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

ROLL CALL OF COUNCILMEMBERS
KING PARKER, Council President; DAN CLAWSON; KATHY KEOLKER-WHEELER; BOB EDWARDS; TONI NELSON; RANDY CORMAN; TIMOTHY SCHLITZER.

Councilman Bob Edwards was not present for roll call but arrived at 11:13 a.m.

CITY STAFF IN ATTENDANCE
JESSE TANNER, Mayor; JAY COVINGTON, Chief Administrative Officer; LAWRENCE J. WARREN, City Attorney; MARILYN PETERSEN, City Clerk; SUSAN CARLSON, Administrator of Economic Development, Neighborhoods & Strategic Planning; JIM SHEPHERD, Community Services Administrator; LYS HORNBSBY, Utility Systems Director; BETTY NOKES, Economic Development Director; VICTORIA RUNKLE, Finance & Information Services Administrator; PAUL KUSAKABE, Fiscal Services Director; FRED KAUFMAN, Hearing Examiner; DENNIS CULP, Facilities Director; JIM GRAY, Assistant Fire Marshall; DAVID CHRISTENSEN, Utility Engineering Supervisor; DEREK TODD, Finance Analyst.

SPECIAL PRESENTATION
Mayor Tanner explained that the special meeting was called to discuss proposed amendments to King County’s Regional Wastewater Services Plan.

David Christensen, Utility Engineering Supervisor, provided a brief background of this issue. King County has been working for several years to decide how wastewater needs will be addressed over the next 40 years. Four service strategies were originally developed, of which King County Executive Ron Sims supports #3, which entails building a new treatment plant. The Regional Water Quality Committee concurred in the Executive’s recommendation, with minor amendments to the plan’s financial and implementation policies. This plan was also approved by the City of Renton.

Mr. Christensen then described the common elements shared among the strategies, as well as their differences. The primary choice is whether to expand the two existing treatment plants (the East plant, located in Renton, and the West Point plant in Seattle), or build a new plant in the north end of the county. Renton has taken the position that its plant should not have to handle more than 135 million gallons per day (average flow).

Concluding that this matter is now before the Metropolitan King County Council, Mr. Christensen said 41 amendments are also undergoing review.

Council President Parker noted the arrival of Councilman Edwards at 11:13 a.m.

Responding to Mr. Parker, Mr. Christensen said the Eastside conveyance system is different from Seattle’s because the systems on the Eastside are not combined systems. Seattle’s system, which is much older, was built to handle both sewer and stormwater and still does.

Mr. Parker questioned why service strategy #1, which includes expanding West
Point to 159 million gallons per day (mgd) is still on the table if service strategy #2 was abandoned for the reason that a West Point expansion isn’t possible. Mr. Christensen explained that Renton believes expanding West Point would probably not be feasible, since the county would first have to demonstrate that no other reasonable provisions were available.

Mayor Tanner noted that overflows do occur at the Renton plant as well as at West Point, although the ones at the East plant are not planned. He emphasized that if West Point cannot be expanded and a north plant is delayed, all growth would have to be handled by the Renton plant until 2020. Renton’s Administration and City Council have previously gone on record as stating that such a scenario would not be acceptable.

Mayor Tanner reported that earlier this week, he was informed that several County Councilmembers had developed an alternate service strategy that was unlike any already considered. After talking with Metropolitan King County Councilman Rob McKenna regarding this new proposal, Mayor Tanner determined the plan to be unacceptable since its central point is that the north plant be delayed until 2020. Mayor Tanner added that because this issue has tremendous implications for the City of Renton; he called a special meeting so all Councilmembers could receive the same information on the new strategy proposal.

Mayor Tanner then invited County Councilman Rob McKenna to speak to this matter.

Mr. McKenna said contrary to information given to Renton authorities, no striker ordinance has been prepared on this subject and furthermore, he had no intent to present one. He did, however, have a summary of the proposed amendments. Although he agreed that the County must build a north end treatment plant, Mr. McKenna doubted whether this could be accomplished by 2010 considering the amount of work to be done, including siting the plant, conducting the feasibility, securing permits, and actual construction. He therefore felt that Renton deserved mitigation for its current expansion and any additional ones, as well as certain guarantees (for example, if Renton accepted one more expansion, it would not have to accept another).

Turning to his eight specific proposals, Mr. McKenna commented on each one, as follows:

1. The Renton plant not be expanded beyond 135 mgd without the prior consent of the City of Renton. Referring to a comment from Renton’s city attorney that this may not be enforceable, Mr. McKenna clarified that he does not support service strategy #1 or #3B, since he believes that landbanking would be insufficient. Instead, he favored adopting a schedule that would move the County forward on this matter while providing flexibility in the event that the north plant isn’t finished by 2010.

2. Ensure that any community which takes additional treatment capacity receives mitigation not only for the physical plant impacts, but also mitigation to enhance the community. Mr. McKenna noted that the City of Seattle received $10 million as mitigation for the West Point expansion, among other mitigation.

3. Mitigation to Renton for community enhancements for the impacts of the current capacity expansion, Eastside interceptor repair, and expansion to 135 mgd shall be the greater of 10% of total project costs or a cumulative total of
$10 million for the three projects. Mr. McKenna acknowledged that Renton may not consider this amount of mitigation to be sufficient, and he suggested that it establish what it would believe to be an appropriate level.

4. King County shall investigate all potential technologies for odor control and at the time of treatment plant capacity expansion, provide a report to council which identifies those technologies which provide best available odor control at that time.

5. The Renton treatment plant shall not be expanded beyond 115 mgd (current capacity) without implementation of the best available odor control technology for the entire facility. Mr. McKenna said this amendment would ensure commitment on the county’s part to implement improvements to reduce odor.

6. No parallel Eastside interceptor shall be constructed in the future. Mr. McKenna described this as a promise to Renton not contained in the Executive’s preferred plan.

7. Establish start dates for the north treatment plant for major activity (e.g., siting, feasibility, construction, etc.). Mr. McKenna said while he did not suggest waiting until 2020 to construct the north plant, he nevertheless wanted some protection against the likelihood that the north plant won’t be completed by 2010.

8. The guarantees regarding plant size, mitigation, odor control and no parallel Eastside interceptor shall be incorporated into a binding settlement agreement or consent decree between King County and the City of Renton.

Mr. McKenna added that he believed that the Executive’s plan does not contain adequate provision for overflows in the north end. The City of Kenmore, in particular, fears complications in the event that a north plant is not finished by 2010. A possible solution being studied is the idea of building holding tanks to temporarily store overflows during peak periods. Once the necessary capacity was available, the stored wastewater could then be treated.

On a related subject, Mr. McKenna noted that the Washington State legislature has so far refused to raise the existing hookup charge. Thus, the question of how the new plant will be paid for must be determined before steps are taken to build it. Adding that he did not advocate expanding West Point because such a proposal would result in a protracted legal fight, he concluded that the proposed amendments would guard against liability in the event that the north plant is not finished by 2010.

Mayor Tanner said that it might not be enough to have a friendly consent decree between the County and Renton, stating certain terms of agreement outlined earlier by Mr. McKenna. Renton might be better protected by an adversarial settlement agreement, which would be more enforceable. He concurred with Mr. McKenna’s proposed environmental mitigation, adding that he has already gone on record supporting the idea of storing overflow in Kenmore and continued to believe that any adopted plan should include this provision.

Referring to the proposed capacity surcharge for new hookups, Mayor Tanner said an additional $0.30 charge on a $30 sewer bill by 2030 is not significant and does not represent a fatal flaw in any of the plans. He emphasized that by 2020, King County’s population could rise by 1 million, adding 500,000 new sewer customers to the system. The projected 387 mgd peak flow would
exceed all of Renton’s capacity. Mayor Tanner was adamant that Renton will not agree to a deliberate delay of the north plant until 2020.

Mr. McKenna reiterated that it would be wise to have some contingency plans in place in case the north plant isn’t finished by 2010. These might include flow agreements with neighboring sewer districts to the north as well as the previously-discussed storage tanks to ensure protection to 2015 or 2016.

Mayor Tanner emphasized his desire for assurance that work on the north plant will start immediately and be pursued with all vigor. Mr. McKenna agreed that the County must assure relief from sewer overflows for the north end communities. He felt that his plan also provided greater protections and benefits to the suburbs.

Councilman Edwards was concerned that no amendments be proposed that might jeopardize, in any way, the building of a north plant.

Councilmember Keolker-Wheeler wondered if, by developing contingency plans in the event that the north plant isn’t finished by 2010, that the County would be planning to fail. Mr. McKenna replied that his proposals merely provide a fallback to the most optimistic schedule for building the plant. He felt it would be prudent to establish some kind of buffer, noting that strict adherence to an inflexible deadline will oftentimes increase a project’s cost.

Mayor Tanner invited other Metropolitan King County Councilmembers to comment on this issue.

King County Councilman Dwight Pelz praised the Executive’s plan as a wise act of leadership. He said it was critical not to have an excuse for not achieving the goal of having the north end plant completed and operational by 2010. He added that next year the County will again ask the State legislature for an increase in the capacity charge.

King County Councilman Larry Phillips spoke to the need of a third treatment plant to ensure regional equity. Saying that Kenmore’s concerns relating to overflows can be addressed without a new interceptor, he feared that constructing a new interceptor could negatively impact West Point and even result in plans for a third plant being abandoned. Mr. Phillips agreed that constructing storage facilities at a minimal cost was a good idea and could provide a three- to five-year buffer should the north plant be delayed for any reason.

Christy True from King County’s Department of Natural Resources relayed King County Executive Ron Sims’ strong belief that the region cannot defer the investment of the north plant, but rather that this must be built as soon as possible. The Executive would, of course, want to investigate whether flow transfers and overflow storage would provide additional protection for north-end customers. She emphasized that the system will require more capacity by 2013; perhaps as late as 2015 with flow transfers. Ms. True concluded that constructing a new Kenmore interceptor would be problematic and that such a facility would likely not be available in time to ensure protection for the northern communities.

Pam Bissonnette, Director of King County’s Department of Natural Resources, emphasized that the current financing plan does not assume a higher capacity charge but rather is based on the existing capacity charge. She stated that having a deadline for a public works project is crucial, and that the County


Executive remains committed to a 2010 deadline for completion of the north plant. Ms. Bissonnette said a decision must be made on this issue as soon as possible, particularly as the Department of Ecology is already concerned that a plan has yet to be adopted, and has threatened a moratorium on new hook-ups.

Responding to Councilman Clawson, Ms. True said County staff believe it is possible to meet the 2010 deadline for construction of the new plant.

Councilman Schlitzer asked how close the Kenmore interceptor is to failing. Ms. True replied that this facility is about 30 years old. Regular inspections confirm that it remains one of the best pipes in the system in terms of its integrity. Pipelines such as this can last up to or even longer than 100 years with proper maintenance.

Council President Parker asked how Mr. McKenna’s proposed amendments differ from the Executive’s preferred plan with respect to environmental mitigation, odor control, and guarantees relating to expansion of the Renton plant or the Eastside interceptor.

Ms. True said the Executive’s proposed mitigation across all the service strategies is, overall, about 10% depending on specific project components. It includes basic levels of odor control at all facilities. It does not include plans for a parallel Eastside interceptor, although it notes that the portion in downtown Renton which was damaged by an earthquake will have to be repaired. Finally, it does not include any expansion of the Renton plant beyond 135 mgd based on current population projections.

Councilman Schlitzer was concerned that the many amendments being proposed to the Executive’s plan are hindering the process. Mr. McKenna replied that the County is still on track to adopt a plan to send to the Regional Water Quality Committee by its June meeting.

Mr. Schlitzer said he was not worried so much about having guarantees for what could be considered internal workings as he was about having a definite start and finish date for the north treatment plant.

Mr. Phillips agreed with Mr. Schlitzer that some of the proposed amendments address issues that can be taken up at a later date. He concurred that it would not be constructive at this time to debate changes (e.g., whether to develop water reuse at the Ballard Locks as a priority reuse project) that, while important, are tangential to the central issue of capacity.

Councilman Corman supported Mr. McKenna’s suggestion to have a series of deadlines for completing the north plant, since he felt this would be more effective than having a single deadline of 2010. He worried that some County Council members might view Mr. McKenna’s amendments as laying the groundwork for something other than a third plant option, which would be a departure from what is being proposed.

Responding to Mr. Corman, Mayor Tanner said he did not object to any of Mr. McKenna’s proposed amendments so long as the deadline for completion of the north plant remains 2010. He emphasized that the region needs the extra capacity, and it needs it by 2010. He added that, in his view, if the County approves a plan which delays construction of a third plant until 2020, it would in fact be committing itself to a two-plant option.

MOVED BY SCHLITZER, SECONDED BY NELSON, COUNCIL REAFFIRM ITS AUTHORIZATION TO MAYOR TANNER TO SUPPORT
THE METROPOLITAN KING COUNTY EXECUTIVE’S PREFERRED THREE-PLANT OPTION FOR THE REGIONAL WASTEWATER SERVICES PLAN.*

Councilmen Corman and Edwards noted that this motion is wholly neutral with respect to Mr. McKenna’s proposed amendments, some of which could be very beneficial to Renton.

*MOTION CARRIED.

ADJOURNMENT

MOVED BY PARKER, SECONDED BY NELSON, COUNCIL ADJOURN. CARRIED. Time: 12:52 p.m.

MARILYN J. PETERSEN, CMC, City Clerk

Recorder: Brenda Fritsvold
Date: 5/20/99