RENTON CITY COUNCIL
Regular Meeting

M I N U T E S

October 6, 2003
Council Chambers
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; 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; DENNIS CULP, Community Services Administrator; ALEX PIETSCH, Economic Development Administrator; SYLVIA ALLEN, Recreation Director; KAREN MCFARLAND, Engineering Specialist; COMMANDER KENT CURRY, Police Department.

PROCLAMATION
A proclamation by Mayor Tanner was read declaring the month of October, 2003, to be “National Breast Cancer Awareness Month” and October 17, 2003, to be “National Mammography Day” in the City of Renton. MOVED BY KEOLKER-WHEELER, SECONDED BY NELSON, COUNCIL CONCUR IN THE PROCLAMATION AS READ. CARRIED.

SPECIAL PRESENTATION
Community Services: Summer Recreation Program Report
Sylvia Allen, Recreation Director, reviewed the programs and activities the Recreation Division offered during the summer. She described the growing number of participants and the many activities which took place, including various camps, special events, youth sports, tennis program, adult athletics, waterfront programs, fitness and wellness programs, cultural arts programs, special populations group, teen programs and the senior activity center program. In conclusion, Ms. Allen reported that 95 part-time employees were hired for the summer in the Recreation Division.

PUBLIC HEARING
Vacation: Alley between Williams & Wells Aves S, Savren Service Corporation, VAC-03-002
This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Tanner opened the public hearing to consider the Savren Service Corporation street vacation petition for a portion of an alley running north to south, south of S. 2nd Street between Williams and Wells Avenues S.

Karen McFarland, Engineering Specialist, described the subject property and explained that the purpose of the request is to enable Savren Service Corporation and First Savings Bank to create an integrated corporate campus, which would house a new banking facility and a remodeled existing banking facility with a street-level landscaped pedestrian entry plaza and underground parking connecting to the new banking facility. She explained that the City obtained the subject alley through quitclaim deeds in 1927, and that the petition to vacate has been signed by 100% of the abutting property owners. Ms. McFarland described utility facilities located in the alley and the benefits of the proposed vacation, which include reduction of traffic entering and exiting S. 2nd Street, enhancement of pedestrian environment, increased tax base and reduction of maintenance for the City.

Continuing, Ms. McFarland stated that the vacation request was circulated to
various City departments and outside agencies for review and that no objections were raised. She summarized comments from the survey as follows: The Development Services Division and the Transportation Systems Division both conditioned their approval upon an alternate alley or easement routing to Wells Ave. S via a right-of-way dedication or an access easement for public use; the Surface Water Utility section conditioned approval on having the property owner take responsibility for the maintenance of the Type I catch basin located at the north end of the alley; Qwest and Comcast requested that the City take no action on the vacation petition until easements are obtained to continue to service their existing facilities; Puget Sound Energy and Electric Lightwave did not respond to the City’s request for comments. In conclusion, Ms. McFarland stated that staff recommends approval of the request to vacate the alleyway portion subject to conditions concerning required access and utility easements.

Correspondence from Albert F. Schlotfeldt of Duggan, Schlotfeldt and Welch, Attorneys at Law, PO Box 570, Vancouver, WA 98666, was read. He stated on behalf of his client, Mrs. Umberto Barei, owner of Parcel E on the west side of Wells Ave. S, objection to the vacation of the alley because the alley serves as an access to the rear portion of their building, and vacating the alley would eliminate that access. Mr. Schlotfeldt wrote that an easement would not be a viable alternative to the longstanding alleyway because it would require a sharp turn from Wells Ave. S. through Parcel C and again south into the alley, which would make access more restrictive. He also stated that no drawings, legal descriptions or other assurance had been provided to indicate that future access would be equivalent to current alley access.

Public comment was invited.

Roy Beeler, 818 1/2 S. 3rd St., Renton, 98055, commented that the alleyway referred to comes to the back of his building, and he did not see the vacation as viable. He voiced his concern that there was not enough information provided to explain the options for access being offered.

Jim Barei, 2719 Davis S., Renton, 98055, stated that he did not sign the petition and that support by those affected by the vacation is not unanimous. He explained that he does not want to stop progress, but does not want progress at their expense. He requested equal access as presently exists and that the questions presented by his attorney (Albert Schlotfeldt) be addressed.

Rich Wagner, Baylis Architects, 10801 Main St., Bellevue, 98004, stated that his company represents Savren Service Corp. and First Savings Bank in the pending application. He explained that the purpose of the proposed alley vacation is to establish a financial campus at the north end of his client’s property. Mr. Wagner described efforts he had made to notify affected property owners, and stated that since many sections of the alleyway had already been vacated and some owners had blocked their own access to the alley, they tried to rally support for the vacation. He reported that no responses were received from those efforts other than from Mr. Barei, to whom they responded.

Continuing, Mr. Wagner explained that the current vacation request is for the northern 150 ft. of the alleyway, which is abutted on both sides by his client’s property. He stated the need to provide access to people who use the public right-of-way to the south is recognized, which is why they propose a new 20’ wide public access to service the current 16’ wide alleyway. Mr. Wagner concluded by stating that City staff did a good job analyzing the situation, and he asked for Council’s support of the vacation request.
Nancy Monahan, 1808 Shattuck Ave. S, Renton, 98055, expressed concern about having the new access go through private property, indicating that City ownership is preferred to assure access. In response to Mayor Tanner’s question, Ms. Monahan stated that if the new access was deeded as an alley rather than as an easement, that would alleviate their concern about having to drive through private property.

City Attorney Larry Warren explained that a right-of-way is like a super easement. He advised that right-of-way can be used for public street purposes, and can allow for installations such as telecommunications cable, but that an easement is meant to traverse the surface for ingress and egress. He stated that an easement would serve as much of a purpose and may be more beneficial for this property access as a right-of-way would. Mr. Warren also confirmed Mayor Tanner’s statement that an easement is a property right to whomever it is granted, and that no one could block the alley except the City.

James Rossa, 16028 SE 173rd St., Renton, 98058, spoke on behalf of his father who owns the building located on Parcel H. He stated that parking is very limited in the area and that they would like to continue sharing parking spaces with surrounding businesses, including the bank.

In response to questions from Councilman Clawson, Rich Wagner of Baylis Architects explained that a few parking stalls serving the existing facility will be eliminated in this project, but that subgrade parking under the new building will remedy that loss. He also confirmed that entering the alley would be easier with the current proposal, due to the relocated 24’ driveway, having 90 degree parking off of it.

RECESS

MOVED BY KEOLKER-WHEELER, SECONDED BY NELSON, COUNCIL RECESS FOR FIVE MINUTES TO ALLOW THE PARTIES TO CONFER. CARRIED. Time: 8:15 p.m.

The meeting was reconvened at 8:24 p.m.; roll was called; all Councilmembers present.

Rich Wagner of Baylis Architects explained that the map the neighbors previously received did not show the proposed access easement. He reported that in discussions with the interested parties during the break, they had agreed to a 24-ft. wide easement for ingress and egress to be conveyed in perpetuity in a form approved by the City Attorney, with the easement to be maintained by the property owner to the satisfaction of the City. Mr. Wagner concluded by thanking Council for the opportunity to be involved in the public process.

There being no further public comment, it was MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.

MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL APPROVE THE VACATION PETITION SUBJECT TO CONDITIONS THAT PETITIONER PROVIDE PUBLIC ACCESS TO THE REMAINING ALLEY ACROSS PETITIONER’S PROPERTY THROUGH AN EASEMENT PREPARED BY THE CITY; THAT PETITIONER PROVIDE SATISFACTORY PROOF THAT OUTSIDE UTILITIES HAVE RECEIVED AND ARE SATISFIED WITH ANY EASEMENTS NECESSARY TO PROTECT THEIR FACILITIES IN THE REQUESTED VACATION AREA; AND THAT AN APPRAISAL BE SECURED TO DETERMINE THE FAIR MARKET VALUE OF THE PROPERTY. CARRIED.
 ADMINISTRATIVE REPORT

Jay Covington, Chief Administrative Officer, 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:

- Subsequent to the dedication of the Veterans Memorial Park in May of this year, there have been two on-site engravings. A total of 232 have been added to the original 1,112 inscriptions, which were engraved prior to the dedication ceremony. Due to inclement weather during the winter months, the next on-site engraving is scheduled for the spring of 2004.

- October 5th-11th is Fire Prevention Week and this year’s emphasis is *When Fire Strikes: Get Out! Stay Out!* Every year in the United States, people die in fires by going back into a burning home or business, often when trying to retrieve valuables or pets. Well-practiced emergency escape plans coupled with smoke detectors and preventive measures are essential factors in preventing tragic fire deaths. When fire strikes, it is essential to get out and stay out! Renton fire stations will have banners; city buildings will have posters, handouts, and brochures; and the City’s cable channel will feature fire safety programs - all proclaiming this important message.

- Monday, September 29th, was a day of change for the Sound Transit Express Regional bus service throughout the Sound Transit district, including the routes in Renton. Three improvements to service in Renton were implemented:
  a) New route 564 Auburn-Federal Way was introduced (Renton's third route). This is a peak-hour route that operates between Auburn and Bellevue and serves Renton and Kent. Renton now has 10-15 minute service between Renton and Bellevue during peak hours.
  b) Routes 560 Bellevue-SeaTac and 570 West Seattle-SeaTac were combined into one route (560), which now provides direct bus connection between Renton and West Seattle via SeaTac Airport, instead of needing a transfer at the Airport.
  c) Route 565 Federal Way to Bellevue increases midday and off-peak direction service in Renton from 60-minute to 30-minute headways.

AUDIENCE COMMENT

Citizen Comment: Hoben - Cuautla, Jalisco, Mexico - Sister City Delegation Visit

Ken and Nancy Hoben, 17434 128th Ave. SE, Renton, 98058, complimented the excellent work done by Derek Todd, Assistant to the Chief Administrative Officer, Julie Brewer, Community Relations Manager and other City staff members during the Cuautla, Jalisco, Mexico Sister City delegation visit September 22-24, 2003. They detailed some of the activities that occurred, and stated that several staff members were able to converse with the group in Spanish. The Hobens praised the work of the Committee and explained that their efforts will make the next visit easier.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing. At the request of Councilman Corman, item 8.a. was removed for separate consideration.

Council Meeting Minutes of September 29, 2003


Finance: 2002 State of Washington Audit Report

Court Case: Sue H. Cordova, CRT-03-006

Court case (Summons and Complaint for Negligence) filed by Dan C. Williams, Curry & Williams, 230 Auburn Way S., Suite 1B, Auburn, 98002, on behalf of Sue H. Cordova, who seeks compensation for damages sustained due to injuries incurred on 12/8/2000 allegedly due to negligence in removal of a post hole cement barrier at Gene Coulon Memorial Beach Park leaving a hole into which the plaintiff’s right leg fell. Refer to City Attorney and Insurance Services.

Court Case: Structural Fab, Inc, CRT-03-005

Court case (Summons and Complaint for Money Owed) filed by D. Bruce Gardiner, The Gardiner Law Firm, 12040 98th NE, Suite 101, Kirkland, 98034, on behalf of Structural Fab, Inc. and West Coast Fabricators, LLC, alleging that E. Kent Halvorson, Inc., the contractor for the City Center Parking garage construction project (CAG-01-201), owes plaintiff Structural Fab, $119,896; and plaintiff West Coast Fabricators, $13,692.78 (plus interest and attorney fees) for services and materials supplied, but never paid for and for lost tools and equipment. Refer to City Attorney and Insurance Services.

Community Services: 2004 Maplewood Golf Course Fees

Community Services Department recommended approval of an ordinance to increase 18-hole golf course green fees and cart rental by $2 each, effective April 1, 2004. Refer to Finance Committee.

CAG: 03-020, Explore Life project, Maura O’Neill

Economic Development, Neighborhoods and Strategic Planning Department recommended approval of Addendum #2 to CAG-03-020, contract with Maura O’Neill, in the amount of $50,000 for additional consulting services for the Explore Life Project. Refer to Finance Committee.

Police: Penalties for Animal Cruelty and Neglect

Police Department recommended approval of an ordinance to revise RMC 6-6-11, to include penalties for animal cruelty and neglect, and for conditions for removal and restoration of an animal. Refer to Public Safety Committee.

Transportation: Lake Washington Boulevard Slip Plane project, Golder Associates

Transportation Systems Division recommends approval of an agreement in the amount of $95,239 with Golder Associates to conduct additional exploration for the Lake Washington Boulevard Slip Plane project and for design of a soldier pile wall for the failing slope. Council concur.

Transportation: SR-169 HOV/140th Way SE to SR-900 Project, Fund Transfer

Transportation Systems Division recommended approval to reallocate $25,000 from the Grady Way Approach at Rainier Avenue 2003 budget to the SR-169 HOV/140th Way SE to SR-900 Project budget to complete right-of-way plans for the Washington State Department of Transportation and Federal Highways Association. Refer to Transportation Committee.

MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL APPROVE THE CONSENT AGENDA AS AMENDED TO REMOVE ITEM 8.a. FOR SEPARATE CONSIDERATION. CARRIED.

Separate Consideration

Item 8.a.
Council Meeting Minutes of September 22, 2003

Councillman Corman requested that the Council minutes of September 22, 2003, be corrected as follows:

Page 342: "...water supply structures in the Highlands need updating in order to meet Federal government fire flow requirements".

MOVED BY CORMAN, SECONDED BY PERSSON, COUNCIL APPROVE THE SEPTEMBER 22, 2003 COUNCIL MEETING MINUTES AS CORRECTED. CARRIED.

OLD BUSINESS

Community Services
Community Services Committee Chair Nelson presented a report
Committee
Appointment: Board of Adjustment

Committee Chair recommended concurrence in the Mayor’s appointment of Steve Maxwell to the Board of Adjustment, Position No. 7 (member of the general public) for an unexpired four-year term expiring on September 6, 2004, replacing Eric Cameron who resigned in 2002. MOVED BY NELSON, SECONDED BY PARKER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Utilities Committee
Transportation: Supplemental Street Lighting Standard

Utilities Committee Chair Corman presented a report stating that the current street lighting standard offers no alternative to using cobra head lighting fixtures for the design and installation of arterial and residential street lighting. In order to provide the development community a choice of using decorative fixtures as an alternative to cobra heads for residential street lighting, Transportation Operations has proposed an expanded street lighting standard for residential streets that includes two additional choices of decorative fixtures and poles that provide the same lighting distribution as the current standard.

The Utilities Committee recommended concurrence in the staff recommendation to adopt the supplemental street lighting proposal to be included in the City’s current street lighting standards. MOVED BY CORMAN, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Community Services:
Integrated Pest Management Program

MOVED BY BRIERE, SECONDED BY CORMAN, REMOVE FROM THE TABLE THE UTILITIES COMMITTEE REPORT DATED SEPTEMBER 22, 2003, REGARDING CEDAR RIVER TRAIL INTEGRATED PEST MANAGEMENT PROGRAM. CARRIED.

Utilities Committee Vice Chair Terri Briere presented a report recommending concurrence in the staff recommendation to proceed with formalizing an Integrated Pest Management Program modeled after the City of Portland, Oregon with the goal of adopting a program that is Endangered Species Act compliant. A consultant will be hired with park experience and citizen input will be solicited during a public hearing review process. The Integrated Pest Management Program will be presented to Council for review and adoption. MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Finance Committee
Finance: Vouchers

Finance Committee Chair Parker presented a report recommending approval of Claim Vouchers 219389 - 219986 and two wire transfers totaling $4,777,114.40; and approval of Payroll Vouchers 46792 - 47021, one wire transfer and 575 direct deposits totaling $1,755,908.09. MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

ADJOURNMENT

MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL ADJOURN. CARRIED. Time: 8:52 p.m.

Bonnie I. Walton, City Clerk
Recorder: Suzann Lombard
October 6, 2003