Mayor Jesse Tanner led the Pledge of Allegiance to the flag and called the meeting of the Renton City Council to order.

TONI NELSON, Council President; DAN CLAWSON; KATHY KEOLKER-WHEELER; TERRI BRIERE; KING PARKER; DON PERSSON; RANDY CORMAN.

JESSE TANNER, Mayor; JAY COVINGTON, Chief Administrative Officer; RUSSELL WILSON, Assistant City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; SUE CARLSON, Economic Development Administrator; ALEX PIETSCH, Economic Development Director; NEIL WATTS, Development Services Director; LESLEY NISHIHIRA, Senior Planner; TOM BOYNS, Property Services Supervisor; LARRY RUDE, Fire Marshal/Battalion Chief; COMMANDER ROBERT SEELYE, Police Department.

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 continued from January 14, 2002, to consider the proposed City Code changes that would establish a binding site plan process, as well as outline the requirements for using a binding site plan.

Senior Planner Lesley Nishihira reported that when the subdivision ordinance was rewritten in 1995, the provisions for a binding site plan process were removed from the City Code. Although the current regulations work well for residential platting, these regulations are not suited for commercial or industrial subdivisions. She detailed the benefits of the proposed binding site plan as follows:

- Allows for more flexibility in phasing of street and utility improvements to allow for better design to match the final building construction on the site.
- Allows for further division of prior commercial or industrial short plats without requiring a full subdivision process.
- Allows for the creation of lots for leasing purposes.
- Streamlines the review process which allows for a quicker, less costly review and approval process.
- Allows for merging with the approval of a site plan or development agreement for the same site, thereby coordinating development and land division for larger parcels which may take many years to complete.

Continuing, Ms. Nishihira explained that the binding site plan, when proposed individually or with a site plan, would be reviewed at the administrative level within a time frame of six to eight weeks. When merged with a site plan that needs hearing examiner level review, the review time would be eight to twelve weeks. Finally, when merged with a development agreement and Council approval is needed, the review time is estimated at twelve to sixteen weeks. In...
conclusion, she stated that staff recommends approval of the proposed binding site plan ordinance.

Responding to Councilman Clawson’s inquiry regarding the need to change the City Code, Ms. Nishihira explained that over time, staff discovered that the subdivision regulations did not adequately address the different needs involved with the platting of properties zoned for other than single-family dwellings. She pointed out that the binding site plan is an addition to current regulations and will address the needs of commercial and industrial zoned land.

Public comment was invited.

Gene Warden, Boeing Realty Corporation, PO Box 3707, M/CIF-58, Seattle, 98124, expressed his support for the adoption of the binding site plan ordinance, saying that it provides flexibility to property owners as times change. In addition, he stated that it will reduce the City’s processing expense and provide owners of commercial and industrial zoned land with a timely subdivision process.

MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED. (See page 31 for related Planning & Development Committee report and page 34 for ordinance.)

Vacation: Lyons Ave NE ROW, Abney-Revard (VAC-01-006)

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Tanner reopened the public hearing continued from January 7, 2002, to consider the street vacation petition for portion of unopened Lyons Ave. NE right-of-way located south of NE 4th St. submitted by petitioners Abney-Revard, Inc., Conner Homes and George Bales (VAC-01-006; Morgan Place Preliminary Plat).

Tom Boyns, Property Services Supervisor, explained that when the matter was heard on January 7th, Mr. Quang T. Do expressed objections to the street vacation. He reported that a meeting has been set on February 4th with Mr. Do to discuss his concerns. Mr. Boyns described the proposed vacation area and noted that if the vacation is approved, Lyons Ave. S. will be realigned.

Commenting that the realignment of Lyons Ave. S. is a good traffic solution, Mayor Tanner pointed out that Mr. Do’s property cannot be given access to the realigned road. If approved, the vacation will provide Mr. Do with one-half of the area located adjacent to his property resulting in an approximately 30-foot addition to his property. He noted that Mr. Do is currently using the right-of-way as a driveway. Mayor Tanner recommended closure of the public hearing after all testimony has been heard, and referral of the matter to the Transportation Committee.

Responding to Council inquiry regarding traffic concerns on NE 4th St., Development Services Director Neil Watts stated that as the plats are developed in the area, the roads are being configured so that residents can use Jericho Ave. NE and Nile Ave. NE to access traffic signals on NE 4th St.

Public comment was invited. There being none, it was MOVED BY PARKER, SECONDED BY PERSSON, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.

MOVED BY CLAWSON, SECONDED BY KEOLKER-WHEELER, COUNCIL REFER THE MATTER TO THE TRANSPORTATION COMMITTEE. CARRIED.
Vacation: Lyons Ave NE between NE 2nd & NE 4th, Conner Homes (VAC-01-004)

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Tanner reopened the public hearing continued from November 26, 2001, to consider the petition for street vacation for portions of Lyons Ave. NE, between NE 2nd and NE 4th Streets; Petitioner, Conner Homes (VAC-01-004).

Tom Boyns, Property Services Supervisor, explained that when the matter was previously heard there was confusion regarding some conditions that needed to be met prior to approval, one of them being the need for pedestrian linkages. He reported that the new sidewalks will provide the necessary linkages, thus eliminating the need for easements and the condition was removed. In regards to the portion of right-of-way adjacent to Lot 21, it was determined that this portion will not be needed for a future road and the condition was removed.

Continuing, Mr. Boyns reported that the petitioners provided updated legal descriptions and maps as requested. The petitioners also amended the legal description and map exhibit reducing the vacation area by rounding the northwest corner of the intersection of Lyons Ave. NE and NE 3rd St. with a radius of 25 feet, and made adjustments to give the Bales property a full 60-foot right-of-way access. In conclusion, Mr. Boyns stated that the issues have been resolved and he pointed out that the matter is currently in the Transportation Committee.

Public comment was invited. There being none, it was MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.

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 2002 and beyond. Items noted included:

* Mayor Tanner issued two proclamations on January 16th for two ships, the USS Carl Vinson and the USS Sacramento, and their crews who are returning to Bremerton after serving the United States in support of the nation’s war on terrorism.

* The annual Preschool Information Night will be held at the Community Center on Wednesday, February 6th, from 6:30 to 8:00 p.m.

* The Fire Department Haz Mat Team now has equipment for field-testing biological agents such as Anthrax, Botulinium Toxin, Staphylococcal Enterotoxin B, Ricin, and Plague.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing. At the request of Councilmembers, items 6.d., 6.e., 6.f. and 6.h. were removed for separate consideration.


Mayor Tanner appointed Edythe Gandy, 3807 NE 8th Ct., Renton, 98056, to the Municipal Arts Commission to fill the unexpired term of Nancy Clendaniel (term to expire 12/31/2003). Refer to Community Services Committee.

City Clerk recommended adoption of an ordinance which revises the City Code fee schedule to include a $10 fee for the reproduction of audio and video tapes. Council concur. (See page 34 for ordinance.)
Annexation: Maplewood Heights Elementary, Jericho Ave NE & SE 136th St

Economic Development, Neighborhoods and Strategic Planning Department recommended a public hearing be set on February 11, 2002, to consider the 60% Petition to Annex and proposed R-5(P) (Residential Single Family; five dwelling units per acre – public) zoning for the proposed Maplewood Heights Elementary Annexation; approximately 9.95 acres located at the northeast corner of SE 136th St. and 144th Ave. SE (Jericho Ave. NE). Council concur.

Streets: S 180th St/SW 43rd St Closure (Tukwila's Grade Separation Project)

Transportation Systems Division recommended approval of the City of Tukwila's plans for a road closure on S. 180th St./SW 43rd St. for a grade separation project for 12 months beginning March or April 2002. Refer to Transportation Committee.

Transportation: Main Ave S Speed Limit Increase from 25 to 35 mph

Transportation Systems Division recommended that the speed limit on Main Ave. S. between S. Grady Way and S. 3rd St. be increased from 25 to 35 miles per hour. Refer to Transportation Committee.

MOVED BY NELSON, SECONDED BY CLAWSON, COUNCIL APPROVE THE CONSENT AGENDA AS AMENDED TO REMOVE ITEMS 6.d., 6.e., 6.f. AND 6.h. FOR SEPARATE CONSIDERATION. CARRIED.

Separate Consideration Item 6.d.

Community Services: Park Maintenance Manager Hire at Step E & Moving Expenses

Community Services Department requested authorization to fill the Parks Maintenance Manager position at Step E of the salary range and to reimburse moving expenses up to $8,000.

Councilwoman Keolker-Wheeler requested more information regarding the number of applications received to fill this position and whether they were local or distant applicants. MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL REFER ITEM 6.d. TO THE FINANCE COMMITTEE. CARRIED.

Item 6.e.

Comprehensive Plan: WA St Department of Community Trade Grant

Economic Development, Neighborhoods and Strategic Planning Department recommended acceptance of a grant in the amount of $42,000 from Washington State Department of Community, Trade and Economic Development to update the City's Comprehensive Plan.

Responding to Councilwoman Keolker-Wheeler's inquiry regarding the grant amount, Economic Development Administrator Sue Carlson explained that the City received a grant in the amount of $42,000 but applied for a $49,500 grant in hopes of getting additional funds to do additional work. She stated that the grant will be used to fund a planning technician to help with the housing element of the Comprehensive Plan and the total project cost is $42,000. MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL APPROVE CONSENT AGENDA ITEM 6.e. AS PRESENTED. (See page 34 for resolution.)

Item 6.f.

EDNSP: Hotel/Motel Tax Revenue Allocations, Hamilton/Saunderson & Chamber of Commerce Contracts

Economic Development, Neighborhoods and Strategic Planning Department recommended approval of the Renton Lodging Tax Advisory Committee recommendation to allocate $67,500 of the hotel/motel tax revenues to the Renton Community Marketing Campaign and $116,550 to the Renton Lodging Association. Authorization was also sought to execute the contracts with Hamilton/Saunderson Marketing Partnership for year four of the marketing campaign and with the Greater Renton Chamber of Commerce for year three of the Renton Lodging Association's tourism promotional effort.

Councilwoman Keolker-Wheeler recommended that the revenue stream and the amount of the expenditures be carefully examined when the Finance Committee reviews this item. MOVED BY KEOLKER-WHEELER, SECONDED BY
Item 6.h.
Technical Services: Acquire Arlindale Tract A for ROW Dedication at NE 9th Ct (Honey Crest Plat)

Technical Services Division recommended the acquisition of Tract A of Arlindale Plat from King County at no cost in order to join as owners of property included in the proposed Honey Crest Plat by dedicating the tract as additional right-of-way for NE 9th Ct.

Requesting a more detailed map of the subject area and stating that this matter needs further review, it was MOVED BY PERSSON, SECONDED BY KEOLKER-WHEELER, COUNCIL REFER ITEM 6.h. TO THE TRANSPORTATION COMMITTEE. *

Responding to Councilman Corman's inquiry regarding the timing of the item, Planning/Building/Public Works Administrator Zimmerman reported that he was not aware of any severe timelines, and he stated that staff would be prepared to discuss the matter at the next Transportation Committee meeting on February 7th.

*MOTION CARRIED.

CORRESPONDENCE
Citizen Comment: Wood – Smith Short Plat Appeal (SHP-01-118)

Correspondence was read from Glenn and Donna Wood, 2305 NE 16th St., Renton, 98056, concerning the appeal of the Hearing Examiner's decision regarding the Smith Short Plat (SHP-01-118). The Woods' expressed concern about the placement of a private road and the potential increase in traffic noise. MOVED BY KEOLKER-WHEELER, SECONDED BY BRIERE, COUNCIL REFER THIS CORRESPONDENCE TO THE PLANNING & DEVELOPMENT COMMITTEE. CARRIED.

Citizen Comment: Human Services Advisory Committee – 2002 Human Services Budget Increase

Correspondence was read from the Human Services Advisory Committee thanking the Council for approving the additional $26,000 to the 2002 human services budget, and stating that the City contributes to a number of extremely essential agencies serving citizens who have no other recourse for their needs. Councilman Corman expressed his appreciation to the Human Services Advisory Committee for all of their hard work.

OLD BUSINESS
Public Safety Committee
Fire: Records Management Evaluation Contract, Public Safety Consultants Inc

Public Safety Committee Chair Clawson presented a report recommending concurrence in the staff recommendation to approve the contract with Public Safety Consultants, Inc. to develop a request for proposal and bench test all systems and hardware associated with implementing a records management system for the Fire Department in the amount of $65,000. The Committee recommended that the Mayor and City Clerk be authorized to execute the contract. MOVED BY CLAWSON, SECONDED BY PARKER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Police: Jail Conditions

Reporting that the City Attorney responded to Michael C. Kahrs' letter concerning Renton jail conditions, Councilman Dan Clawson commented that he is confident that the City is addressing the concerns of inmates.

Planning & Development Committee
Development Services: Binding Site Plan Process

Planning and Development Committee Chair Keolker-Wheeler presented a report regarding the binding site plan ordinance. On January 17, 2002, the Committee convened to discuss the benefits of an updated binding site plan process. The proposed changes would allow binding site plans to be approved individually as well as with other land use approvals, site plans, or development agreements and would also create a number of benefits for both developers and the City such as increased flexibility with phasing, faster review, and predictability.
The Committee recommended approval of the proposed City Code changes which would establish a binding site plan process and outline the requirements for using a binding site plan. The Committee further recommended that the ordinance regarding this matter be presented for first reading. MOVED BY KEOLKER-WHEELER, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 34 for ordinance.)

Councilwoman Keolker-Wheeler stated that on September 11, 2000, Council granted an appeal to allow the non-conforming single-family dwelling located at 230 Williams Ave. N. which was destroyed by fire, to be rebuilt on the same site. Ms. Keolker-Wheeler reported that the owner has not yet applied for a building permit and the City sent a letter informing the owner that if a building permit is not issued by September 11, 2002, the approval becomes null and void.

Utilities Committee Chair Briere presented a report recommending concurrence with the recommendation of the Planning/Building/Public Works Department that Council approve a resolution adopting the King County Final 2001 Comprehensive Solid Waste Management Plan. The Committee further recommended that the resolution regarding this matter be presented for reading and adoption. MOVED BY BRIERE, SECONDED BY KEOLKER-WHEELER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 34 for resolution.)

Finance Committee Chair Parker presented a report recommending approval of Claim Vouchers 200573 – 200964 and three wire transfers totaling $2,403,766.02; and approval of Payroll Vouchers 35989 – 36347, one wire transfer and 537 direct deposits totaling $1,732,739.14. MOVED BY PARKER, SECONDED BY PERSSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Finance Committee Chair Parker presented a report recommending changes to the City’s existing self-insured healthcare plan as proposed by the Health Benefits Task Force. One discretionary change involves extending medical coverage to the end of the month in which an employee no longer qualifies for coverage. The recommended changes are as follows:

- **Preferred Provider Network** – New regulations require that the name of the Preferred Provider Organization (PPO) network be listed in the Plan Document along with a description of the network being used; mandatory change. Revise the first paragraph under Level of Covered Benefits to read as follows: "The level of benefits received is based upon the participant's decision at the time treatment is needed to access care through either preferred or non-preferred providers. Benefits are payable at the preferred level by accessing your care through a Preferred Provider, Preferred Medical Facility or from a Preferred Hospital. Out-of-network charges will be paid at the out-of-network level of benefits. Your preferred PPO is....."

- **Qualified Medical Child Support Order (QMCOS)** – New regulations state that the Plan Document must now outline the QMCSO procedures of the Plan Supervisor; mandatory change. Add the following under the new heading Special Enrollment for New Dependents through QMCSO: "Section 609(a) of ERISA requires medical benefit plans to honor the terms of a QMCSO. The order must be a judgment, order of decree or a divorce settlement agreement related to a child support, alimony, or the division of marital property, issued
pursuant to State law. Agreements made by the parties, but not formally approved by a court are not acceptable. If the child is enrolled within 31 days of the court of state agency order, the waiting period and pre-existing conditions exclusion period do not apply."

Qualified Medical Child Support Order (QMCSO) – The definition of dependent must include children covered under QMCSO; mandatory change. Add the following under Dependent Eligibility: "An employee's unmarried dependent child(ren) whose coverage is required pursuant to a valid court order, administrative order or QMCSO."

Exclusion for Self-Inflicted Injuries – According to new Federal law, plans are no longer allowed to exclude claims as a result of self-inflicted injuries due to a condition, either physical or mental; mandatory change. Amend the plan document under the General Exclusions to the Medical Plan by deleting the self-inflicted/suicide exclusion.

Health Insurance Portability and Accountability Act (HIPAA) – The Plan Document is now required to state that the Plan complies with HIPAA rules and regulations; mandatory change. Add the following under General Definitions: "HIPAA – This plan is subject to and complies with HIPAA rules and regulations."

Termination of Coverage – Modify the benefit to read as follows:

Except as provided in the Plan's Continuation of Coverage (COBRA) provisions, coverage will terminate on the earliest of the following occurrences:

Employee:
1. The date the City of Renton terminates the Plan and offers no other group health plan.
2. The date the employee ceases to meet the eligibility requirements of the Plan.
3. The last day of the month in which the employee's employment ends.
4. The date the employee begins active service in the armed forces.
5. The date the employee fails to make any required contribution when coverage is contributory.
6. The first day an employee fails to return to work following an approved leave of absence.

Coverage of Orthotics – Modify the benefit under Durable Medical Equipment to remove Orthotics from the list of excluded equipment.

Hearing Exams and Aids – Modify the benefit to read as follows:

Annual Hearing Exam - $5 copay then 100%
Hearing Aids - $500 each 36 months.

The changes are effective January 1, 2002. These changes will not require additional budget appropriations. MOVED BY PARKER, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.
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AUDIENCE COMMENT
Citizen Comment: DeMastus – Highlands Community Association
Sandel DeMastus, 1137 Harrington Ave. NE, Renton, 98033, introduced herself as the new president of the Highlands Community Association and announced that Doug Kyes will serve as Vice President, Mary Fisher as Secretary and Marie West-Johnson as Treasurer.

ORDINANCES AND RESOLUTIONS

Resolution #3549
Comprehensive Plan: WA St Department of Community Trade Grant
A resolution was read authorizing the Mayor and City Clerk to enter into an interlocal agreement with the Washington State Department of Community, Trade and Economic Development for funding to update the Comprehensive Plan. MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

Resolution #3550
King County: 2001 Solid Waste Management Plan
A resolution was read adopting the final 2001 Comprehensive Solid Waste Management Plan for King County. MOVED BY BRIERE, SECONDED BY CORMAN, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following resolutions were presented for first reading and referred to the Council meeting of 2/04/2002 for second and final reading:

Development Services:
Binding Site Plan Process
An ordinance was read amending Section 4-7-040 of Chapter 7, Subdivision Regulations, Section 4-8-120.C of Chapter 8, Permits and Decisions, Section 4-9-200 of Chapter 9, Procedures and Review Criteria, and Section 4-11-020 of Chapter 11, Definitions, and adding a new Section, 4-9-210, to Chapter 9, Procedures and Review Criteria, of Title IV (Development Regulations) of City Code relating to the establishment of a binding site plan ordinance for the City of Renton. MOVED BY KEOLKER-WHEELER, SECONDED BY NELSON, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 2/04/2002. CARRIED.

Finance: Audio & Video Tape Fee Inclusion, Fee Schedule
An ordinance was read amending Section 5-1-2 of Chapter 1, Fee Schedule, of Title V (Business Regulations) of City Code by adding a new Section "D" to list the charges for copying audio or video tapes. MOVED BY CLAWSON, SECONDED BY CORMAN, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 2/04/2002. CARRIED.

The following ordinance was presented for second and final reading and adoption:

Ordinance #4952
Rezone: St. Claire Property, RC to R-5 (PP-01-055)
An ordinance was read changing the zoning classification of approximately four acres located in North Renton in the lower May Creek Basin, south of the new LaCrosse (Stafford Crest) subdivision, between Lincoln Ave. NE to the west and Aberdeen Ave. NE to the east, between NE 31st St. to the south and NE 33rd Pl. to the north from RC (Rural Conservation; one dwelling unit per ten acres) to R-5 (Residential Single Family; five dwelling units per acre) zone; PP-01-055 (St. Claire). MOVED BY NELSON, SECONDED BY PERSSON, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

ADJOURNMENT
MOVED BY NELSON, SECONDED BY PARKER, COUNCIL ADJOURN. CARRIED. Time: 8:34 p.m.

Bonnie I. Walton, City Clerk

Recorder: Michele Neumann
January 28, 2002