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; GREGG ZIMMERMAN, Public Works Administrator; KELLY BEYMER, Parks & Golf Course Director; SUZANNE DALE ESTEY, Economic Development Director; BONNIE RERECICH, Neighborhoods, Resources, and Events Manager; FIRE & EMERGENCY SERVICES ADMINISTRATOR MARK PETERSON, DEPUTY CHIEF ERIK WALLGREN AND EMERGENCY MANAGEMENT COORDINATOR MINDI MATTSON, Fire & Emergency Services Department; CHIEF KEVIN MILOSEVICH, DEPUTY CHIEF TIM TROXEL, COMMANDER CLARK WILCOX AND COMMANDER KEITH VANVALEY, Police Department.

PROCLAMATION
Volunteer Month - April 2012
A proclamation by Mayor Law was read declaring April 2012 to be “Volunteer Month” in the City of Renton and encouraging all members of the community to commit a portion of their time to volunteer service to perpetuate the spirit and vitality of the city. MOVED BY ZWICKER, SECONDED BY BRIERE, COUNCIL CONCUR IN THE PROCLAMATION. CARRIED.

Neighborhoods, Resources, and Events Manager Bonnie Rerecich accepted the proclamation. She remarked that 4,611 volunteers donated 62,800 service hours to the community in 2011. She stated that the lobby volunteers contribute over 2,200 service hours to City Hall, and 174 volunteers provide over 13,300 service hours at the Senior Activity Center annually. She announced that banners recognizing all of the City’s volunteers have been hung throughout the community, and encouraged anyone considering volunteering to contact the Community Services Department.

PUBLIC HEARING
Fire: Renton Hazard Mitigation Plan
This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Law opened the public hearing to consider adopting the City of Renton Hazard Mitigation Plan.

Emergency Management Coordinator Mindi Mattson reported that a new Hazard Mitigation Plan is required because the City’s 2003 plan lapsed in 2009. She remarked that the plan was updated for many reasons including best practices, new Federal Emergency Management Administration (FEMA) guidelines, and grant eligibility requirements. She explained that the plan was allowed to lapse in 2009 because of funding issues.

Ms. Mattson stated that the City hired a consultant to begin the process of creating the new Hazard Mitigation Plan in 2009, and public input was sought at two meetings that occurred in April 2009 and March 2010. She added that considerable input from State and Federal agencies has been included in the plan since that time.
Ms. Mattson stated that the document is a tool to be used for mitigating hazards before they occur, and is not a response plan. She explained that the document contains chapters on specific hazards, how those hazards are prioritized for emergency response, and how they will be mitigated. She also explained that a cost/benefit analysis was conducted for each type of hazard to help determine whether or not the cost to mitigate the problem outweighs the benefit.

Concluding, Ms. Mattson noted that the Fire and Emergency Services Department has had the plan posted to the City web site to solicit public input, and invited residents to pre-register by April 18 for a public workshop on April 26. She requested that Council approve the plan.

There being no public comment, it was MOVED BY ZWICKER, SECONDED BY CORMAN, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED. (See page 99 for related committee report and page 101 for resolution.)

Elizabeth Stevens (Renton) stated that she was one of the 6,383 registered voters who signed the initiative petition regarding the downtown library. She remarked that the ballot and voters pamphlet regarding annexation to the King County Library System (KCLS) (in 2010) was not clear regarding relocation of the downtown library. She commented that revitalization is successful when driven by business owners and private investors, not City staff. Ms. Stevens remarked that contracts with KCLS can be amended, and administrative memorandums regarding costs estimates are vague. She urged Council to either adopt the initiative petition ordinance or place it on the ballot with mutually accepted language.

Stuart Avery (Renton) shared his experiences volunteering in the community for the past 17 years, and remarked that he is one of the registered voters who signed and gathered signatures for the initiative petition. Mr. Avery commented that many people within the community feel misled about the relocation of the downtown library, and asked Council to honor the intent of the initiative by allowing constituents the opportunity to vote on where the new library will be built. He added that if the petition is ignored, the City will be setting the stage for a possible lawsuit. He asked that Council's oaths of office guide their actions.

Shelby Smith (Renton) stated that she signed the petition regarding the downtown library, and feels that City residents have obtained the right to a City-wide vote on this issue. She remarked that all that is required of Council to justify and realign their position on this matter is to adhere to the principles of representative governance and adopt the citizens' initiative petition. She appealed to the integrity of the elected officials, and said she depends on them to be devoted to the higher principles of democracy. Ms. Smith added that many people would like to see the Big 5 site used as an arts and culture building that would fit into the desires and needs of the City.

Mark Martinez (Renton) remarked that he missed a crucial piece of information when he voted to annex to KCLS and that regarded relocation of the downtown library. He explained that if he had known the library would be moved, he would have voted differently. He stated that he believes in the democratic process and the rule of law, and that under the Revised Code of Washington if
an initiative is certified, it either gets passed as written or it goes to a vote. He added that the RCW does not say the petition must meet the City Attorney’s legal approval, and if Council decides not to act on the initiative, the people’s only option is to proceed to Superior Court. He noted that while the City has a $1.7 million budget for its attorney’s office, many residents do not have the financial means to fight a legal battle. He urged Council to send the issue to a vote of the people.

David Keyes (Renton) stated that he believes the library should remain where it is over the river and that Council must take action on the initiative petition regarding the downtown library. He shared his experience working as an architect, and objected to cost estimates referenced by the City’s administration. He explained that the estimates for remodeling the current library building contain vague language that is baseless without more pertinent information. Mr. Keyes also remarked that regardless of what the petition states, the process is framed by State law that places requirements on the petitioners and on the legislative body. Noting that he is not an attorney, he stated that he feels Council must either adopt the initiative petition ordinance or allow it to go to a public vote.

Judy Tabak (Renton) stated that she is one of the registered voters who signed the initiative petition and helped to gather signatures. She asked Council to look at the issue from a child’s point of view for the sake of the children who are drawn to the current library. She summarized comments from adults who had once been under her care as children who advocated for keeping the library, a symbol of the community, at its current location. She asked Council to listen to the children’s voices.

Mike Glain (King County) stated that the downtown library is clearly unique, and he has been a patron of the Renton library for over 30 years. He urged Council to allow the citizens to make the decision on what to do with their icon.

Kathy Ossenkop (Renton) stated that she is one of the voters who signed the initiative petition. She shared her experience gathering signatures, which included speaking to immigrants who could not sign the petition but expressed support for the issue. She stated that she believes there is a duty to give voice to the thousands of residents in Renton who are not allowed to vote. She emphasized that it is a citizen’s right to petition their government, and for their government to respond affirmatively for ballot measures.

Jeannie Greene-Crook (Renton) stated that she had worked in downtown Renton for 32 years with 24 of those years at American Drapery located on the corner of S. 3rd St. and Burnett Ave. S. She explained that when the Transit Center was built, the downtown area gained crime, transients, and panhandlers. She questioned the safety of the Big 5 site and the parking garage, and noted that American Drapery is relocating as soon as it can sell its building. She stated that the Big 5 site is not a good area.

Ben Johnson (Renton) stated that Council does not have the choice of determining whether the initiative is a good idea or not because the RCW outlines what actions are to be taken after the petition is certified. He read a portion of the RCW and urged Council to do as the law prescribes by either adopting the ordinance or allowing it to go to a public vote.
Stanley Jex (Renton) questioned whether there may be some other agenda for relocating the downtown library. He remarked that Council has received a clear mandate from City residents and should put the issue to a vote in order to clear up any misunderstandings. He added that many people he talked to would not have voted to annex to KCLS if they had realized that their unique downtown library would be relocated.

Phyllis Forister (Renton) stated that she is aware of a letter Council received from a Library Advisory Board member that included costs estimates in the range of $800,000 for the remodel of the existing library buildings. She explained that ex-Councilmember King Parker had asked her where she had come up with the $800,000 sum at a previous Council meeting, and had replied that it was from the Renton Public Library Master Plan. She read a page from the plan stating that remodeling both existing libraries would cost altogether approximately $882,000. Ms. Forister stated that she believes remodeling the existing building is a better option than building a new library for $9 million. She also remarked that the current library is as state-of-the-art as is required by residents, and that KCLS is supported by levies and tax dollars in order to serve the public.

King Parker (Renton) reviewed Council's prior decisions leading up to the decision to relocate the downtown library at the Big 5 site. He pointed out that a deciding factor to proceed with a vote on annexation to KCLS was the considerable cross-use fees. He explained that thousands of dollars in fees were incurred by the City when Renton citizens utilized the KCLS system. He stated that the fees became so high the City realized it could not afford to both pay the cross-use fees and continue to operate the libraries.

Mr. Parker stated that many viewpoints regarding the downtown library have been expressed and urged Council not to forget the silent majority. He stated that there are over 90,000 residents in Renton and only a small portion of those residents have come forth to voice their position. He cautioned that there are many possible consequences for not staying the Big 5 course, including jeopardizing financing for the new Highlands Library, which is key to redevelopment in the Sunset area.

Dave McCammon (Renton) remarked that discussion regarding replacing the downtown library had occurred prior to the annexation vote to KCLS. He stated that there were numerous opportunities for people to speak for or against the topic prior to any action having been taken. He pointed out that less than 32% of registered voters voted on the measure, and it passed by only 53 votes.

Mr. McCammon stated that he believes the initiative is an attempt to undercut the majority decision to annex to KCLS. He remarked that the City must depend upon Council to make informed decisions, and cannot bring every item affecting residents to a vote. He stated that Renton has grown in population and has had to move City Hall, the police station, and even the library buildings in the past. He urged continued City growth by building at the new location.

Bill Taylor (Renton) stated that he agrees with Mr. Parker's comments, and added that Council was elected under the assumption that they would make decisions on behalf of Renton citizens. He remarked that investments have been made based upon Council commitments, and to not follow through on
those commitments would be a gross disservice to others who are making investments in downtown. He urged Council to move ahead and relocate the library to the Big 5 site.

Citizen Comment: Mclrvin - Initiative Petition Regarding the Downtown Library

Ryan Mclrvin (Renton) shared his experiences living in other cities and the influences that caused his family to move to Renton. He stated that renovating the existing library space into a new, improved community space is something Renton needs to do in the name of progress and modernity. He added that he would not be supporting the relocation of the downtown library if the City had plans to demolish or dispose of the current library building. Mr. Mclrvin stated that this issue has been tested by the voters and has been vetted thoroughly by the community. He concluded by saying it is time to let go of the past and move on for Renton’s future.

Citizen Comment: Asher - Initiative Petition Regarding the Downtown Library

Beth Asher (Renton) stated that she signed the petition and helped gather signatures. She remarked that interlocal agreements can be amended, noting that there are numerous examples of amended City agreements posted on the internet. She stated that there is a silent majority which includes 283 people who asked King County Elections to change their vote because they felt misled or did not understand the issue during the campaign to annex to KCLS.

Ms. Asher also remarked that this is a civil rights issue, that the people have the right to petition, and Council has the right to listen. She stated that Council has only two choices regarding the petition; to either adopt the related ordinance as written, or send the issue to the ballot. She reiterated that it is the people’s right to petition, it is a free speech issue, and if Council removes the people from the process then there is no longer a process or democracy. She urged Council not to be afraid to let the voters decide.

CONSENT AGENDA

Items listed on the consent agenda are adopted by one motion which follows the listing. At the request of Council President Zwicker, Items 7.e. and 7.d. were removed for separate consideration.

Council: Meeting Minutes of 3/19/2012

Approval of Council meeting minutes of 3/19/2012. Council concur.

Council: Meeting Minutes of 3/26/2012


CAG: 12-021, S Lake Washington Roadway Improvements (Garden Ave Widening), ICON Materials

City Clerk reported bid opening on 3/20/2012 for CAG-12-021, S. Lake Washington Roadway Improvements (Garden Ave. Widening) project; 11 bids; engineer’s estimate $2,103,612.17; and submitted staff recommendation to award the contract to the low bidder, Icon Materials, in the amount of $1,968,690.65. Council concur.

Budget: 2012 Carry-Forward Ordinance

Administrative Services Department requested approval of the 2012 carry-forward ordinance in the amount of $37,139,384, which increases the 2011/2012 Budget by carrying forward funds from 2011 for projects that were not completed in 2011. This ordinance also authorized a two-year limited term Deputy City Clerk position for public records management functions funded by a vacant police department position. Council concur. (See page 101 ordinance.)
Lease: Renton Pavilion Event Center, Rain City Catering

- Community Services Department recommended approval of a new five-year lease in the amount of $1,000 per month with Rain City Catering for the operation of the Renton Pavilion Event Center. Council concur.

Transportation: Agreement for Construction Services, Rainier Ave S (SR 167) S Grady Way to S 2nd St, Puget Sound Energy

- Transportation Systems Division recommended approval of an Agreement for Construction Services in the amount of $891,000 with Puget Sound Energy (PSE) for reimbursement for the relocation of PSE facilities for the Rainier Ave. S. (SR 167) S. Grady Way to S. 2nd St. project. Council concur.

Transportation: Facility Relocation Agreement, Rainier Ave S (SR 167) S Grady Way to S 2nd St, Puget Sound Energy

- Transportation Systems Division recommended approval of a Facility Relocation Agreement in the amount of $186,000 with Puget Sound Energy (PSE) for the relocation of PSE facilities for the Rainier Ave. S. (SR 167) S. Grady Way to S. 2nd St. project. Council concur.

Transportation: Joint Utility Trench Construction Agreement, Rainier Ave S (SR 167) S Grady Way to S 2nd St, CenturyLink

- Transportation Systems Division recommended approval of a Joint Utility Trench Construction Agreement in the amount of $357,000 with CenturyLink for reimbursement for the relocation of CenturyLink facilities for the Rainier Ave. S. (SR 167) S. Grady Way to S. 2nd St. project. Council concur.

Utility Systems Division recommended approval of Amendment #2 to CAG-10-129, grant agreement with the Washington State Department of Ecology, to accept $50,000 to implement revisions associated with the National Pollutant & Discharge Elimination System (NPDES) Phase II Stormwater permit. Council concur.

Utility Systems Division submitted CAG-10-087, Stonegate Lift Station Replacement project; and requested approval of the project, authorization for final pay estimate in the amount of $13,070.56, commencement of a 60-day lien period, and release of retained amount of $57,992.72 to Shoreline Construction, Co., contractor, if all required releases are obtained. Council concur.

MOVED BY ZWICKER, SECONDED BY TAYLOR, COUNCIL APPROVE THE CONSENT AGENDA MINUS ITEMS 7.d. and 7.e. CARRIED.

City Clerk reported 3/28/2012 notice of Library Initiative Petition signature sufficiency from King County Elections and submitted for consideration of next steps the Initiative Ordinance, which would restrict any and all downtown library improvements to the current 100 Mill Ave. S. site unless a vote of the citizens authorizes otherwise. Information.

Executive Department submitted the Administration’s recommendation that the City continue its present course of action in constructing both the downtown and Highlands libraries, and that Council decline to adopt or to place the library initiative ordinance regarding this issue on the ballot. Council concur.

Council President Zwicker remarked that Consent Agenda Items 7.d. and 7.e. are related to the citizens’ initiative petition ordinance regarding the relocation of the downtown library. He stated that he has given the matter considerable thought, and explained that because he took an oath of office to support and maintain the Constitution of the State of Washington and the United States of America, he cannot adopt an ordinance he believes violates the constitution.
Mr. Zwicker further explained that because the initiative petition ordinance impacts existing contracts with KCLS, it is unconstitutional. He also stated that although the State statute seems to direct Council to either adopt the ordinance or submit it to a vote of the people, he believes he is constitutionally barred from doing either.

MOVED BY ZWICKER, SECONDED BY BRIERE, COUNCIL CONCUR IN CONSENT AGENDA ITEM 7.e.* (See page 99 for action.)

Councilmember Taylor expressed disagreement with Mr. Zwicker’s assessment of the constitutionality and proposed a discussion and minority report to put this issue to a public vote. Councilmember Corman requested to second if allowed by rules. City Attorney Larry Warren clarified that the first motion had to be disposed of before a second motion could be made. Mayor Law then called for further discussion.

Councilmember Taylor expressed disappointment with the route being taken to move the library issue forward, and stated that he was poised to recommend that the topic be placed before the voters. He remarked that the current difficult situation began with a serious mistake on 6/20/2011, when it became clear that the voters voiced opposition to re-site the libraries and their concerns were largely ignored. Mr. Taylor reviewed the history of the City’s only other citizens’ initiative from 2006 that concerned fireworks. He remarked that the vote to annex to KCLS was marketed by KCLS and passed by only 6,395 votes. He pointed out that was only 12 more votes than the number of citizens who signed the initiative petition regarding the library. Considering that the current grass roots effort did not come into contact with all City residents, Mr. Taylor indicated that he believes this is a largely understated representation of what the library means to the community.

Continuing, Mr. Taylor stated that in his experience the four components for community revitalization include restaurants, retail shopping, entertainment, and arts, but not a library. He encouraged a new long-term strategy for the downtown core, and discouraged taking away the public icon to which the people connect. Mr. Taylor stated that the Council needs to be constantly trying to understand where the public wants their tax dollars directed and may need to redirect to get it right. Paraphrasing comments from the letter from the petitioner’s attorney, he stated that placing the initiative on the ballot is good public policy and that regardless of the legal merits of the initiative, there is value in allowing people to express their views and in knowing the public’s views; therefore the city should place the initiative on the next general election ballot.

Councilmember Corman expressed agreement with Mr. Taylor. Addressing Mr. Zwicker’s comments, he stated that while Council would not want to write a knowingly unconstitutional law, this issue is about the citizen’s law-making process, which is a rare occurrence in the City of Renton. Mr. Corman pointed out that Council has the opportunity to create a City ordinance that effectively accomplishes the intent of the initiative or let it go on the ballot. He remarked that if there is something unconstitutional about the ordinance, then that could become an issue in the election and be brought forward in election materials, as sometimes occurs in state-wide initiatives.
Mr. Corman explained that he would like Council to adopt its own ordinance, but that he was also willing to place it on the ballot. Comparing the state-wide petition process that most people are more familiar with to the City's initiative process, Mr. Corman noted that only eight percent of the voters' signatures are needed for a State initiative and only four percent are needed for a State referendum, whereas thirty-three percent of Renton voters' signatures are needed for a City initiative. He emphasized that this is a much higher bar, and is four times what is required by the State process.

Additionally, Mr. Corman described how citizens banded together (in the 1960s) to get the library they wanted spanning the Cedar River. He stated that he feels there was confusion amongst citizens about the new library location, and that the site had not been discussed or decided by Council until after the KCLS annexation went to ballot. When the site was discussed, Mr. Corman stated that it took place during executive session where the Council was initially split between the Big 5 site and the current Cedar River site, with the Big 5 site ultimately being chosen. He remarked that citizens could not have known they were voting to move the library at the time of the KCLS annexation election.

Mr. Corman expressed appreciation to the City Attorney for looking at the constitutionality of the initiative petition, and remarked that it is a judicial matter that could be argued if the issue goes to ballot and prevails. He concluded by reiterating that this is a citizens' law-making process.

Councilmember Briere commented that even though six thousand people signed the library initiative petition, there are ninety thousand people in the City. She stated that she is not convinced that this is a true representation of what the community at large might want. Ms. Briere stated that there are a lot of people who believe in moving forward with a library at the new location.

Continuing, Ms. Briere stated that there is a fiduciary responsibility and that Council had to weigh the costs associated with the site decision. She explained that after considering service hours and other expenses to operate the library, the cost of remodeling was much more expensive than constructing a new building from the ground up. Ms. Briere described comparative considerations that had to be given concerning the old Henry Moses pool, and explained that Councilmembers are elected to weigh all related information to make an informed decision. She stated that she feels Council has done that regarding the library and though she knows some people are disappointed with the decision, she stands by her vote.

Councilmember Taylor remarked that the simplest way of finding out what the majority of people want would be to place it on the ballot as requested by the petitioners.

Councilmember Palmer stated that her position is the same as it has been all along. She remarked that when the City conducted a survey in 2005 or 2006, it was evident that the downtown library was beloved and considered iconic. Ms. Palmer expressed regret that all of the information was not available before the annexation vote, and that the initial grass roots effort had a difficult time getting information to the public in a short amount of time. She agreed that a legal battle would be a lose-lose situation, and urged that the issue be put to a vote of the people and to let the proponents make their case in an election.
Additionally, Ms. Palmer questioned why the City and KCLS do not celebrate the unique, one-in-the-world library over a river, that could be remodeled to be a tourist attraction. She stated that the library has people and students from around the world looking at it, which is to be celebrated. She suggested that the Big 5 site become something the community supports, such as an arts and culture site. Concluding, Ms. Palmer thanked citizens for caring about the community just as the Mayor and Council cares, and requested that the community support the decisions that are made for both sites.

Councilmember Persson urged everyone to look at the dollars and cents and pointed out that there is a limited amount of money for the two libraries. He reminded Council of the costs already spent, and added that additional issues like fish windows, and ecology permits would add even more cost to the renovation of the current library building. Mr. Persson also noted that the City has already spent over $1 million on the Big 5 site with Council’s approval. He stated that if the citizens’ initiative had included an additional $7 million for the libraries, he would consider it differently.

Mr. Persson explained that renowned experts in libraries across the nation indicated that even if the City spent the necessary dollars on the downtown library it would not fit the needs of the community, and would not be considered the most up-to-date library. He acknowledged that contracts can be changed with agreement of both parties, but pointed out that KCLS has already indicated through their attorneys that they are not willing to change their contract with the City.

Concluding, Mr. Persson stated that if this were just an emotional issue he would agree to put it on the ballot, or he would be happy if everyone agreed to forego the library remodel and leave it as it is. However, he explained that he cannot put the City in millions of dollars of jeopardy or jeopardize the Highlands library quality because of the limited amount of money budgeted for these programs. Mr. Persson encouraged Council not to put the issue on the ballot because of this danger.

Councilmember Briere remarked that the reason the annexation to KCLS was put to a vote in the first place was because the City was running out of money to run the libraries. She explained that the financial burden became even greater after the vote, and if the City had continued to operate the library it would be closed by now. Ms. Briere further explained that more and more citizens were using KCLS services and the City had to pay for that use. She reiterated that this issue was about not having enough money for libraries, and without annexation both of the buildings would have had to have been closed by now.

Mr. Corman stated that he was beginning to feel nervous about where this subject was heading. He remarked that the RCW instructs Council to either pass the ordinance or send it to a vote of the people and it does not say Council must first receive an opinion regarding the issue from the City Attorney. He stated that the RCW does state that if Council declines to act on the petition any taxpayer may commence an action in Superior Court against the City to procure a decree ordering an election for the purpose of voting on the proposed ordinance.
Continuing, Mr. Corman remarked that this is where he believes any financial jeopardy may come into play. He explained that if Council decides to do nothing, which is contrary to the law, the next step will be court. He pointed out that no one had suggested stopping further development on the new libraries in order to make sure the dedicated library funds are not wasted in court fees. Mr. Corman urged Council to allow the community to have a voice in the matter. He stated that community and business leaders could promote their ideas and each side could make a case for the positions.

Mr. Persson remarked that he believes the City will likely end up in court regardless of the decision regarding the petition. He added that the City has the authority to stop progress on the library issue, and he would gladly instruct the administration to halt. However, he emphasized that he respects the City Attorney’s opinion that the petition is illegal.

Mr. Taylor agreed with Mr. Persson’s assessment that the City will end up in court, and stated that he would prefer if that happened the City would be in court protecting the rights and interests of its citizens. He added that the initiative petition provided the information he requested last June when he asked Council to promulgate a poll on the issue.

Mr. Corman reviewed the State initiative process, and remarked that the City could emulate that process and put this initiative on the ballot. He stated that if the City was out money for work already completed then that information should be included in the ballot’s explanatory statement. He also stated that citizens could weigh those costs with the $9 million required to stay on course and compare it to a good financial analysis of what it would actually cost to renovate the current downtown library building. He added that the current library building will have to be remodeled for any future use and that financial analysis should also be provided to citizens. Continuing, Mr. Corman remarked that in his 18 years of Council experience he believes this to be the most serious decision the Council has had to make. He remarked that Council should do what the people are asking them to do and put the issue on the ballot.

Mr. Taylor stated that Council is able to govern at the pleasure of their constituents. He remarked that citizens want to know that they can trust their elected officials to work in their best interests. He stated that if Council misses this opportunity to pivot their direction on this issue, it may call into question any future decisions Council makes. He urged Council to allow the petition to go to a vote.

Mayor Law stated that elections costs would run approximately $90,000. He added that Council had heard dialogue from both sides of the issue tonight, and clearly there has been some confusion with voters regarding this topic. He emphasized, however, that the administration has been in a position of following Council direction and moving forward with the library location that is under contractual agreement with KCLS.

Additionally, Mayor Law clarified there had been confusion related to the initiative and that the current library building will not be torn down, and the City has been looking to position it for another use. He emphasized that there have been valid comments on both sides and the administration will move forward based on the decision Council makes.
Councilmember Persson called for the question.

ROLL CALL: FOUR AYES: ZWICKER, BRIERE, PRINCE, PERSSON; THREE NOES: PALMER, CORMAN, TAYLOR.

*MOTION CARRIED.

UNFINISHED BUSINESS

Committee of the Whole
CED: School District Impact Fees

Council President Rich Zwicker presented a Committee of the Whole report recommending concurrence in the staff recommendation to adopt an ordinance to approve impact fee collection changes and Capital Facilities Plans for three school districts within the City of Renton as follows:

- Collect the requested impact fee of $3,568, a decrease of $240, for each new single-family home on behalf of the Issaquah School District; and
- Continue to collect an impact fee of $5,486 for each new single-family home and $3,378 for each new multi-family unit on behalf of the Kent School District; and
- Collect the requested impact fee of $6,392, an increase of $82, for each new single-family home and $1,274, an increase of $16, for each new multi-family unit on behalf of the Renton School District.

The Committee further recommended that the ordinance regarding this matter be prepared and presented for first reading. MOVED BY ZWICKER, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Finance Committee
Finance: Vouchers

Finance Committee Chair Briere recommended approval of Claim Vouchers 310844 - 311140, six wire transfers, and one payroll run with benefit withholding payments totaling $4,606,409.61, and payroll vouchers including 752 direct deposits and 64 payroll checks totaling $1,574,538.59. MOVED BY BRIERE, SECONDED BY PERSSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Finance: Fee Waiver Request, Summer Teen Musical

Finance Committee Chair Briere presented a report recommending concurrence in the staff recommendation to approve a fee waiver request in the net amount of $4,850 for the use of Carco Theater and associated staff costs for the production of the 2012 Summer Teen Musical. MOVED BY BRIERE, SECONDED BY PERSSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Finance: Fee Waiver Request, CROPWALK

Finance Committee Chair Briere presented a report recommending concurrence in the staff recommendation to approve the fee waiver request in the amount of $280 for use of the Liberty Park and Riverview Park picnic shelters on 5/6/2012, during the 2012 CROP Hunger Walk fundraising event sponsored by the Renton Ecumenical Association of Churches (REACH). MOVED BY BRIERE, SECONDED BY PERSSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Public Safety Committee
Fire: Renton Hazard Mitigation Plan

Public Safety Committee Chair Persson presented a report recommending concurrence in the staff recommendation to adopt the new City of Renton Hazard Mitigation Plan, which is a complete revision of the plan adopted in December 2003. All City departments participated in developing the revised plan.
The plan categorizes the hazards that may impact Renton, assesses Renton's vulnerability to those hazards and identifies actions to take to reduce risk. A full review of the Hazard Mitigation Plan will be conducted every five years. The Committee further recommended that the resolution regarding this matter be adopted.

MOVED BY PERSSON, SECONDED BY PALMER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 101 for resolution.)

Community Services Committee Chair Palmer presented a report recommending concurrence in Mayor Law’s appointment to the Planning Commission of Mr. David Fleetwood for an unexpired term expiring on 6/30/2013 (position previously held by Mr. Ed Prince.) MOVED BY PALMER, SECONDED BY PRINCE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Mr. Fleetwood thanked Council for the opportunity to serve on the commission.

Community Services Committee Chair Palmer presented a report recommending concurrence in Mayor Law’s appointments of the following individuals to the City Center Community Plan Advisory Board:

For terms expiring on 4/30/2013:

Mr. Chris Aird; Mr. Doug Baugh; Ms. Angelina Benedetti; Mr. Michael Bowman; Ms. Dana Rochex; Mr. Rodney Swift; Mr. Brian Van Houten; and

For terms expiring on 4/30/2015:

Mr. George Daniels; Mr. Jerry Kavesh; Ms. Shasta McKinley; Mr. James Stanek; Ms. Sybil Turner; Ms. Suzanne Thompson; and

For terms expiring on 4/30/2017:

Mr. Ray Giometti; Ms. Nancy Eklund; Mr. Mike O’Donin; Ms. Francine Siverts; and Ms. Kim Sweet.

MOVED BY PALMER, SECONDED BY PRINCE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

James Stanek remarked that he has lived in downtown Renton for 16 years, and thanked Council for the opportunity to serve on the board. He noted that many of tonight’s speakers are passionate about the downtown library, and requested that they do not lose that passion based on the decisions made tonight.

Francine Siverts thanked Council for the opportunity to serve on the advisory board. She stated that she has worked on the Library Steering Committee and is excited about the City’s plans for Renton’s future.

Mayor Law thanked both appointees for volunteering to serve the community.

Transportation (Aviation) Committee Chair Corman presented a report recommending concurrence in the staff recommendation to approve an addendum to the 2011 lease with Rainier Flight Services for the second floor of the 790 Building and ground lease tie-down area, to extend the term for one-year (to 3/31/2013) and increase the rate by $459.49 annually.
Utilities Committee
CAG: 08-202, Solid Waste Services, Waste Management

RESOLUTIONS AND ORDINANCES

RESOLUTION #4136
Fire: Renton Hazard Mitigation Plan

NEW BUSINESS
Public Safety: New Downtown Camera Installation (Project)
Community Event: Women’s Fly It Forward Event

AUDIENCE COMMENT
Citizen Comment: Hensley - Initiative Petition Regarding the Downtown Library
Citizen Comment: Asher - Initiative Petition Regarding the Downtown Library
Ms. Asher emphasized that the residents have a right to free speech and to petition, and refusing this right tramples on all founding and governing principles of our country.

Mark Martinez (Renton) stated that he would forego purchasing tires for his vehicle to help fund the legal costs for this issue supporting the petition. He expressed dismay that he could not be on Council's side of this issue and pointed out that he, like most citizens, do not have a $1.7 million fund to fight court battles. He stated that while the City has the purse strings, the proponents have the voters.

Jeannie Greene-Crook (Renton) remarked that she is a 30 year Renton resident who will do anything to make sure her children and grandchildren have the opportunity to go to the same library she has over the Cedar River. She stated that she would contribute and help raise funds for the legal effort, and surmised that attorneys will be the only ones to gain from this issue.

Stuart Avery (Renton) thanked Council for allowing citizens to speak and reiterated that this issue is likely the most weighted topic that Council has had the responsibility to address. He expressed disappointment that Councilmember Prince did not voice an opinion on the initiative subject, and that the administration lobbied Council so heavily on the issue. Mr. Avery stated that the actual costs of the new library and the costs to repurpose the old library have not been fully disclosed to the public. He stated that he spent several months on the Library Steering Committee, and after the first meeting little legitimate debate occurred.

Mayor Law stopped Mr. Avery and pointed out that he only attended one or two meetings and the purpose had nothing to do with moving the library to the Big 5 site. He asked Mr. Avery to not denigrate the work the other members of the committee have completed thus far regarding repurposing.

Continuing, Mr. Avery apologized and stated that he was trying to show that taxpayers will also be responsible for the costs of repurposing the old library building, and those costs have not been weighted into the library relocation discussion.

Erica Richey (Renton) stated that she is a member of the Library Advisory Board and has spent many hours discussing and deliberating this issue. She remarked that persons attempting to gather her signature for the petition told her many false things including how the renovation costs for the current library building would be in the six hundred to eight hundred thousand dollar range, and that one-half of the building would have to be renovated at a time.

Ms. Richey also remarked that signature gatherers were forceful and disrespectful and told her she was uneducated when she declined to sign the petition. She stated that when she voted to join KCLS she voted to gain two new state-of-the-art libraries, and she wants her tax dollars to go to this end.
Judy Tabak (Renton) remarked that the explanatory statement for the 2010 ballot measure to annex to KCLS contained misinformation, and was written by the City administration. She also stated that if people looked at the public disclosure site they would be enlightened to see who made donations to the newest Councilmember and would then know why citizens anticipated a split four to three vote on this issue. She remarked that three Councilmembers will be up for reelection next year.

Julie Abraham (Renton) stated that she used to play the game of not stepping on cracks when she visited downtown Renton, and now her family will have to play the game of not stepping on condoms or on filth from transients when visiting the new library. She lamented that Renton is not the same place as it was when she grew up, and expressed disappointment in Council's decision.

Richard Bray (Renton) stated that the last time he spoke to Council he shared how the library over the Cedar River had impacted his family. He remarked that the current downtown library is a treasured amenity where people can go to exercise their minds and bodies. He expressed disappointment in Council's decision not to address the initiative petition, and remarked that a simple vote of the people could have settled the issue once and for all.

Councilmember Corman stated that based on the comments he believes litigation is forthcoming and would like to express his thoughts prior to that happening. He remarked that the City should do everything possible and work swiftly to find a remedy so this dispute does not instantly turn into a large lawsuit. He acknowledged Council's fiduciary responsibilities and citizen comments regarding the City's budget and community members foregoing making purchases to fund legal costs, and requested that the City do everything it can to settle the situation as quickly as possible.

Mr. Corman also noted that if this becomes a civil rights issue, the losing side pays all court costs. He requested that the administration provide Council with information so they would know when the legal costs approach the costs of the disputed election, and what things have been done to mediate this legal dispute before it ends up in court.

Catherine Ploue-Smith (Renton) stated that she is a member of the Library Advisory Board, and shared her experiences living and volunteering in the community for the past 17 years. She remarked that this process actually started four years prior to the annexation to KCLS and although there was a lot of information available at the time, very few people expressed interest in the topic. She stated that even back then the City knew it could not sustain the libraries. Addressing crime, Ms. Ploue-Smith pointed out that after 5 p.m. there is criminal activity occurring at the current library site also.

Ms. Ploue-Smith exclaimed that the City must invest in its future, and people need to stop thinking about the past. She stated that KCLS is building new libraries in Skyway, Newcastle, and East Kent, and is also expanding the Fairwood Library. She added that the new downtown library will have increased access because it is located near the transit center and Renton High School. She stated that building a new library in downtown will not take away from the amazing civic complex at Liberty Park.
Citizen Comment: McComber - Initiative Petition Regarding the Downtown Library

Howard McComber (Renton) remarked that he shares Mr. Corman's views regarding the library issue. He stated that everyone believes they are doing the right thing, and a compromise will bring needed harmony to the situation. He added that the petitioner's have done their job to certify the petition, and urged City to work with them to come to an agreement.

ADJOURNMENT

MOVED BY PERSSON, SECONDED BY ZWICKER, COUNCIL ADJOURN. CARRIED.
Time: 9:58 p.m.

Bonnie I. Walton, CMC, City Clerk

Jason Seth, Recorder
April 2, 2012
## RENTON CITY COUNCIL COMMITTEE MEETING CALENDAR
### Office of the City Clerk
### COUNCIL COMMITTEE MEETINGS SCHEDULED AT CITY COUNCIL MEETING
#### April 2, 2012

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<tr>
<td>COMMITTEE OF THE WHOLE</td>
<td>MON., 4/9</td>
<td>Economic Development Strategic Plan Briefing</td>
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<td>(Zwicker)</td>
<td>6 p.m.</td>
<td><em>7TH FLOOR CONFERENCING CENTER</em></td>
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<td>COMMUNITY SERVICES</td>
<td>MON., 4/9</td>
<td>Community Services Wrap-up (briefing only)</td>
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<td>(Palmer)</td>
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<td>PUBLIC SAFETY</td>
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<td>(Corman)</td>
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<td>UTILITIES</td>
<td>MON., 4/9</td>
<td>Utility Bill Leak Adjustment Policy</td>
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<td>(Taylor)</td>
<td>5:15 p.m.</td>
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**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.