certificates. He confirmed that more than 1,000 police agencies of the 18,000 agencies nationwide accept this identification, noting that its use started this year. Chief Anderson stated that he is not aware of any FBI agency mandate denouncing this card.</td>
<td></td>
</tr>
<tr>
<td>Continuing, Chief Anderson confirmed that the identification card does not give the bearer immigration status or benefit, and he also listed services that bearers of the cards are not entitled to including social security numbers and work permits. He emphasized that the Matricula Consular identification card is a valuable law enforcement tool.</td>
<td></td>
</tr>
<tr>
<td>Citizen Comment: Guthrie - Matricula Consular as Legal Identification for Mexican Citizens Living in US</td>
<td>Reid Guthrie, 809 High Ave. S. Renton, 98055, stated that the decision to accept the Matricula Consular as identification sets a dangerous precedent. Regardless of where this particular identification card originates, he indicated that numerous countries would also like to have a card like this, and the United States is counting on another country to verify the integrity of the identification card. Mr. Guthrie explained that acceptance of this card as identification opens the door for the future acceptance of identification cards of a much more dubious nature.</td>
</tr>
</tbody>
</table>
Councilwoman Nelson stated that it is unfortunate that this issue coincides with the recognition of Jalisco Week. Expressing her support for the identification card, she pointed out that the card is only for identification purposes and it benefits both Mexican citizens living in the United States, and those who need to identify the Mexican citizens.

Citizen Comment: Palmer - Kennydale Neighborhood Association

Marcie Palmer, 2507 Park Pl. N., Renton, 98056, spoke on behalf of the Kennydale Neighborhood Association, and announced upcoming special events as follows: ice cream socials are scheduled for August 12 and August 26, and the Kennydale neighborhood picnic will be held on September 3 at Kennydale Lions Park.

CONSENT AGENDA

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

Council Meeting Minutes of August 4, 2003


SAD: East Kennydale Phase I, Appeal by Hough & Tomala

City Clerk submitted appeal from Matthew J. Hough and April A. Tomala, 2509 Dayton Ave. NE, Renton, 98056, of their assessment in the East Kennydale Sanitary Sewer Infill Phase I Special Assessment District (SAD-02-001). Refer to Hearing Examiner to hold public hearing.

Community Services: IKEA Performing Arts Center Use, Renton School District

Community Services Department recommended approval of a contract with Renton School District #403 to specify that the City will have first priority for use of the IKEA Performing Arts Center after the School District. Refer to Community Services Committee.

Development Services: Williams Short Plat ROW Dedication on NE 5th Ct, SHP-03-031

Development Services Division recommended acceptance of dedication of additional right-of-way of a 42-foot wide area of roadway known as NE 5th Ct. to fulfill a requirement of the Williams Short Plat (SHP-03-031). Council concur.

Plat: Highpointe Division II, Redmond Ave NE, FP-03-059

Development Services Division recommended approval, with conditions, of the Highpointe Division II Final Plat; 12 single-family lots on 3.67 acres located at Redmond Ave. NE and NE 12th St. (FP-03-059). Council concur. (See page 285 for resolution.)

EDNSP: Hotel/Motel Tax Revenue Reallocation to Community Marketing Campaign

Economic Development, Neighborhoods and Strategic Planning Department recommended approval of the Renton Lodging Tax Advisory Committee's recommendation to reallocate hotel/motel tax revenue in the amount of $30,000 previously earmarked for the since-cancelled Renton Barbecue & Blues Festival to the Renton Community Marketing Campaign for its ongoing 2003 activities. Council concur.

Human Resources: 2003 Group Health Cooperative Medical Coverage Contracts

Human Resources and Risk Management Department recommended approval of the 2003 Group Health Cooperative Medical Coverage contracts for Police and Non-Uniform Police; LEOFF I Employees; LEOFF 1 Retirees for Eastern Washington; LEOFF 1 Retirees for Western Washington; and Fire, AFSCME and Non-Represented Employees. Refer to Finance Committee.

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

CORRESPONDENCE

Citizen Comment: Culley - Matricula Consular as Legal Identification for Mexican

Correspondence was read from Victoria Culley, 2124 Blaine Ave. NE, Renton, 98056, who expressed her support and concern for Jane Hower, who spoke at last week's Council meeting regarding the City's recognition of the Matricula Consular as legal identification for Mexican Citizens. Additionally, she stated that those who do not have the legal right to be here should be deported, and
Citizens Living in US that she supports the issuance of a national identification card for all American citizens.

Citizen Comment: Priestley - Nepotism Policy (City of Renton) Correspondence addressed to Mayor Tanner was read from Gregory V. Priestley, 4621 NE 21st Pl., Renton, 98059, pointing out that one of the candidates running for the office of Mayor is married to the current Renton Fire Chief, and he inquired as to whether the City of Renton has a nepotism policy.

Mayor Tanner's response to Mr. Priestley's letter was also read confirming that the City does have a nepotism policy (#300-09; effective 11/01/1982) that prohibits the employment of a husband and wife under certain conditions, and would prevent the employment of a spouse of a Mayor, or any relative of the Mayor, by the City of Renton during the tenure of that Mayor.

Councilman Clawson inquired as to the purpose of bringing this issue before the Council, and why a letter addressed to the Administration was read into the record. Mayor Tanner responded that the purpose is to raise the issue and bring it out in the open.

Councilman Clawson expressed his concern that this is not the proper forum to hold discussions regarding election issues; however, he agreed that the issue needs to be brought up.

Council President Keolker-Wheeler detailed the reasons why she decided to run for Mayor pointing out that she has to give up her Council seat to do so. She reported that there are multiple legal opinions from the Attorney General's office and from the City's legal staff that date back to before she was married to Fire Chief Lee Wheeler, which state that it is acceptable for her to be a Councilmember, Council President, or Mayor Pro Tem. In addition to those opinions, Ms. Keolker-Wheeler explained that she asked someone from a different legislative district to write a letter on her behalf to the Attorney General requesting an opinion specific to her situation.

Ms. Keolker-Wheeler pointed out that she and Fire Chief Wheeler have served the City of Renton for over 20 years and met while serving the City. She indicated that her decision to run for Mayor was based on obtaining a satisfactory opinion from the Attorney General, and obtaining support from the City's employee unions. Ms. Keolker-Wheeler read the question that was submitted to the Attorney General's office for opinion as follows: "If an individual is elected Mayor of a City when the individual spouse is already serving as Fire Chief, is there any statute or principle of law that would make it unlawful for them to simultaneously serve in these two offices?"

Continuing, Council President Keolker-Wheeler read the Attorney General's opinion, dated November 8, 2002, as follows: "There is no Washington Statute or recognized common law principle that makes it unlawful for an individual to serve as a City Mayor while the individual's spouse is serving as Fire Chief of the same City." She indicated that the Attorney General's opinion also cited various Attorney General opinions pertaining to this situation. She also indicated that she included a copy of the City's nepotism policy in the request for this opinion.

Ms. Keolker-Wheeler noted that changes have been made to the nepotism policy since it became effective in 1982, although it still bears Mayor Shinpochi's signature who was Mayor at that time. In conclusion she spoke of the relationship between the Mayor and the Fire Chief, pointing out the following: the Fire Chief cannot be promoted as he is at the top of his department; the Fire Chief's salary is voted on by the Council; and the Fire
Chief is a civil service employee and cannot be dismissed by the Mayor except for cause and if dismissed, he can appeal the dismissal to the Civil Service Commission. She emphasized that Fire Chief Wheeler's and her professional lives in no way interfere with the work that they do for the City, and will not in the future.

Mayor Tanner indicated that many of the City's policies were altered to bring the references cited in the policies up-to-date. He stressed that the language in the policies was not changed, only the references, and that State law language in the nepotism policy is identical to that in 1982. Emphasizing that he is not trying to subvert Ms. Keolker-Wheeler's campaign and he does not want the Fire Chief to resign, Mayor Tanner stated that if she is elected by the citizens of this City with this information in front of them, then they will have made the choice knowingly.

**OLD BUSINESS**

**AJLS: Sister City Nishiwaki, Hyoga Prefecture**

Council President Keolker-Wheeler stated that she attended an event celebrating the sister-state relationship between Washington and the Hyoga Prefecture, Japan (Renton's sister-city relationship with Nishiwaki is one of 12 relationships within the State), and presented Mayor Tanner with a pin from the Hyoga Prefecture.

**Committee of the Whole**

**CAG: 02-177, Fire Station #12 Construction, Cost Increase**

Council President Keolker-Wheeler presented a report of the Committee of the Whole regarding the Fire Station #12 budget and construction amendments. The Committee concurred in the recommendation to authorize the Administration to issue a change order to amend the original E. Kent Halvorson construction contract (CAG-02-177) for Fire Station #12 by adding $1,067,907.85 including sales tax. This brings the E. Kent Halvorson contract to a total of $2,997,232.58. This total includes $87,257.52 for work done under the prior contractor through March, 2003.

The Committee further recommended that the Council authorize an additional appropriation of $884,131 to cover the increased costs of completing Fire Station #12 ($384,131) and to cover the appropriation adjustment that should have been made in 2002 ($500,000). MOVED BY KEOLKER-WHEELER, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**Utilities Committee**

**Utility: Kennydale Lakefront Sewer Improvement Project, Fund Transfer**

Utilities Committee Chair Corman presented a report regarding the transfer of funds for the Kennydale Lakefront Sewer Improvement Project. The Committee recommended concurrence with the recommendation of the Planning/Building/Public Works Department that funds totaling $100,000 be transferred from Waster Water Account 421.000400.018.5960.0035.65.045300 (WO# 45300 - Sewer Main Replacement and Rehabilitation) to Wastewater Account 421.000400.018.5960.0035.65.045190 (WO# 45190 - Kennydale Lakefront Sewer Improvement) to cover the cost of the project. MOVED BY CORMAN, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**Technical Services: King County Utility Easements, Airport & Cedar River Trail Park**

Utilities Committee Chair Corman presented a report regarding the request from King County for utility easements across the Airport and Cedar River Trail Park properties. The Committee recommended concurrence with the recommendation of the Planning/Building/Public Works Department to approve the utility easements request and authorize the Mayor and City Clerk to execute the utility easements by which Renton will formally grant utility easements in exchange for $262,830 from King County. MOVED BY CORMAN,
SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**Transportation (Aviation) Committee**

Transportation: Traffic Management Center Electronic Equipment, NetVersant

Transportation (Aviation) Committee Chair Persson presented a report regarding the Transit Signal Priority Project – procurement of the Advanced Traffic Management System. The Committee recommended that Council authorize the purchase of system hardware (electronic equipment) and the system installation for the Traffic Management Center from NetVersant, under the State Department of Information Systems Contract, in the amount of $220,150.06 plus tax, bonds, and permits. MOVED BY PERSson, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**Finance Committee**

Finance: Vouchers

Finance Committee Chair Parker presented a report recommending approval of Claim Vouchers 217811 - 218202 and one wire transfer totaling $2,798,024.82; and approval of Payroll Vouchers 45621 - 45959, one wire transfer and 573 direct deposits totaling $1,881,945.32. MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**Planning & Development Committee**

Planning: 2002 Countywide Planning Policies Amendments

Planning and Development Committee Chair Briere presented a report regarding the ratification of the 2002 amendments to the Growth Management Planning Council's Countywide Planning Policies. The Committee met on August 7 to review the final form of the amendments to the Countywide Planning Policies approved by the Growth Management Planning Council during 2002. These amendments adopt new Growth Management Act mandated household and employment targets for King County and the cities within it, amend the Urban Separator Map, add a water supply policy, designate Totem Lake an Urban Center, and add policies addressing Agricultural Production Districts. The Committee found these amendments to be consistent with the Renton Comprehensive Plan and City Business Plan, and recommended that Council adopt a resolution ratifying the amendment package. MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 286 for resolution.)

**ORDINANCES AND RESOLUTIONS**

The following resolutions were presented for reading and adoption:

**Resolution #3650**

Resolution approved the Highpointe Division II Final Plat consisting of approximately 3.67 acres located in the vicinity of NE 12th St., Sunset Blvd. NE, and Redmond Ave. NE (FP-03-059). MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

**Resolution #3651**

A resolution was read approving the 2002 amendments to the Growth Management Planning Council's Countywide Planning Policies. MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following ordinance was presented for first reading and referred to the Council meeting of 8/18/2003 for second and final reading:

**Development Services: Street Light System Fee, City Code Amend**

An ordinance was read amending Section 4-1-180.C of Chapter 1, Administration and Enforcement, of Title IV (Development Regulations) of City Code by adding a street light system fee. MOVED BY CLAWSON,
SECONDED BY KEOLKER-WHEELER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 8/18/2003. CARRIED.

AUDIENCE COMMENT
Citizen Comment: Gevers - Highlands Area Redevelopment
Bob Gevers, 900 Kirkland Ave. NE, Renton, 98056, inquired as to why the subject of the Highlands area redevelopment was not discussed this evening. Councilwoman Briere explained that the Planning and Development Committee discussed the issue during its meeting on August 4, and due to Mr. Gever's comments at last week's Council meeting, she decided to hold the item in Committee for further review.

Citizen Comment: Mendenhall - Renton Firefighters Local 864, Mayor Election
Shawn Mendenhall, City of Renton Firefighter and President of the Renton Firefighters Local 864, stated that Fire Chief Lee Wheeler and Council President Keolker-Wheeler have served the City well for 20 years, and the union sees no change if they change job titles. He pointed out that all City of Renton employees should serve the citizens of this City well; that is what the Fire Department does and that is what this team would do if Ms. Keolker-Wheeler is elected Mayor. Mayor Tanner noted that Mr. Mendenhall made a political speech even though he was cautioned from doing so.

EXECUTIVE SESSION AND ADJOURNMENT
MOVED BY KEOLKER-WHEELER, SECONDED BY NELSON, COUNCIL RECESS INTO EXECUTIVE SESSION FOR APPROXIMATELY 35 MINUTES TO DISCUSS PENDING AND CURRENT 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 9:22 p.m.

Bonnie I. Walton, City Clerk