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

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

DENIS LAW, Mayor; JAY COVINGTON, Chief Administrative Officer; LAWRENCE J. WARREN, City Attorney; Bonnie Walton, City Clerk; ALEX PIETSCH, Community and Economic Development Administrator; GREGG ZIMMERMAN, Public Works Administrator; IWEN WANG, Finance and Information Technology Administrator; CHIP VINCENT, Planning Director; PREETI SHRIDHAR, Communications Director; BATALLION CHIEF ROY GUNSOLUS and EMERGENCY MANAGEMENT DIRECTOR DEBORAH NEEDHAM, Fire & Emergency Services Department; COMMANDER CLARK WILCOX, Police Department.

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 2010 and beyond. Items noted:

- Work commenced today on a six-week project at Philip Arnold Park to replace the 30-year-old athletic field lights. The ten wood poles and lights will be replaced with steel poles and energy efficient lights, which will reduce electricity usage by 40%. Park crews will not need to change a light bulb until at least 2022.

- Seattle City Light will hold a public meeting from 7 - 8:30 p.m. on Tuesday, October 5, at McKnight Middle School (1200 Edmonds Ave. NE) to provide information and answer questions regarding the intensive power line clearance work in Renton. To ensure the reliability of our regional electrical system, preserve emergency and maintenance access, and comply with National Energy Reliability Corporation requirements, Seattle City Light crews will clear the power line right-of-way corridor of any structures, trees, or other vegetation. Questions may be directed to Mike Eagan at Seattle City Light by calling 206-615-1691.

David Halinen (Fircrest), Renton Shoreline Coalition (RSC) member and attorney for AnMarco, the owners of the old Stoneway site, stated that he has ongoing concerns regarding the proposed Shoreline Master Program (SMP). He remarked that a change in property use, or an expansion of a structure, does not worsen bulkhead-related impacts as long as the existing bulkhead is not expanded. Mr. Halinen also stated that the following two parts of the proposed SMP are prohibited because the 5th Amendment of the United States Constitution prohibits governments from taking private property without just compensation: 1) requiring studies to demonstrate the need for shoreline stabilization structures, and 2) possibly requiring that a bulkhead be eliminated.
or replaced with softer stabilization. Concluding, Mr. Halinen read a portion of the Washington Administrative Code (WAC) and noted that it addresses the need for cities to design their SMP regulations to be consistent with all relevant constitutional and legal limitations regarding property rights. He urged Council to vote against adopting the proposed SMP.

Citizen Comment: Baker - Proposed Shoreline Master Program

Laurie Baker (Renton) remarked that the bulkheads are also an issue for single-family homeowners. She stated that the issue of upland development should be decoupled from shoreline stabilization structures, and that other jurisdictions have approved and implemented Shoreline Master Programs that have decoupled these issues. Ms. Baker remarked that the City's proposed SMP is more restrictive than the WAC requires and will inhibit people from developing their properties. She urged Council to vote against adopting the proposed SMP.

Citizen Comment: Rodabough - Proposed Shoreline Master Program

Samuel Rodabough (Sammamish), attorney for Ramac, Inc., owners of the Riviera Apartments, stated that he stands by his previous remarks that the SMP is not positioned to encourage economic redevelopment. He requested that the following two amendments to the proposed SMP be implemented: 1) a reduction of the uniform 100 foot buffer or setback to 65 feet instead of 75 feet as proposed, and 2) extend the use of the 25% of the buffer or setback for projects that provide public access to projects that provide only community access. Mr. Rodabough also noted that he has found a substantial list of typographical errors and incorrect cross references in the proposed SMP. He urged Council to reconsider the modest changes being requested and allow for corrections prior to approving and codifying the SMP.

Citizen Comment: Burroughs - Proposed Shoreline Master Program

John Burroughs (Renton) expressed support for the previous speakers. He stated that the proposed SMP is more restrictive than programs from other jurisdictions and than State regulations. He urged Council to vote against adopting the proposed Shoreline Master Program.

Citizen Comment: Simpson - Proposed Shoreline Master Program

Anne Simpson (Renton) submitted additional signatures from property owners who support a letter she had submitted previously regarding the proposed SMP. She expressed appreciation for Councilmember Corman’s comments made during the prior Committee of the Whole meeting and remarked that she believes he understands the Washington Administrative Code (WAC) as it relates to shoreline stabilization structures. Ms. Simpson stated that it is very clear to her that the intent of the WAC is not to have existing bulkheads removed. She requested that Council investigate how City staff and the Department of Ecology (DOE) could make their interpretation.

Citizen Comment: Fix - Proposed Shoreline Master Program

Monica Fix (Renton) expressed appreciation for Councilmember Corman’s earlier comments and stated that she believes there is still too much room for interpretation in the City’s draft SMP. She remarked that she does not trust the process and questioned why a geotechnical review would be required if an engineering group has said a structure is okay. Ms. Fix stated that she believes that there is an underlying theme that all bulkheads across the lake need to be removed. She remarked that all citizens are affected by this legislation.

Citizen Comment: James - Proposed Shoreline Master Program

Greg James (Snohomish) read a letter to Council from Jeanne DeMund (Renton) outlining her opposition to the adoption of the proposed Shoreline Master Program.
### CONSENT AGENDA

**Council Meeting Minutes of 9/13/2010**

**Council Meeting Minutes of 9/20/2010**

**Annexation: Kendall, NE 4th St & 152nd Av SE**
Community and Economic Development Department submitted King County Boundary Review Board Closing Letter regarding the proposed Kendall Annexation and recommended approval of the annexation. Council concur. (See page 300 for ordinance.)

**CED: Non-Conforming Structure Code Amendments**
Community and Economic Development Department recommended amending City Code to allow non-conforming structures to enlarge, at the discretion of the Reviewing Official, if the enlargement moves the proposal closer towards conformity. Refer to Planning and Development Committee.

**CED: Continuation of Moratorium, Adult Entertainment Business Permitting**
Community and Economic Development Department recommended setting a public hearing date of 10/11/2010 to consider continuing the moratorium on the permitting of adult entertainment businesses and taverns within specified geographical locations. Council concur.

**Lease: Suite 410 200 Mill Building, PMC Bancorp**
Community Services Department recommended approval of a month-to-month lease in the amount of $2,500 per month with PMC Bancorp for Suite 410 at the 200 Mill Building. Refer to Finance Committee.

**Community Services: Fee Waiver Request, City Center Parking Garage**
Community Services Department requested authorization to waive City Center Parking Garage fees in the total amount of $360 for the Fall Harvest Festival and Tree Lighting for Piazza Renton volunteers. Refer to Finance Committee.

**CAG: 06-097, Addendum #49, #54 & #55, Eastside Fiber Consortium**
Finance and Information Technology Department recommended approval of Addenda #49, #54, and #55 to CAG-06-097, Eastside Fiber Consortium agreement, to add the cities of Tukwila, Algona, and Pacific as consortium partners. Council concur.

**Finance: Electronic Document & Records Management System, VPCI/Laserfische**
Finance and Information Technology Department recommended approval of a contract in the amount of $58,928 with VPCI/Laserfische to implement Phase I of an electronic document and records management system. Refer to Finance Committee.

**CAG: 09-139, S 3rd St & Shattuck Av S Intersection Safety Improvements, EnD General Construction**
Transportation Systems Division submitted CAG-09-139, S. 3rd St. & Shattuck Ave. S. Intersection Safety Improvements; and requested approval of the project, authorization for final pay estimate in the amount of $577.77, commencement of a 60-day lien period, and release of retained amount of $23,306.95 to EnD General Construction, Inc., contractor, if all required releases are obtained. Council concur.

MOVED BY PERSSON, SECONDED BY PARKER, COUNCIL APPROVE THE CONSENT AGENDA MINUS ITEMS 5.d. and 5.k. CARRIED.
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SEPARATE CONSIDERATION
ITEMS 5.d and 5.k.
CED: 2009 International & State Building Codes with City Amendments

Fire: 2009 International Fire Code with City Amendments

Community and Economic Development Department recommended adoption of 2009 International Building Code with City amendments, and adoption of updated editions of related State and International codes with City amendments. Council concur.

Fire and Emergency Services Department recommended adoption of the 2009 International Fire Code with City amendments. Council concur.

Expressing concern with the minor City amendments being proposed in conjunction with adoption of the International Building and Fire Codes, it was

MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL REFER CONSENT AGENDA ITEMS 5.d. AND 5.k. TO THE PUBLIC SAFETY COMMITTEE FOR REVIEW. CARRIED.

UNFINISHED BUSINESS
Committee of the Whole
CED: Shoreline Master Program

MAJORITY REPORT: Council President Persson presented a majority report regarding the Shoreline Master Program. The Committee recommends concurrence with the staff recommendation that Council adopt a resolution approving the Shoreline Master Program and forwarding the document to the Washington State Department of Ecology for formal review. After the Shoreline Master Program receives approval from the Washington State Department of Ecology, an ordinance will be presented to Council for adoption. This is expected to occur in 2011.

The Committee further recommended concurrence with the changes made to the Planning Commission's recommended draft, including the following changes, as proposed by the Planning and Development Committee:

• a variety of policy and regulatory language clarifications;
• designation of Natural and Urban Conservancy Overlays as Class I Fish Habitat Conservation areas;
• a regulatory change to allow aquaculture in the natural and urban conservancy environments;
• a policy and regulatory change to require public access for new residential developments of ten or more units, and only require community access for new residential developments of 5-9 units;
• a definition of community access;
• the option of a community access plan for multi-family developments;
• new language that allows the reviewing official to make findings on property rights issues;
• a regulatory change to allow docks to be up to six feet wide and long enough to reach a depth of ten feet at ordinary low water if accessory to a single-family residence;
• a regulatory change to establish a setback of 45 feet and a buffer of 20 feet for existing single-family residences with a lot depth greater than 130 feet;
• a system of options for permanent setback reduction based on site improvements to single-family residential lots;
• new criteria for setback/buffer reductions in non single-family areas based on no-net-loss;
• allowance of up to 25% impervious surface within the setback/buffer area for projects that provide public access;
• an allowance for single-family homes that do not meet the proposed setback/buffer standards to expand without making site improvements, if the expansion is outside of the setback/buffer;
• an allowance for additional height in single-family and high-intensity zones;
• a change in lot coverage standards for single-family properties and Cedar River Reach C to be consistent with underlying zoning;
• a recognition that existing single-family homes are conforming (thus removing the status as "non-conforming" for some properties);
• provides options for expanding existing structures that do not meet the proposed development standards, while still mitigating their impacts, including a menu of different options for meeting setback requirement, bulkhead requirements, and dock standards;
• an expanded definition of water enjoyment uses, to include river walks and mixed-use commercial/office/residential developments; and
• a clarification of the submittal standards for supplemental stream and lake studies

MINORITY REPORT: Councilmember Corman presented a minority report regarding the Shoreline Master Program. The Committee recommends concurrence with the staff recommendation that Council adopt a resolution approving the Shoreline Master Program and forwarding the document to the Washington State Department of Ecology for formal review. After the Shoreline Master Program receives approval from the Washington State Department of Ecology, an ordinance will be presented to Council for adoption. This is expected to occur in 2011.

The Committee further recommended concurrence with the changes made to the Planning Commission’s recommended draft, including the following changes, as proposed by the Planning and Development Committee:
• a variety of policy and regulatory language clarifications;
• designation of Natural and Urban Conservancy Overlays as Class I Fish Habitat Conservation areas;
• a regulatory change to allow aquaculture in the natural and urban conservancy environments;
• a policy and regulatory change to require public access for new residential developments of ten or more units, and only require community access for new residential developments of 5-9 units;
• a definition of community access;
• the option of a community access plan for multi-family developments;
• new language that allows the reviewing official to make findings on property rights issues;
• a regulatory change to allow docks to be up to six feet wide and long enough to reach a depth of ten feet at ordinary low water if accessory to a single-family residence;
• a regulatory change to establish a setback of 45 feet and a buffer of 20 feet for existing single-family residences with a lot depth greater than 130 feet;
• a system of options for permanent setback reduction based on site improvements to single-family residential lots;
• new criteria for setback/buffer reductions in non single-family areas based on no-net-loss;
• allowance of up to 25% impervious surface within the setback/buffer area for projects that provide public access;
• an allowance for single-family homes that do not meet the proposed setback/buffer standards to expand without making site improvements, if the expansion is outside of the setback/buffer;
• an allowance for additional height in single-family and high-intensity zones;
• a change in lot coverage standards for single-family properties and Cedar River Reach C to be consistent with underlying zoning;
• a recognition that existing single-family homes are conforming (thus removing the status as “non-conforming” for some properties);
• provides options for expanding existing structures that do not meet the proposed development standards, while still mitigating their impacts, including a menu of different options for meeting setback requirement, bulkhead requirements, and dock standards;
• and expanded definition of water enjoyment uses, to include river walks and mixed-use commercial/office/residential developments; and
• a clarification of the submittal standards for supplemental stream and lake studies.

• TABLES CLARIFIED TO BE SPECIFIC THAT THEY ONLY APPLY WITHIN THE SHORELINE BUFFER OF EACH SITE.
• LANGUAGE CHANGED SO THAT EXISTING SHORELINE STABILIZATION THAT IS STILL SERVICEABLE AND IS NOT BEING PROPOSED TO BE REVISED BY THE PROPERTY OWNER CAN BE RETAINED.
• TYPOS IDENTIFIED AND FIXED.
• IN ADDITION, COUNCIL WILL EVALUATE PROVIDING CREDITS AGAINST THE PARKS MITIGATION FEE TO PROJECTS THAT PROVIDE PUBLIC ACCESS TO THE WATER.

MOVED BY PERSSON, SECONDED BY ZWICKER, COUNCIL CONCUR IN THE MAJORITY COMMITTEE OF THE WHOLE REPORT.*

Councilmember Parker remarked that in his opinion questions relating to interpretation of the Washington Administrative Code should be addressed at the Department of Ecology level. He acknowledged that the process has been arduous but noted that the legislation has many positive points. Mr. Parker expressed appreciation for the healthy debate and stated that he believes the SMP will enable a smoother and less expensive process for applying for shoreline permits.

Councilmember Corman expressed appreciation to Council for indulging him time at the prior Committee of the Whole meeting to argue points regarding the Shoreline Master Program. He stated that he read the City of Kent’s SMP and that it has no equivalent requirement related to the removal of existing bulkheads.

*MOTION TO CONCUR IN THE MAJORITY COMMITTEE REPORT CARRIED.

Finance Committee Chair Parker presented a report recommending approval of Claim Vouchers 296062 - 296857 and two wire transfers totaling $2,669,339.47; and approval of 782 direct deposits, 125 Payroll Vouchers, and two wire transfers totaling $2,662,139.83. MOVED BY PARKER, SECONDED BY TAYLOR, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.
Human Services: Revised 2010 & 2011/2012 CDBG Funding Allocations

Finance Committee Chair Parker presented a report recommending concurrence in the staff recommendation to approve the 2011 Community Development Block Grant (CDBG) funding as recommended by the Human Services Advisory Committee (HSAC). The following recommendations for public services are for two years (2011/2012), with the second year being contingent upon performance and availability of funds:

Community Development Block Grant Public Services:
- Institute of for Family Development - Parents and Children Together $14,233
- Multi-Service Center - Emergency Assistance $35,000

Total $49,233

Planning and Administration

Community Development Block Grant Capital recommendation for 2011 only: City of Renton Housing Repair Assistance Program $200,000

The Committee also recommended adoption of the CDBG Contingency Funding Plan as recommended by the Human Services Advisory Committee, should the amount of available funding increase or decrease. If there is an increase or decrease in public service funding, it will be applied proportionately to the CDBG funded agencies. If there is an increase in capital funding, it will be applied to the Renton Unallocated fund, and any decrease will be applied to the Renton Housing Repair Assistance Program. Any increase or decrease in Planning and Administrative funds will be applied to CDBG planning and administrative activities.

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

Utilities Committee

SAD: 126th Av SE Extension Special Assessment District

Utilities Committee Chair Zwicker presented a report recommending concurrence in the staff recommendation to approve the final assessment roll for the 126th Ave. SE Sanitary Sewer Extension Special Assessment District No. 0045 and present the ordinance for first reading. MOVED BY ZWICKER, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 300 for ordinance.)

CAG: 10-087, Stonegate Lift Station Replacement, Shoreline Construction

Utilities Committee Chair Zwicker presented a report recommending concurrence in the staff recommendation to accept the low bid submitted by Shoreline Construction, Co., in the amount of $1,213,270, and approve the proposed $1.6 million funding for 2011. The Committee further recommended that the Mayor and City Clerk be authorized to sign the agreement. MOVED BY ZWICKER, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Transportation (Aviation) Committee

CAG: 08-198, Airport Maintenance Dredging & Shoreline Mitigation, Parametrix

Transportation (Aviation) Committee Chair Corman presented a report recommending concurrence in the staff recommendation to authorize the Mayor and City Clerk to amend the Parametrix contract, CAG-08-198, in the amount of $97,900 for additional project design and permitting work for the Maintenance Dredging and Shoreline Mitigation project and to sign the Supplemental Agreement No. 2 to the contract. MOVED BY CORMAN, SECONDED BY PALMER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.
Lease: Rent Deferral, AirO Inc

Transportation (Aviation) Committee Chair Corman presented a report recommending concurrence in the staff recommendation to approve the addendum to AirO, Inc.'s lease that defers rent payments and late fees to October 1, 2010, in exchange for a significant penalty and collateral.

The Committee further recommended that the Mayor and City Clerk be authorized to sign the addendum to AirO, Inc's lease, LAG-03-022. MOVED BY CORMAN, SECONDED BY PALMER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Utility: Release of Easement Request, Barghausen Engineers

Transportation (Aviation) Committee Chair Corman presented a report recommending concurrence in the staff recommendation to approve the partial release of easement as requested by Barghausen Engineers for Titan Management, LLC containing an area of 3,729 square feet. The site is located on the north side of SE Carr Rd. in the vicinity west of Benson Dr. S. and east of Talbot Rd. S. as contained and described under King County recording number 5840168.

The Committee also recommended that the processing fee be collected from the applicant pursuant to Section 9-1-5.A.1. RMC. Because no public funds were spent in acquiring or maintaining the portion of the easement to be released, this is considered to be a Class “B” easement under City Code and requires no further compensation other than the processing fee.

The Committee further recommended that the Mayor and City Clerk be authorized to execute the partial release of easement document and that the City Clerk record the document with King County. MOVED BY CORMAN, SECONDED BY PALMER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Community Services Committee Chair Palmer presented a report recommending concurrence in Mayor Law's appointment of Richard Siers to the Airport Advisory Committee, Highlands Neighborhood primary position, for an unexpired term expiring on 5/7/2013 (position previously held by Michael O'Halloran). MOVED BY PALMER, SECONDED BY ZWICKER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Councilmember Palmer introduced Mr. Siers who was in attendance in the audience.

Appointment: Library Advisory Board

Community Services Committee Chair Palmer presented a report recommending concurrence in Mayor Law's appointment of Amy Pieper to the Library Advisory Board for an unexpired term expiring on 9/1/2014 (position previously held by Jason Oleston). MOVED BY PALMER, SECONDED BY ZWICKER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

RESOLUTIONS AND ORDINANCES

RESOLUTION #4067
CED: Shoreline Master Program

A resolution was read approving the amended Shoreline Master Program and directing the Department of Community and Economic Development to forward the documents comprising the Shoreline Master Program to the Washington State Department of Ecology for approval. MOVED BY BRIERE, SECONDED BY PARKER, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.*
*Councilmembers Corman and Palmer requested that the record reflect they voted against adopting the resolution.

The following ordinances were presented for first reading and referred to the 10/4/2010 Council meeting for second and final reading:

Annexation: Kendall, NE 4th St & 152nd Av SE
An ordinance was read annexing approximately 27 acres bordered by the existing City limits to the east, with SE 128th St. at the north, 158th Ave. SE at the west, and SE 132nd St. at the south; Kendall Annexation. MOVED BY BRIERE, SECONDED BY PARKER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 10/4/2010. CARRIED.

SAD: 126th Av SE Extension Special Assessment District
An ordinance was read establishing a Special Assessment District for sanitary sewer service for properties adjacent to 126th Ave. SE and establishing the amount of the charge upon connection to the facilities. MOVED BY ZWICKER, SECONDED BY BRIERE, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 10/4/2010. CARRIED.

NEW BUSINESS
Community Event: 50th Annual Greek Festival
Councilmember Taylor remarked that the 50th Annual Greek Festival was held at the St. Demetrios Greek Orthodox Church last weekend. He stated that thousands of people were in attendance, and there was plenty of food, dancing, and music. He remarked that with the City's diverse population a similar, yet more extensive event, could be held in Renton.

EXECUTIVE SESSION AND ADJOURNMENT
MOVED BY PERSSON, SECONDED BY ZWICKER, COUNCIL RECESS INTO EXECUTIVE SESSION FOR APPROXIMATELY 45 MINUTES TO DISCUSS LABOR RELATIONS (RCW 42.30.140.4.a.) WITH NO OFFICIAL ACTION TO BE TAKEN AND THAT THE COUNCIL MEETING BE ADJOURNED WHEN THE EXECUTIVE SESSION IS ADJOURNED. CARRIED. Time: 7:54 p.m.

Executive session was conducted. In addition to Councilmembers and Mayor, persons in attendance included Human Resources Administrator Carlson, Finance and Information Technology Administrator Wang, and Assistant CAO Wine. There was no action taken. The executive session and the Council meeting adjourned at 8:22 p.m.

Bonnie Walton, CMC, City Clerk

Jason Seth, Recorder
September 27, 2010
<table>
<thead>
<tr>
<th>COMMITTEE/CHAIRMAN</th>
<th>DATE/TIME</th>
<th>AGENDA</th>
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<tbody>
<tr>
<td>COMMITTEE OF THE WHOLE</td>
<td>MON., 10/4</td>
<td>Airport Issues (briefing only); Parks, Recreation, and Open Space Plan; Utility Rates</td>
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<td>(Persson)</td>
<td>5:30 p.m.</td>
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<tr>
<td>COMMUNITY SERVICES</td>
<td>MON., 10/4</td>
<td>200 Mill Building Lease with PMC Bancorp; Parking Garage Fee Waiver Request; Electronic Document and Records Management Contract with VCPI/Laserfiche</td>
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<td>(Palmer)</td>
<td>5 p.m.</td>
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<td>FINANCE</td>
<td>MON., 10/4</td>
<td>Public Defense Standards (briefing only)</td>
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<td>(Parker)</td>
<td>4 p.m.</td>
<td>2009 International Building Code &amp; Updated State and International Codes with City Amendments; 2009 International Fire Code with City Amendments</td>
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<td>PLANNING &amp; DEVELOPMENT</td>
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<td>TRANSPORTATION (AVIATION)</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.