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

RICH ZWICKER, Council President; TERRI BRIERE; ED PRINCE; DON PERSSON; MARCIE PALMER; RANDY CORMAN; GREG TAYLOR.

CITY STAFF IN ATTENDANCE

DENIS LAW, Mayor; JAY COVINGTON, Chief Administrative Officer; LAWRENCE J. WARREN, City Attorney; BONNIE WALTON, City Clerk; TERRY HIGASHIYAMA, Community Services Administrator; GREGG ZIMMERMAN, Public Works Administrator; ALEX PIETSCH, Community & Economic Development Administrator; SUZANNE DALE ESTEY, Economic Development Director; DEPUTY CHIEF ERIK WALLGREN and EMERGENCY MANAGEMENT DIRECTOR DEBORAH NEEDHAM, Fire & Emergency Services Department; DEPUTY CHIEF TIM TROXEL, Police Department.

ADMINISTRATIVE REPORT

Council: Appeal Process

Regarding the appeal-to-Council process, City Attorney Larry Warren stated that anytime Council acts as a quasi-judicial body, the information to be considered is limited to the existing record, including the Hearing Examiner’s report, the notice of the appeal, and additional submissions by parties regarding the appeal only. He remarked that the process is regulated by Renton Municipal Code (RMC) 4-8-110.F. He pointed out that this is contrary to the usual position of Councilmembers who would normally accept information and comment from constituents at any time.

Mr. Warren explained that an appeal of a Hearing Examiner’s Decision or Recommendation gets referred to the Planning and Development Committee, or, on rare occasions to the Committee of the Whole for review. He remarked that no new testimony or evidence is allowed, and Councilmembers may not discuss the matter outside of the meeting in which the appeal is being reviewed. Mr. Warren stated that new information provided to Council must be disclosed to the opposing side for rebuttal or objection of the new evidence. He added that Committee recommendations for appeals are placed on the agenda prior to the audience comment section so that new testimony is not provided in the guise of citizen comment.

Mr. Warren further explained that in order for Council to overturn a decision or recommendation by the Hearing Examiner, a substantial error of fact or law must be found, and the finding supporting the conclusion must be included in the Committee report. Additionally, he cautioned Council from using statements that may give the appearance that the decision was in any way prejudged. He remarked that Council must not only be fair, but must also use a judicial demeanor to appear fair at all times.
Concluding, Mr. Warren stated that if any member of Council believes there may be a conflict of interest, they must recuse themselves from the topic and leave the chambers during the discussion. For example, he remarked that owning Boeing stock would not necessarily cause a conflict of interest, but owning property where adjacent land values could significantly increase or decrease should be disclosed.

It was clarified that these restrictions apply to every Councilmember not just the committee. Mr. Warren stated that the topic regarding whether or not Council can defer appeals to Superior Court was a separate issue that is still scheduled for an upcoming Committee of the Whole meeting.

Beatrice Clark (Renton) stated that she had previously spoken to Council regarding racism, racial profiling, and corruption at the King County Library System (KCLS). She noted that at that time she did not have all of her paperwork together and would now like to submit it to Council. She also remarked that the Renton Reporter was censoring her through their refusal to publish her letters to the editor.

Discussion ensued regarding the roles and responsibilities of the City’s Library Advisory Board. Councilmember Taylor requested that Ms. Clark be provided with resource information to assist with her situation regarding KCLS and the Renton Reporter. City Attorney Warren remarked that the City has no control over what the newspaper decides to publish or not publish in its paper.

Linda Sweezer (Kent) expressed support for the previous speaker. She stated that she has also experienced racism in the past. She thanked Council for the opportunity to express her frustrations, and remarked that it is unfortunate to not feel accepted as part of the community.

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

Approval of Council meeting minutes of 1/23/2012. Council concur.

City Clerk reported appeal of Hearing Examiner’s Decision on the May Creek Drainage Improvement Project Permit & Variance, King County Water & Land Resources, LUA-11-065; appeal filed by King County Water & Land Resources, represented by Doug Chin, accompanied by required fee. Refer to Planning and Development Committee.

Community and Economic Development Department recommended approval to modify the Council’s 9/28/2009 Housing Opportunity Fund award of $100,000 to the Renton Housing Authority for the Glennwood Townhomes project in order to provide $50,000 to the Glennwood Townhomes project and $50,000 to the next replacement housing project slated for the Sunset Terrace redevelopment project. Refer to Planning and Development Committee.

Community Services Department requested approval to continue use of the NARCO property as an off-leash dog park for an additional three years, and recommended approval of a Memorandum of Understanding with Renton’s Unleashed Furry Friends (RUFF) outlining roles and responsibilities between the City and RUFF for the park. Council concur.
Community Services: Golf Course Green Fees Waiver, Liberty High School
Community Services Department requested approval to waive golf course
green fees in the amount of $2,900 for the Liberty High School Girls Golf Team
for the 2012 spring season. Refer to Finance Committee.

Acquisition: Cascade Park - Tiffany Park Connector, Hochfeld
Community Services Department recommended approval of a Purchase and
Sale Agreement in the amount of $189,000 with Martin Hochfeld to acquire 4.9
acres connecting Cascade Park and Tiffany Park. Refer to Finance Committee.

Fire: Disaster Recovery Plan
Fire and Emergency Services Department recommended setting a public
hearing on 2/27/2012 to consider adopting the City of Renton Disaster
Recovery Plan. Refer to Public Safety Committee; set public hearing on
2/27/2012.

Transportation: ORCA Business Passport, King County, et al
Transportation Systems Division recommended approval of the 2012-2013
Once Card for All (ORCA) Business Passport (formerly flexpass) interlocal
agreement with King County, Pierce Transit, Sound Transit, Community Transit,
Kitsap Transit, and the Washington State Ferries Division in the amount of
$62,430 to continue the Commute Trip Reduction Program for City employees.
Council concur.

Transportation: Rainier Ave S (SR 167) S Grady Way to S 2nd St, KBA Inc
Transportation Systems Division recommended approval of Supplement No. 1
to CAG-11-105, with KBA, Inc., in the amount of $1,749,600 for construction
management and inspection services for the Rainier Ave. S. (SR 167) S. Grady
Way to S. 2nd St. project. Council concur.

CAG: 08-180, Materials Testing for Rainier Ave S (SR 167) S Grady Way to S 2nd St, King County Road Services Division
Transportation Systems Division requested approval to utilize the King County
Materials Testing Lab for materials testing on the Rainier Ave. S. (SR 167) S.
Grady Way to S. 2nd St. project in the amount of $288,557 via the interlocal
agreement with King County Road Services Division (CAG-08-180). Council
concur. (See page 33 for resolution.)

CAG: 09-077, SW 27th St/Strander Blvd Extension Phase 1 Segment 2A, Berger/Abam Engineers
Transportation Systems Division recommended approval of a Supplemental
Agreement to CAG-09-077, with Berger/Abam Engineers, Inc., in the amount of
$1,737,100 to provide construction management and inspection services for the
SW 27th St./Strander Blvd. Extension Phase 1, Segment 2A project. Council
concur.

CAG: 11-044, Benson Road Water Main Replacement, RL Alia Company
Utilities Systems Division submitted CAG-11-044, Benson Road Water Main
Replacement project; and requested approval of the project, authorization for
final pay estimate in the amount of $1,095, commencement of a 60-day lien
period, and release of retainage bond to R.L. Alia Company, contractor, if all
required releases are obtained. Council concur.

Utility: Airport Lift Station Primary Engineering Study & 30% Design, Roth Hill LLC
Utility Systems Division recommended approval of a contract in the amount of
$116,100 with Roth Hill, LLC for the Airport Lift Station Primary Engineering
Study and 30% Design project. Council concur.

Utility: Establish Liberty Lift Station Installation 2012 Project
Utility Systems Division requested authorization to establish the Liberty Lift
Station Installation 2012 Project; and recommended transfer of $400,000 from
the Oversizing Account for this project. Refer to Utilities Committee.

MOVED BY ZWICKER, SECONDED BY CORMAN, COUNCIL APPROVE THE
CONSENT AGENDA AS PRESENTED. CARRIED.
Council President Zwicker presented a Committee of the Whole report recommending modification of the assignments for various City departments to assume the responsibilities of the vacant Assistant Chief Administrative Officer position and the organization of the City Clerk's Office, Finance Division, and Information Technology Division into a new Administrative Services Department under Iwen Wang, department administrator, effective January 1, 2012.

The change will also increase a Record Management Specialist (RMS) position in the office of the City Clerk from half-time to full-time in order to provide overall record management and administrative support to the increasingly complex public records requests and contracted Hearing Examiner duties, also effective January 1, 2012.

The Committee further recommended that the ordinance reflecting the above organization changes be presented for first reading; and that the related budget and position changes be included in the first quarter budget adjustment for 2012.

MOVED BY ZWICKER, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 33 for ordinance.)

Council President Zwicker presented a Committee of the Whole report regarding various procedures related to Council travel and other business expenses. The Committee recommends approving the following processes and procedures, and directing the Administration to update City Policies and Procedures as appropriate to implement the same.

Regional Appointments and Meeting Attendance:
Regional appointments will be discussed at regularly scheduled Committee of the Whole meetings, and reports will be provided at regular Council meetings. The appointed Councilmember(s) will be expected to participate and attend these locally held meetings with no additional approval needed.

Similarly, no additional approval is needed for Councilmember attendance at regular or standing membership meetings of either the Association of Washington Cities (AWC) or Suburban Cities Association (SCA), which are held locally.

As appropriate and practical, appointed Councilmember(s) should bring regional policies back to full Council for discussion to formulate Renton’s specific interests/positions.

Councilmember’s participation in other regional committees/forums will be served in an unofficial capacity on their own time, utilizing their own resources.

Travel and Travel Coordination:
Information about seminars, conferences, and other training opportunities, including those offered by regional committees/forums, will be made available and discussed at Committee of the Whole or regular Council meetings under the “New Business” section.

With concurrence of the City Council, attending Councilmember(s) will arrange registration and travel through the Council Liaison.
Council Expenses Approval:
Councilmember expense reimbursement requests should be approved by
Council President or Pro Tem for payment.

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

Finance Committee
Finance: Vouchers
Finance Committee Chair Briere presented a report recommending approval of
Claim Vouchers 309351 - 309759 and eight wire transfers totaling
$7,806,472.86; and approval of payroll vouchers including 1,492 direct
deposits, 119 payroll checks, and two wire transfers totaling $5,315,591.05.
MOVED BY BRIERE, SECONDED BY TAYLOR, COUNCIL CONCUR IN THE
COMMITTEE REPORT. CARRIED.

Community Services:
Knotweed Control, King
Conservation District Grant
Finance Committee Chair Briere presented a report recommending
concurrence in the staff recommendation to approve the 2011 Agreement for
Award for the “Landowner Collaboration for Knotweed Control on the Cedar
River Project,” with the King Conservation District in the amount of $168,604.
The King Conservation District grant will provide the City $89,254 to leverage
costs of this partnership-project with the Friends of the Cedar River Watershed,
a not-for-profit conservation organization.

The City of Renton in-kind contribution for labor, equipment, and materials is
$79,350. The Friends of the Cedar River Watershed in-kind contribution for
landowner training and education, contracting, and other costs is $6,654.
Volunteers will provide much of the restoration planting labor at a value of
$8,700. The project is expected to begin during the spring of 2012 and to be
completed by the end of 2012. A separate agreement for services will be
executed with the Friends of the Cedar River Watershed in January of 2012.

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

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

Transportation (Aviation)
Committee
Transportation: Portable Tow-Away Signs
Transportation (Aviation) Committee Chair Corman presented a report
recommending concurrence in the staff recommendation to require
contractors doing projects impacting public right-of-way to indemnify and hold
harmless the City of Renton from any and all claims, actions, and judgments
arising from towing of private vehicles as the result of implementing a City
approved Traffic Control Plan (TCP).

The City of Renton will revise its Traffic Control Plan form to include a
statement describing this action and requirement. The contractor will be
required to complete the TCP and attach a copy of it to each barricade used at
the construction site for public notification of the temporary NO PARKING -
TOW AWAY ZONE restriction 72 hours in advance of the project start date.

MOVED BY CORMAN, SECONDED BY PALMER, COUNCIL CONCUR IN THE
COMMITTEE REPORT. CARRIED.
Transportation (Aviation) Committee Chair Corman presented a report recommending concurrence in the staff recommendation to approve a Standard Consultant Agreement with URS Corporation in the amount of $172,600 for Airport On-Call Architecture/Engineering Services and authorize the Mayor and City Clerk to sign the agreement.

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

The following resolutions were presented for reading and adoption:

RESOLUTION #4129
CAG: 08-180, Materials Testing for Rainier Ave S (SR 167) S Grady Way to S 2nd St, King County Road Services Division

A resolution was read authorizing the Mayor and City Clerk to enter into an interlocal agreement with King County for provision of services by the King County Road Services Division. MOVED BY ZWICKER, SECONDED BY PALMER, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following ordinance was presented for first reading and referred to the 2/13/2012 Council meeting for second and final reading:

ORDINANCE #5651
Attorney: Written Statement in Lieu of Post Impoundment Hearing Appearance, Code Amendment

An ordinance was read amending Section 3-1-4 of Chapter 1, Executive Department, and Sections 3-4-3 and 3-4-5 of Chapter 4, Finance and Information Technology Department, of Title III (Departments and Officers) and Titles I - X, of City Code, by changing all references of “Finance and Information Technology” to “Administrative Services” and moving the City Clerk’s Office to the Administrative Services Department. MOVED BY ZWICKER, SECONDED BY CORMAN, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 2/13/2012. CARRIED.

The following ordinances were presented for second and final reading:

ORDINANCE #5652
Attorney: Strengthen Penal Code, Code Amendment

An ordinance was read amending Chapter 18, Penal Code, of Title VI (Police Regulations), of City Code, clarifying and strengthening the penal code by revising Sections 6-18-5, Dangerous Weapons; Evidence, 6-18-11, Breach of the Public Peace, 6-18-19, Making or Having Auto Theft Tools, and 6-18-20, Park Rules and Regulations Violations; and permitting offenses to be charged and plead guilty to under the RMC by adding seven new sections, “Adjournment in Contemplation of Dismissal,” “Criminal Accomplice,” “Criminal Attempt,” Criminal Coercion,” “Criminal Conspiracy,” “Criminal Defense of Insanity,” and “Criminal Solicitation.” MOVED BY PERSSON, SECONDED BY ZWICKER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL. ALL AYES. CARRIED.
ORDINANCE #5653
Attorney: Correcting
References to RMC 1-3, Code Amendment

NEW BUSINESS
Executive: Liquor License Procedures
Community Services: One Night Count of the Homeless

ADJOURNMENT

An ordinance was read amending Sections 6-1-1 and 6-1-3 of Title VI (Police Regulations) and Section 8-1-6 of Chapter 1, Garbage, of Title VIII (Health and Sanitation), of City Code, correcting the references to the revised Chapter 1-3 RMC. MOVED BY PERSSON, SECONDED BY ZWICKER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL. ALL AYES. CARRIED.

MOVED BY PERSSON, SECONDED BY CORMAN, COUNCIL REFER LIQUOR LICENSE PROCEDURES TO THE PUBLIC SAFETY COMMITTEE. CARRIED.

Councilmember Taylor stated that on January 27, 2012, volunteers participated in the annual One Night Count of the Homeless in Renton. He remarked that the 150 additional homeless people counted county-wide this year was a higher number than last year due to an expanded search area. He emphasized that appropriate funding for human services agencies can make a difference for the community.

MOVED BY ZWICKER, SECONDED BY CORMAN, COUNCIL ADJOURN. CARRIED.

Time: 7:38 p.m.

Bonnie I. Walton, CMC, City Clerk

Jason Seth, Recorder
February 6, 2012
<table>
<thead>
<tr>
<th>COMMITTEE/CHAIRMAN</th>
<th>DATE/TIME</th>
<th>AGENDA</th>
</tr>
</thead>
<tbody>
<tr>
<td>COMMITTEE OF THE WHOLE</td>
<td>MON., 2/13</td>
<td>School Impact Fees</td>
</tr>
<tr>
<td>(Zwicker)</td>
<td>6 p.m.</td>
<td><em>7TH FLOOR CONFERENCING CENTER</em></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COMMUNITY SERVICES</td>
<td>MON., 2/13</td>
<td>Housing Repair Assistance Program; Human Services Grant Selection Process</td>
</tr>
<tr>
<td>(Palmer)</td>
<td>5 p.m.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FINANCE</td>
<td>MON., 2/13</td>
<td>Vouchers;</td>
</tr>
<tr>
<td>(Briere)</td>
<td>3 p.m.</td>
<td>High School Golf Team Fee Waiver Request; G&amp;K Services Utility Billing Adjustment Request; Tiffany Cascade Connector Acquisition; Oil Can Henry’s Sewer Charge Fee Waiver Request; Puget Sound Energy Utility Billing Adjustment Fee Waiver Request</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PLANNING &amp; DEVELOPMENT</td>
<td>THURS., 2/9</td>
<td>Housing Opportunity Fund Modification for Renton Housing Authority; CED Department Program &amp; Schedule (briefing only)</td>
</tr>
<tr>
<td>(Prince)</td>
<td>4 p.m.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PUBLIC SAFETY</td>
<td>MON., 2/13</td>
<td>Disaster Recovery Plan</td>
</tr>
<tr>
<td>(Persson)</td>
<td>4:30 p.m.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TRANSPORTATION (AVIATION)</td>
<td>THURS., 2/9</td>
<td>CANCELED</td>
</tr>
<tr>
<td>(Corman)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UTILITIES</td>
<td>MON., 2/13</td>
<td>Liberty Lift Station Installation Project</td>
</tr>
<tr>
<td>(Taylor)</td>
<td>5:30 p.m.</td>
<td></td>
</tr>
</tbody>
</table>

NOTE: Committee of the Whole meetings are held in the Council Chambers unless otherwise noted. All other committee meetings are held in the Council Conference Room unless otherwise noted.