RENTON CITY COUNCIL
Regular Meeting

December 7, 1998
Monday, 7:30 p.m.

MINUTES

Municipal Building

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

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

CITY STAFF IN ATTENDANCE

JESSE TANNER, Mayor; JAY COVINGTON, Chief Administrative Officer; LAWRENCE J. WARREN, City Attorney; MARILYN PETERSEN, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; SUSAN CARLSON, Economic Development, Neighborhoods & Strategic Planning Administrator; MIKE WEBBY, Human Resources & Risk Management Administrator; VICTORIA RUNKLE, Finance & Information Services Administrator; CLARK PETERSEN, Library Director; JOE MCGUIRE, Court Services Director; MICHAEL KATTERMANN, Director of Neighborhoods & Strategic Planning; PAUL KUSAKABE, Fiscal Services Director; DON ERICKSON, Senior Planner; PENNY BARTLEY, Staff Services Manager; OWEN DENNISON, Associate Planner; DEREK TODD, Finance Analyst; COMMANDER DENNIS GERBER, Police Department.

APPROVAL OF COUNCIL MINUTES

MOVED BY EDWARDS, SECONDED BY CLAWSON, COUNCIL APPROVE THE MINUTES OF NOVEMBER 23, 1998, AS PRESENTED. CARRIED.

PUBLIC HEARINGS

Annexation: East Renton Plateau, A-98-001

The proper notices having been posted and published in accordance with local and state laws, Mayor Tanner opened the public hearing to consider the East Renton Plateau 60% Annexation Petition for 193 acres located north and south of SE 128th Street.

Owen Dennison, Associate Planner, explained that Council accepted the 10% Notice of Intent to Annex petition for this proposal on October 12th, and authorized circulation of the 60% petition. The first public hearing on zoning was held before the Planning Commission on November 18th. Since then, the 60% petition has been certified as sufficient by the King County Assessor’s Office.

Continuing, Mr. Dennison said the proposed annexation area is minimally developed with medium or low density single family and small-scale commercial uses. Much of it remains vacant. Renton’s Comprehensive Plan designates the area as Residential Rural, Residential Single Family, Residential Options, and Convenience Commercial. Typical zoning would be R-5, R-8, R-10 and Convenience Commercial, respectively.

The City had a fiscal impact analysis conducted for this proposal, based on both current development and on the property’s full development potential. At current development, the annexation would create an annual shortfall of $26,311. At full development, it would generate annual revenues of $277,553. These figures represent General Fund impacts only and do not address the Waterworks Funds, which operate as self-funding enterprises.
Mr. Dennison reported that King County is currently involved in two projects addressing problem surface water areas (one of which located immediately downstream of the proposed annexation area and the other of which addresses erosion in the Maplewood Creek ravine). If Renton approves this annexation, King County may ask that it participate monetarily in these projects. The Surface Water Division’s capital improvement project budget already includes about $600,000 for improvements to the Maplewood Creek ravine.

Annexation would also require one additional neighborhood park and one additional community park to serve the projected full-development population of 1,892 in this area. Estimated costs for park acquisition and development have been included in the fiscal analysis. Water service would continue to be provided by Water District #90 upon annexation, although Renton would provide fire, wastewater and sanitary sewer services.

Mr. Dennison noted that the benefits of annexation are that it would give Renton control over land uses along this gateway corridor. Also, any new development would be served by sewers, subject to City regulations. He added that the annexation is generally consistent with Renton’s Comprehensive Plan policies and the objectives of King County’s Boundary Review Board.

One unresolved issue is the request from the Issaquah School District that Renton authorize and collect impact fees on its behalf from new development in the proposed annexation area (much of which overlaps the school district’s boundaries). This matter has already been referred to Council’s Finance Committee.

Audience comment was invited.

Mike Snow, 14114 SE 132nd St., Renton, supported the annexation but was concerned about the potential for higher density zoning (i.e., R-8 and R-10). Saying that most of the developed area has been built out at much lower densities and noting that much of the surrounding area is already zoned R-8, he suggested that Renton apply zoning no higher than R-5 to the annexation area. He advised that one reason to do so would be to reduce the pressure on infrastructure needs in this area.

Responding to Councilmember Keolker-Wheeler, Mr. Dennison said reducing the zoning density at this point would require an amendment to Renton’s Comprehensive Plan, which could be initiated by the City after the first of the year. He added that R-5 can only be applied within one-half mile of the urban growth boundary.

Claudia Donnelly, 10415 - 147th Ave. SE, Renton, urged Council to approve the Issaquah School District’s request for impact fees in this area. Explaining that Issaquah voters rejected two school bond issues last year, she felt it was appropriate that new development pay for its impacts on the school system. On another subject, Ms. Donnelly said a proposed single family development in this area has been appealed to the King County Council. If it moves forward, she questioned what the agreement will be between Renton and King County for this project. She was concerned about potential traffic and surface water runoff problems in this area, and said that R-8 zoning is not compatible with R-4 or R-5 zoning since apartments do not belong in single family residential areas.

Councilman Corman replied that while he understands the importance of
education and the need to provide funding for this purpose, he felt that the Issaquah School District should supply Renton with information about how it will use any impact fees collected within Renton. He specifically was interested in any plans to use these impact fees to build new facilities benefiting Renton residents. Councilman Parker commented that this fee is estimated to be about $6,000 to $8,000 per single family home.

Ben Reid, 14412 SE 128th St., Renton, requested specific information on who will be responsible for paying for any sewers constructed in this area. Mayor Tanner offered to send Mr. Reid information on this subject.

Mike Proulx, 14331 - 138th Ave. SE, Renton, responded to a comment made by Ms. Donnelly by clarifying that R-8 is a single family zoning category, not multi-family as was implied.

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

MOVED BY EDWARDS, SECONDED BY NELSON, COUNCIL ACCEPT THE 60% PETITION TO ANNEX THE EAST RENTON PLATEAU AREA, CONTINGENT ON APPROVAL FROM THE BOUNDARY REVIEW BOARD, AND AUTHORIZE THE ADMINISTRATION TO PREPARE AND SUBMIT A NOTICE OF INTENT TO ANNEX THIS AREA TO THE BOUNDARY REVIEW BOARD. CARRIED. (See page 403 for ordinance.)

MOVED BY PARKER, SECONDED BY KEOLKER-WHEELER, COUNCIL REFER THE MATTER OF ZONING IN THIS AREA TO THE PLANNING & DEVELOPMENT COMMITTEE. CARRIED.

EDNSP: Surplus Property, 339 Burnett Ave S

The proper notices having been posted and published in accordance with local and state laws, Mayor Tanner opened the public hearing to consider surelseaing of City-owned property at 339 Burnett Ave. South.

Susan Carlson, Economic Development, Neighborhoods & Strategic Planning Administrator, explained that this approximately 27,000 square foot, primarily vacant, site was purchased in 1995 to provide additional property for the downtown transit center. Final plans for the transit center and the piazza have subsequently negated the City’s need for this site.

Numerous persons have expressed interest in purchasing this property for development. Given that the City’s vision for the downtown involves urban densities and and an intensity of uses, including market rate housing and vibrant retail space, staff recommends that the property be sold for a mixed-use development consistent with the Renton’s objectives for this area. Ms. Carlson added that staff recommends selling the property now since the market is still active and good quality developers would likely be interested in the site.

Bill Kreager, Mithun Partners, described three ways in which the property could potentially be developed. Common factors among the three scenarios were three to four stories of high-density housing (62 units), with commercial uses on the ground floor and structured parking for residents. Mr. Kreager added that the successful proposal would have to consider how the adjoining alley, the neighborhood to the west, and Burnett Ave. S would all be affected.

Ms. Carlson concluded that if Council approves surelseaing this property, staff would advertise for requests for proposals for development. All proposals would...
be required to meet certain criteria as determined by the City; for example, they would have to address concerns of area neighbors relating to light and bulk.

Audience comment was invited.

Jeff Dineen, 320 Smithers Ave. S., Renton, 98055, submitted a petition containing eleven signatures expressing concern about this proposal. Mr. Dineen said although area neighbors had previously submitted a similar petition last April also regarding this subject, at which time they asked to be kept apprised of and involved in the process, no notice was given of the City’s recent proposal until the day before Thanksgiving. He questioned whether the site must be sold quickly and added that the City has seemingly ignored the request of nearby residents that the property be considered for long-term parking rather than high density development. Mr. Dineen concluded that the three proposals described by Mr. Keager are unacceptable to the neighbors due to: the large volume of traffic projected for the alley; the height of the building, which would dramatically affect light and openness for existing property owners; and balconies on the alley side of the building would negatively impact privacy for residents to the west.

Councilman Corman hoped that the City would listen to Mr. Dineen’s ideas, especially as the property is still publicly owned at this time. He also suggested that the City give priority to development proposals that demonstrate mitigation of impacts to neighboring residents.

Mayor Tanner stated that Renton’s entire downtown core is zoned for high-density housing; thus all the development proposals will be required to include this as a component of the project.

Responding to Councilmember Keolker-Wheeler, City Attorney Lawrence J. Warren said the City is not required to surplus the property before soliciting proposals for its development; however, it is possible that no proposals would be received unless the property was formally declared to be surplus. Mr. Warren added that Council will still have the opportunity to review the proposals before actually selling the site to a third party. The City would not have to accept any of the proposals if it judged none them all to be unsatisfactory.

There being no further public comment, it was MOVED BY EDWARDS, SECONDED BY PARKER, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED. (See page 403 for resolution.)

Councilman Parker asked that letters of notification be sent to neighboring property owners keeping them informed of actions taken related to this site. Councilmember Keolker-Wheeler added that the residents should also be given a chance to provide input on the criteria developed for the request for proposals.

**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 1998 and beyond. Items noted included:

- The Recreation Division’s Special Population Program hosted over 150 participants, volunteers, parents and friends at the annual Fall Sports Awards Banquet at the Renton Senior Activity Center.

- The Recreation Division also hosted the Washington Recreation and Park Association’s 1998 Non-contact State Flag Football Tournament on
December 5th and 6th.

* Firefighter Gary Harsh was named the department’s 1998 Renton Firefighter of the Year.

* The rainstorm which occurred on November 25th was nearly a 25-year event, with 3.2 inches of rain falling within 24 hours. The City’s drainage system handled the heavy volume efficiently.

**CONSENT AGENDA**

Items on the consent agenda are adopted by one motion which follows the listing. At Council President Edwards’ request, item 7.b. was removed for separate consideration.

**Appointment: Civil Service Commission**

Mayor Tanner recommended that Darrell Igelmund, 3602 Lake Washington Blvd N., Renton, 98056, and James Phelan, 2401 NE 24th St., Renton, 98056, both be reappointed to the Police and Fire Civil Service Commission, each for a six-year term expiring 12/31/2004. Council concur.

**Appointment: Board of Ethics**

Mayor Tanner recommended the following appointments to the City’s Board of Ethics, all effective January 1, 1999, for varying terms: Gerry Marsh, 437 Williams Ave. N. #107, Renton, 98055 (one year); Pastor Karla Fredericksen, 3005 Park Ave. N., Renton, 98056 (two years); Joy Poff, 2925 Morris Ave. S., Renton, 98055 (three years); Randolph Holt, 327 Wells Ave. S., Renton, 98055 (four years); and Rosemary Parris, PO Box 66037, Seattle, 98166 (five years). Refer to Community Services Committee.

**Municipal Court: Judge Pro Tem Appointments**


**Court Case: Berry & Davis v. Renton et al.**

Court Case filed by Jeffrey L. Needle, 119 First Ave. S. #200, Seattle, 98104, on behalf of Jeffrey C. and Margaret Berry and Latrice N. Davis and Michael J. Davis, alleging that the City’s Police Department failed to exercise duty of care and take reasonable remedial measures to protect them from racial and malicious harassment inflicted upon them by their former neighbors, Vici Sutherland and Dianne Owens. Refer to City Attorney and Insurance Services.

**Development Services: Lake Ave S Covenant (Rescission)**

Development Services Division recommended that the City rescind an existing covenant recorded in 1992 for road improvements to Lake Ave. South. The covenant was required as a condition of approval for an office building development at the Renton Shopping Center that was never constructed. Council concur.

**Finance: Payroll/Human Resources Software, Eden Systems**

Finance & Information Services Department requested authorization to purchase payroll and human resources software and implementation services from Eden Systems in the amount of $350,000. Refer to Finance Committee.

**CAG: 98-076, 1998 Sidewalk**

Rehabilitation, DA Zuluaga Construction

Rehabilitation project; and requested approval of the project, commencement of 60-day lien period, and release of retained amount of $8,528.84 to D.A. Zuluaga Construction, Inc., contractor, if all required releases are obtained. Council concur.

CAG: 98-068, NW 7th St Sewer Replacement, Snelson Co

Wastewater Utility Division submitted CAG-98-068, NW 7th St. Sewer Replacement project; and requested approval of the project, authorization for final pay estimate in the amount of $18,088.85, commencement of 60-day lien period, and release of retained amount of $6,706.17 to Snelson Co., Inc., contractor, if all required releases are obtained. Council concur.

CAG: 98-028, Cedar River Utility Xing, Schedule E, Terra Dynamics

Water Utility Division submitted CAG-98-028, Cedar River Utility Crossing, Schedule E, and requested approval of the project, authorization for final pay estimate in the amount of $1,928.69, commencement of 60-day lien period, and release of retained amount of $6,627.77 to Terra Dynamics, Inc., contractor, if all required releases are obtained. Council concur.

Public Works: Water Main Oversizing Reimbursement, Woodman Construction (Duvall/NE 4th)

Water Utility Division submitted request from Woodman Construction, Inc. for reimbursement in the amount of $3,799.30 for water main oversizing along Duvall Ave. NE near NE 4th St., provided to comply with the City’s Comprehensive Water System Plan. Council concur.

MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL APPROVE THE CONSENT AGENDA AS AMENDED TO REMOVE ITEM 7.b. FOR SEPARATE CONSIDERATION. CARRIED.

Separate Consideration

Item 7.b.

Municipal Court: Appointment of Judge Jurado

Mayor Tanner recommended that Terry Lee Jurado be appointed as Municipal Court Judge to fill the unexpired term of Corinna D. Harn; term to expire 12/31/2001. The Mayor further recommended that Mr. Jurado begin his term January 4, 1999, at the “C” step of the salary range.

Council President Edwards expressed assurance that Judge Jurado will serve the City well in this role. MOVED BY EDWARDS, SECONDED BY PARKER, COUNCIL CONCUR IN THE MAYOR’S APPOINTMENT OF TERRY LEE JURADO TO MUNICIPAL COURT JUDGE. CARRIED.

CORRESPONDENCE

Citizen Comment: Springer - The Bluffs @ Lake WA, Property Use & Development Agreement

Correspondence was read from Scott B. Springer, Legacy Partners, 1756 - 114th Ave. SE #135, Bellevue, 98004, transmitting a revised Property Use and Development Agreement for The Bluffs at Lake Washington, and requesting that it be processed along with their 11/24/98 extension request. MOVED BY EDWARDS, SECONDED BY CLAWSON, COUNCIL REFER THIS MATTER TO THE PLANNING & DEVELOPMENT COMMITTEE. CARRIED.

Citizen Comment: Blayden - Hearing Examiner Appeal Process

Correspondence was read from Bob Blayden, Blayden Design/Build, PO Box 3029, Renton, 98056, suggesting that rather than referring appeals of Hearing Examiner decisions to Superior Court, such appeals instead be referred to the Committee of the Whole. MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL REFER THIS MATTER TO THE COMMITTEE OF THE WHOLE. CARRIED.

City Attorney Lawrence J. Warren commented that land use appeals to Superior Court are now resolved within four to five months, and no longer take two years as asserted by Mr. Blayden.

Citizen Comment: McKnight Students Petition - Logging

Petition was read submitted by Mallorie Taylor, Nicole McClure, Allison Moore and Amy Withers, containing 454 signatures of McKnight Middle School...
Concerns  

students who are concerned about logging in Newcastle and Renton. MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL REFER THIS MATTER TO THE COMMITTEE OF THE WHOLE. CARRIED.

Citizen Comment: Roush - Austin Site Rezone (Cancellation Request), R-97-161  

Correspondence was read from Jeffrey A. Roush, 1109 First Ave. #500, Seattle, 98101, requesting that the City cancel the pending Austin Site rezone (3.2 acres located at 800 SW 16th Street, File No. R-97-161). MOVED BY EDWARDS, SECONDED BY CORMAN, COUNCIL REFER THIS MATTER TO THE ADMINISTRATION. CARRIED.

OLD BUSINESS  

Committee on Committees  

Council: Council Compensation  

Council President Edwards presented a report regarding City Council compensation. The Committee on Committees reviewed the topic of increasing the monthly compensation for City Councilmembers, and found that:

1. Council compensation was last reviewed in 1991;
2. Renton’s population has increased steadily during the years since City Council compensation was last reviewed;
3. The City Council continues to address local and regional issues of increasing complexity; and
4. A recommended increase should consider 1) the annual cost of living increases for Renton city employees, 2) the Consumer Price Index of the Seattle area, and 3) the compensation of other city councils in the region.

It was understood that Councilmembers, under state law, cannot vote in their own salary increase for their current term of office. Therefore, the Committee recommended that the City Council approve an increase in the City Council salary to $950 per month, beginning January 1, 2000.

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

Finance Committee  

Budget: 1998, Year-End Adjustments  

Finance Committee Chair Parker presented a report recommending approval of an ordinance authorizing adjustments in the amount of $7,677,000 to the 1998 Budget to cover unanticipated or prior-approved costs. MOVED BY PARKER, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 403 for ordinance.)

HR&RM: Broker Service Agreement Cancellations; Washington Cities Insurance Authority Membership  

Finance Committee Chair Parker presented a report recommending concurrence in the staff recommendation to cancel services of broker agreements with Arthur J. Gallagher & Co. - Denver and Giesy, Greer & Gunn, Inc. for 1999. In addition, the Finance Committee recommended concurrence in the staff recommendation to become a member of the Washington Cities Insurance Authority (WCIA) beginning January 1, 1999. MOVED BY PARKER, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Finance: Vouchers  

Finance Committee Chair Parker presented a report recommending approval of Claims Vouchers 164659 - 164674 & 165321 - 165772 and one wire transfer in the total amount of $2,755,838.97; and approval of Payroll Vouchers 163445 - 163698 and 518 direct deposits in the total amount of $1,268,579.16. MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Finance: Vouchers  

Finance Committee Chair Parker presented a report recommending approval of Payroll Vouchers 163699 - 163937 and 521 direct deposits in the total amount of
The following resolutions were presented for reading and adoption:

**Resolution #3364**
Regional Issues: Potential Annexation Area Boundaries, Agreement with Kent

A resolution was read authorizing the Mayor and City Clerk to enter into an interlocal agreement between the cities of Renton and Kent relating to potential annexation area designations. MOVED BY KEOLKER-WHEELER, SECONDED BY SCHLITZER, COUNCIL ADOPT THE RESOLUTION AS PRESENTED. CARRIED.

**Resolution #3365**
EDNSP: Surplus Property, 339 Burnett Ave S

A resolution was read declaring property surplus, located on the northwest corner of S. 4th St. and Burnett Ave S., and authorizing the Mayor and City Clerk to enter into agreements to sell such property at its fair market value. MOVED BY EDWARDS, SECONDED BY NELSON, COUNCIL ADOPT THE RESOLUTION AS PRESENTED. CARRIED.

The following ordinances were presented for first reading and referred to the Council meeting of December 14, 1998 for second and final reading:

**Annexation: East Renton Plateau, A-98-001**

An ordinance was read annexing approximately 193 acres, including properties located north and south of SE 128th St. from the Renton city limits to 152nd Ave. SE (if extended), to the City of Renton (East Renton Plateau annexation; A-98-001). MOVED BY EDWARDS, SECONDED BY SCHLITZER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 12/14/98. CARRIED.

**Budget: 1998, Year-End Adjustments**

An ordinance was read providing for the 1998 year-end budget adjustments in the total amount of $7,677,000, and establishing the Waterworks Revenue Parity Bond Fund. MOVED BY PARKER, SECONDED BY NELSON, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 12/14/98. CARRIED.

The following ordinance was presented for first reading and advanced to second and final reading:

**Budget: 1999, Property Tax Levy**

An ordinance was read establishing the property tax levy for 1999 for both general purposes and for voter-approved bond issues. MOVED BY EDWARDS, SECONDED BY NELSON, COUNCIL ADVANCE THE ORDINANCE FOR SECOND AND FINAL READING.*

Responding to Councilmember Keolker-Wheeler, Finance & Information Services Administrator Victoria Runkle confirmed that the recommended property tax levy revenues will provide sufficient funds for Council to allocate nearly $540,000 for specific items to be included in next year’s budget.

*MOTION CARRIED.

**Ordinance #4754**
Budget: 1999, Property Tax Levy

Following second and final reading of the above-referenced ordinance, it was MOVED BY EDWARDS, SECONDED BY PARKER, COUNCIL ADOPT THE ORDINANCE AS PRESENTED. ROLL CALL: ALL AYES. MOTION CARRIED.

Councilman Schlitzer requested that the budget – including the prior year’s comparison – be provided to Council earlier next year. He explained that allowing an extra month for purposes of evaluation and deliberation would help ease the burden on staff to respond to the questions from Councilmembers.
The following ordinance was presented for second and final reading:

**Ordinance #4755**
Budget: 1998, Oakesdale Ave SW Project Expenditure

An ordinance was read providing for 1998 Budget amendments in the amount of $1,712,000 to accommodate planned expenditures for the Oakesdale Ave. SW project - Phase I. MOVED BY EDWARDS, SECONDED BY CLAWSON, COUNCIL ADOPT THE ORDINANCE AS PRESENTED. ROLL CALL: ALL AYES. MOTION CARRIED.

**ADJOURNMENT**

MOVED BY PARKER, SECONDED BY SCHLITZER, COUNCIL ADJOURN. CARRIED. Time: 9:18 p.m.

Marilyn J. Petersen, CMC, City Clerk

Recorder: Brenda Fritsvold
December 7, 1998