RENTON CITY COUNCIL  
Regular Meeting  
April 4, 2005  
Council Chambers  
Monday, 7:30 p.m.  
Renton City Hall

CALL TO ORDER  
Mayor Kathy Keolker-Wheeler called the meeting of the Renton City Council to order and led the Pledge of Allegiance to the flag.

ROLL CALL OF COUNCILMEMBERS  
TERRI BRIERE, Council President; DENIS LAW; DAN CLAWSON; DON PERSSON; MARCIE PALMER. MOVED BY BRIERE, SECONDED BY LAW, COUNCIL EXCUSE ABSENT COUNCILMEMBERS TONI NELSON AND RANDY CORMAN. CARRIED.

CITY STAFF IN ATTENDANCE  
KATHY KEOLKER-WHEELER, Mayor; JAY COVINGTON, Chief Administrative Officer; ZANETTA FONTES, Assistant City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; KAREN MCFARLAND, Engineering Specialist; ALEX PIETSCH, Economic Development Administrator; DON ERICKSON, Senior Planner; DEREK TODD, Assistant to the CAO; COMMANDER KATHLEEN MCCLINCY, Police Department.

PROCLAMATION  
Records and Information Management Month - April, 2005  
A proclamation by Mayor Keolker-Wheeler was read declaring the month of April, 2005, to be "Records and Information Management Month" in the City of Renton and encouraging all citizens to recognize the important service performed by records and information professionals and to join in this special observance.

SPECIAL PRESENTATION  
EDNSP: Airport Compatible Land Use Program, VISION 2020 Award from PSRC  
Economic Development Administrator Alex Pietsch announced that the Puget Sound Regional Council (PSRC), an entity in charge of coordinating planning and growth management implementation for King, Pierce, Snohomish, and Kitsap counties, honored Renton's Airport Compatible Land Use Program with its VISION 2020 award. He noted that PSRC annually recognizes projects that best demonstrate growth management and this is the fourth VISION 2020 award bestowed upon Renton within the past five years. Mr. Pietsch stated that the project was completed in 2003 and 2004 and involved a significant amount of research due in part to the Airport's urban location.

PUBLIC HEARINGS  
Vacation: N 14th St, Pool Brothers Construction, VAC-05-001  
This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Keolker-Wheeler opened the public hearing to consider the Pool Brothers Construction, LLC petition to vacate an approximately 300-foot-long and 30-foot-wide portion of N. 14th St., located east of Lake Washington Blvd. N. and Gene Coulon Beach Park (VAC-05-001).

Karen McFarland, Engineering Specialist, stated that the petitioner plans to use the subject vacation area in a café and office development on the adjoining site to the south. She relayed that according to the petitioner, a larger lot will be created to allow for more attractive landscaping and for development in a manner consistent with the City's vision of the lakefront area.

Ms. McFarland pointed out that the vacation area does not contain any City facilities. She also pointed out that no objections were raised when the vacation request was circulated to City departments and outside agencies. In conclusion, Ms. McFarland stated that staff recommends approval of the requested vacation.

Public comment was invited.
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Michael Luna, Sadler/Barnard & Assoc., Inc., 12714 Valley Ave. E., Sumner, 98390, stated that he represents the petitioner and is available to answer questions.

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

MOVED BY CLAWSON, SECONDED BY LAW, COUNCIL APPROVE THE REQUEST TO VACATE THE RIGHT-OF-WAY. CARRIED.

Annexation: Maplewood Addition, Maple Valley Hwy

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Keolker-Wheeler opened the public hearing to consider the 60% Notice of Intent to annex petition and R-8 zoning for the proposed Maplewood Addition Annexation; 60.5 acres, including the abutting SR-169 right-of-way, bounded on the north by Maple Valley Hwy. (SR-169), and on the west, south, and east by the north shore of the Cedar River.

Don Erickson, Senior Planner, stated that the annexation area contains 161 single-family homes and abuts Renton on its north, west, and a portion of its southern boundary. He pointed out that the area is included in the proposed Fairwood Incorporation, and explained that Fairwood proponents filed their 10% incorporation petition on 2/1/2005, which creates a 90-day window (until 5/1/2005) to file the Notice of Intent to annex package with the Boundary Review Board (BRB). Mr. Erickson stated that filing of the Notice of Intent to annex package will allow the BRB to conduct a joint review of the proposed annexation and incorporation. He noted that failure to meet the 90-day window precludes future annexation to Renton if the Fairwood Incorporation is successful.

Continuing, Mr. Erickson explained that the topography of the site is essentially flat above the Cedar River bank and virtually the entire site, with the exception of the lots north of SE 149th St., is located within the flood hazard boundary. He reviewed the existing public services as follows:

- Fire District #25 provides fire service and will continue to do so if the area is annexed. However, water pressure is an issue.
- Maplewood Water Cooperative provides water service and will continue to do so if the area is annexed.
- The area is not currently served by sewer but is located within Renton's designative sewer service area. Residents are not required to convert from septic to sewer upon annexation.
- The area is within the Renton School District.

Mr. Erickson indicated that the annexation site is zoned R-6 (six dwelling units per gross acre) under King County. Renton's Comprehensive Plan designates the site as Residential Single Family, for which R-8 (eight dwelling units per net acre) zoning is proposed. He noted that the City is reviewing a possible change in designation to Residential Low Density, for which concurrent zoning is R-4 (four dwelling units per net acre).

Mr. Erickson reviewed the fiscal impact analysis assuming 161 single-family homes in the area, and pointed out that the annual estimated cost to the City is
$40,304. If all property owners decide to upgrade to sewer, the annual estimated City cost would be $35,386. Mr. Erickson stated that the proposed annexation is consistent with BRB objectives and with City annexation policies. He noted the adequate level of parks, the costly and ongoing flood control challenge, the aging infrastructure, and the larger than normal annual subsidy.

In conclusion, he reported that staff recommends the petition be accepted and that staff be authorized to invoke the BRB's jurisdiction in order to consider possible expansion of the proposed annexation area's boundaries if this is justified in terms of creating more reasonable service areas and reducing the City's cost in servicing the area.

Public comment was invited.

Bob Johnson, 15016 131st Ave. SE, Renton, 98058, expressed his disappointment with the method of processing the 60% petition. His concerns included the turning in of documents beyond the petition deadline, the proponent's access to letters rescinding signatures, the method of signature collection, and the delay in the availability of the petition and rescind letters to others. In response to Council President Briere's inquiry regarding his position on the annexation, Mr. Johnson stated that he favors whatever the majority of the community wants, and he felt the majority wants to remain in unincorporated King County.

Mayor Keolker-Wheeler stated that unfortunately due to State laws regarding growth management, it is unlikely the area will remain unincorporated.

Mr. Erickson pointed out that under State law, the proponents have as long as it takes to gather signatures; however, any signature older than six months must be removed from the petition. He explained that a tentative deadline had been established for the submittal of the petition to allow the City time to process the annexation within the 90-day window, as the City must submit the intent to annex package to the BRB by May 1st.

Brian Lowery, 13112 SE 150th St., Renton, 98058, relayed Lenora Blauman's (BRB Executive Secretary) comments at a recent Fairwood Task Force meeting regarding the BRB's simultaneous review of the annexation and incorporation petitions, and the Fairwood Incorporation feasibility study. He indicated that due to a lack of information, people may not have understood the purpose of the 60% petition. Mr. Lowery concluded that the whole process has been confusing and it has divided the community.

Responding to Council President Briere's inquiry as to his position, Mr. Lowery stated that he prefers to stay within King County and expressed his displeasure with the land value based petition.

Economic Development Administrator Alex Pietsch explained that if the City did not accept the 60% petition and the Fairwood Incorporation was successful, this area will be included in the City of Fairwood. He opined that it is unlikely that the Maplewood community can convince the BRB to exclude it from the City of Fairwood if the annexation petition is denied. Mr. Pietsch acknowledged that the process is very complicated, and reiterated that the only way the annexation proposal can be reviewed by the BRB in conjunction with the incorporation proposal is if the 60% petition is accepted and staff is authorized to ask the BRB to invoke its jurisdiction.

Tom Judd, 13004 SE 151st St., Renton, 98058, pointed out that even if the Maplewood area is incorporated or stays within King County, Renton will still
provide the public services. Mr. Judd expressed his support for the annexation, noting that there will be additional benefits to the area if annexed to Renton.

Linda Gibson, 15031 135th Ave. SE, Renton, 98058, stated that she is against annexation to Renton and wants to stay in King County. She expressed her disappointment in the process used to acquire signatures, and noted the need for more time to clear up the negative information that has been circulated throughout the community. Additionally she stated that the Department of Health verified the soundness of the area's water system, and verified that the area does not have any more problems with its septic systems than any other location.

Stephanie Lorenz, 13515 SE Maple Valley Rd., Renton, 98058, stated that she is a proponent of the annexation effort, and submitted documentation showing what information the proponents have been circulating. In response to speaker Bob Johnson's comments, she explained that she acquired her knowledge about the rescinded petition signatures before the petition was filed.

In response to the inquiry from Dave Alexander, 15036 135th Ave. SE, Renton, 98058, regarding the subject area's options, Mr. Pietsch explained that if Council asks the BRB to invoke jurisdiction, the BRB will conduct an in-depth review of the boundaries to determine what is best for the Maplewood area. He pointed out that the review will include the Fairwood Incorporation feasibility study, and that citizens can testify before the BRB.

Responding to Mr. Alexander's inquiry regarding whether the annexation can be stopped, Mr. Pietsch stated that it can be stopped by Council not accepting the petition. However, if the petition is forwarded to the BRB, it is impossible to predict what action that body will take.

In response to the Mayor's question regarding the possibility of a special election for the Maplewood Area, Assistant City Attorney Zanetta Fontes stated that the BRB does not have a procedure in place by which that can be accomplished.

Responding to Council President Briere's inquiry regarding his position on the annexation proposal, Mr. Alexander stated that he wants to know which option is best for the neighborhood.

Mr. Pietsch reported that he met one time with the Fairwood Incorporation Taskforce, and relayed that he had suggested that the Maplewood area be removed from the incorporation boundary. Mayor Keolker-Wheeler stated that it is frustrating to have something outside of the City's jurisdiction and the Maplewood area's jurisdiction driving this process.

Judy Anders, 13133 SE 149th St., Renton, 98058, noted that she is a proponent of the annexation, and thanked City staff for their help throughout this process.

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

MOVED BY CLAWSON, SECONDED BY LAW, COUNCIL: ACCEPT THE MAPLEWOOD ADDITION 60% DIRECT PETITION TO ANNEX; AUTHORIZE THE ADMINISTRATION TO FORWARD THE NOTICE OF INTENT PACKAGE TO THE BOUNDARY REVIEW BOARD; AUTHORIZE THE ADMINISTRATION TO INVOKE THE BOUNDARY
REVIEW BOARD’S JURISDICTION IN ORDER TO CONSIDER POSSIBLE EXPANSION OF THE PROPOSED ANNEXATION AREA’S BOUNDARIES IF THIS IS JUSTIFIED IN TERMS OF CREATING MORE REASONABLE SERVICE AREAS AND REDUCING THE CITY’S COST IN SERVICING THE AREA; AND AUTHORIZE THE ADMINISTRATION TO PREPARE ORDINANCES FOR FUTURE ANNEXATION AND ZONING CONSISTENT WITH THE COMPREHENSIVE PLAN. 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 2005 and beyond. Items noted included:

- Last week, the City of Renton hosted its annual Volunteer Recognition Banquet with over 200 volunteers in attendance. In 2004, nearly 1,900 volunteers contributed nearly 62,000 hours of service. The value of these hours total over $1 million to the City and residents.

- Henry Moses Aquatic Center season pass card sales and canopy rental reservations begin on April 11th at the Renton Community Center. The aquatic center opens on June 18th.

- The City is seeking volunteers from neighborhoods, schools, businesses, and service clubs to work together on Saturday, April 23rd, to beautify a portion of NE 4th St. in recognition of Arbor Day and Earth Day.

AUDIENCE COMMENT

Citizen Comment: Codling - Gene Coulon Park Hydroplane Race

Jim Codling, American Power Boat Association Regional Manager, 1123 4th Ave. N., Kent, 98032, indicated that he is a member of the not-for-profit sponsoring club of the hydroplane races at Gene Coulon Memorial Beach Park. He described the public safety measures the event organizers have in place for this free event, and noted that the services of the City’s public safety personnel are not needed except in the case of an emergency. Since the event organizers are able to provide these services, Mr. Codling requested that the City review its costs associated with the event and provide mitigation.

Citizen Comment: Laing-Malcolmson - Gene Coulon Park Hydroplane Race

Bill Laing-Malcolmson, 13824 171st Ave. SE, Renton, 98059, stated that he and his family enjoy watching the boat races at Gene Coulon Park, appreciates the fact that the event is free, and wants the event to continue to be held in Renton.

Citizen Comment: Crestanello - Gene Coulon Park Hydroplane Race

Jim Crestanello, 404 Grandey Way NE, Renton, 98056, reported that he has been associated with boat racing for a long time, and he enjoys watching the free boat race event at Gene Coulon Park.

Citizen Comment: Langlois - Gene Coulon Park Hydroplane Race

Karl Langlois, 10403 126th Ave. SE, Renton, 98056, said Renton is a beautiful elevated venue for a boat race and pointed out that he knows many people who enjoy attending the free event. Mr. Langlois stressed that people will find something else to do if they have to pay to attend.

Citizen Comment: Hough - Gene Coulon Park Hydroplane Race

William Hough, 16114 SE 132nd St., Renton, 98059, stated that he and his family enjoy watching boat racing, and he is also a boat driver. Expressing his support for the Renton boat race, he noted that many people may not attend the event if there is a charge.

Citizen Comment: Nguyen - King County Councilmember Dunn District Office,

Viet Nguyen, 425 Vine St., #416, Seattle, 98121, stated that he is the District Director for Metropolitan King County Councilmember Reagan Dunn (District 6), and announced the opening of the council district office in the Renton
### Maplewood Addition Annexation

Highlands at 2806 NE Sunset Blvd. Referring to the previous discussion regarding the Maplewood Addition Annexation, Mr. Nguyen acknowledged that the Fairwood Incorporation and Maplewood Addition Annexation issue is very complex and his office welcomes questions from the public about the issue in efforts to help clear up any misinformation.

### Citizen Comment: Mann - Sunset Bluff Preliminary Plat Appeal, SR 900 LLC & Herons Forever, PP-04-002

David Mann, 1424 4th Ave., #1015, Seattle, 98101, spoke on behalf of Herons Forever regarding Council's decision on 3/21/2005 concerning the Sunset Bluff Preliminary Plat. Pointing out that Council has before them correspondence from SR 900 LLC representative David Halinen requesting reconsideration of that decision, Mr. Mann asked that Council not take any action to reconsider its decision. He noted that Council did not deny the plat as Herons Forever recommended, and instead adopted the Hearing Examiner's recommendation and conclusions. While he appreciates Mr. Halinen's suggestion to change the construction season, he stated that the change will adversely affect the herons. Mr. Mann indicated that Herons Forever is prepared to move forward with an appeal to Superior Court. (See page 113 for further discussion on this matter.)

### Citizen Comment: Baker - Gene Coulon Park Hydroplane Race

Lenny Baker, 20224 81st Ave. W., Edmonds, 98026, stated that he was surprised at the costs submitted by the City for his organization to hold a hydroplane race at Gene Coulon Park. He noted that other cities in which boat races are held have not asked for reimbursement, and many cities use these events as training sessions. Mr. Baker described the safety measures that are employed during the event, expressed his pleasure with holding the boat race in Renton, and pointed out that boat race spectators patronize Renton businesses. He asked that the City reduce or waive the costs associated with the boat race event.

In response to Council President Briere's inquiry, Mayor Keolker-Wheeler stated that Council made a decision during budget deliberations to charge full cost for this event. Ms. Briere noted that many of the speakers indicated that the event does not need all the services that the City is charging for.

Councilman Clawson explained that Renton is not experiencing budget problems as many other cities are because the City makes sure it is compensated for events such as this. He stated that he stands by his decision to obtain compensation.

Councilman Persson expressed his concern regarding the shutting down of the boat launch for the weekend-long boat race event, and noted the impact on residents who want to launch their boats. He also noted that the loss of those boat launch fees is not included in the City's costs.

MOVED BY BRIERE, SECONDED BY PERSSON, COUNCIL REFER THE REVIEW OF THE COSTS AND POSSIBLE SERVICES DUPLICATION ASSOCIATED WITH THE BOAT RACE EVENT TO THE ADMINISTRATION.*

Councilman Law stated that the event should be cost neutral to taxpayers.

*MOTION CARRIED.

### CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing. At the request of Councilwoman Palmer, items 8.h. and 8.i. were removed for separate consideration.

**Council Meeting Minutes of March 21, 2005**

Approval of Council meeting minutes of March 21, 2005. Council concur.
Court Case: Renton Police Officers Guild, CRT-05-002
Court Case filed on behalf of the Renton Police Officers’ Guild by Aaron D. Jeide, Cline & Associates, 999 3rd Ave., Suite 3800, Seattle, 98104, alleging that the City has no legitimate interest in compelling Police Officer Steve Morris to submit to a mental evaluation. Refer to City Attorney and Insurance Services.

Annexation: Akers Farms, 108th Ave SE & SE 164th St
Economic Development, Neighborhoods and Strategic Planning Department submitted 10% Notice of Intent to annex petition for the proposed Akers Farms Annexation, 13.61 acres located in the vicinity of 108th Ave. SE and SE 164th St., and recommended a public meeting be set on April 18, 2005, to consider the petition. Council concur.

Plat: Aspen Woods, Hoquiam Ave NE, PP-04-143
Hearing Examiner recommended approval, with conditions, of the Aspen Woods Preliminary Plat; 46 single-family lots on 8.15 acres located at 852 and 864 Hoquiam Ave. NE (PP-04-143). Council concur.

Plat: Parklane Court, Lyons Ave NE, PP-04-142
Hearing Examiner recommended approval, with conditions, of the Parklane Court Preliminary Plat; ten single-family lots on 4.3 acres located at the 100 block of Lyons Ave. NE (PP-04-142). Council concur.

Police: Domestic Violence Advocacy Assistance Program, Edward Byrne Memorial Justice Assistance Grant
Police Department recommended approval of the Edward Byrne Memorial Justice Assistance Grant in the amount of $39,120 to help fund the Domestic Violence Advocacy Assistance Program. Council concur.

Lease: Aerodyne Aviation Addendum #11, Airport, LAG-84-006
Transportation Systems Division recommended approval of Addendum #11 to LAG-84-006, Airport lease with Aerodyne Aviation, to increase the leased square footage. Refer to Transportation (Aviation) Committee.

Utility: SW 34th St Culvert Replacement Design, RW Beck
Utility Systems Division recommended approval of a contract in the amount of $116,049 with R.W. Beck, Inc. for the SW 34th St. Culvert Replacement Project design. Council concur.

Added Item 8.k.
Planning/Building/Public Works Department recommended approval of an agreement with the Federal Reserve Bank of San Francisco regarding the SW 27th St. parcel and the stormwater detention parcel, and recommended authorization to issue $3,000,000 in bonds to pay for the City's share of the SW 27th St. and Strander Blvd. extension project. Refer to Committee of the Whole.

MOVED BY BRIERE, SECONDED BY LAW, COUNCIL APPROVE THE CONSENT AGENDA AS AMENDED TO REMOVE ITEMS 8.h. AND 8.i. FOR SEPARATE CONSIDERATION. CARRIED.

Separate Consideration Item 8.h.
Streets: Lake Washington Blvd NE Temporary Closures
Transportation Systems Division recommended approval of the temporary street closures of Lake Washington Blvd. NE, in the vicinity of NE 50th St., for the Lake Washington Blvd. Slip Plane Project. Closures to take place April 15 through July 15, 2005.

MOVED BY PALMER, SECONDED BY BRIERE, COUNCIL CONCUR WITH CONSENT AGENDA ITEM 8.h. AS PRESENTED.*

Councilman Persson requested that the detour be well marked on NE 44th St.

*MOTION CARRIED.

Separate Consideration Item 8.i.
Transportation: Fund 317 2005 Increase and Reallocation
Transportation Systems Division recommended approval of an ordinance to increase the Transportation Capital Improvement Fund 317 by $2,382,300 for completion of transportation projects in 2005 and to reallocate the funds by project.
MOVED BY PALMER, SECONDED BY BRIERE, COUNCIL REFER
CONSENT AGENDA ITEM 8.i. TO THE TRANSPORTATION (AVIATION)
COMMITTEE. CARRIED.

MOVED BY CLAWSON, SECONDED BY LAW, COUNCIL RECESS FOR
FIVE MINUTES. CARRIED. Time: 9:10 p.m.

The meeting reconvened at 9:16 p.m.; roll was called; all Councilmembers
present except Nelson and Corman, previously excused.

CORRESPONDENCE

Citizen Comment: Krom -
Critical Areas Ordinance
Two items of correspondence were read from Suzanne Krom, Herons Forever
President, PO Box 16155, Seattle, 98116, suggesting changes to the City's
proposed critical areas ordinance, including incorporation of the 1995 Harza
fish study and report recommendations, referring to bulkheads as having
negative environmental impacts, and P-1 pond dredging issues.

Citizen Comment: Pace -
Critical Areas Ordinance
Correspondence was read from Sam Pace, Seattle-King County Association of
Realtors, 29839 154th Ave. SE, Kent, 98042, regarding the City's proposed
critical areas ordinance. The correspondence also includes information
prepared for the City of Kent pertaining to its critical areas updates.

Citizen Comment: Various -
Utility Taxes on Utility Bills
Correspondence was read from: Joyce Ray, 201 Union Ave. SE, #101, Renton,
98059; Shirley Arthalony, 201 Union Ave. SE, #35, Renton, 98059; Renee
Vandemaele, 201 Union Ave. SE, #250, Renton, 98059; Connie Duncan, 201
Leisure Estates SE, #228, Renton, 98059; Jean Webb, 201 Union Ave. SE,
#248, Renton, 98059; Edie-Mae Lawyer, 201 Union Ave. SE, #20, Renton,
98059; Eugene Olson, 201 Union Ave. SE, #233, Renton, 98059; Jo Ann Olson,
201 Union Ave. SE, #233, Renton, 98059; Sandel DeMastus, 1137 Harrington
Ave. NE, Renton, 98056; and Wyona M. Moser, 201 Union Ave. SE, #160,
Renton, 98059; all asking for the removal or reduction of utility taxes on senior
and disabled citizen utility bills.

MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL REFER
THIS CORRESPONDENCE TO THE ADMINISTRATION. CARRIED.

Added
Citizen Comment: Halinen -
Sunset Bluff Preliminary Plat
Appeal, SR 900 LLC &
Herons Forever, PP-04-002
Correspondence was read from David L. Halinen, Halinen Law Offices P.S.,
10500 NE 8th St., Suite 1900, Bellevue, 98004, on behalf of the applicant SR
900 LLC, requesting reconsideration of Council's decision on 3/21/2005
regarding conditions of approval #2 and #3 for the Sunset Bluff Preliminary
Plat.

MOVED BY CLAWSON, SECONDED BY LAW, COUNCIL SUSPEND
THE RULES AND ADVANCE TO AUDIENCE COMMENT. CARRIED.

AUDIENCE COMMENT

Citizen Comment: Halinen -
Sunset Bluff Preliminary Plat
Appeal, SR 900 LLC &
Herons Forever, PP-04-002
Mr. Halinen, author of the aforementioned correspondence, explained that the
requested change to condition #2 shortens the period within which forest
clearing and hillside grading cannot occur (January 15th - July 31st to January
15th - June 30th), thus allowing a one-month longer construction season. He
further requested that condition #3 be changed from stating: "The applicant
shall not use any agents to dry or stabilize the soils that would alter the pH of
the soils." to "The applicant shall not use soil amendments to achieve
compaction standards that would alter the pH of the site's soils without the State
of Washington Department of Ecology's prior approval of Best Management
Practices for the particular soil amendments to be used."
Continuing, Mr. Halinen commented on the following: the previous Sunset Bluff project appeal in which Council reversed the Hearing Examiner's decision to require an EIS (Environmental Impact Statement); the applicant's view that the record does not support seasonal timing limitations on construction; and the fact that this project would not fall under seasonal construction limitations if it were located in King County. Mr. Halinen pointed out that if Council agreed to change these two conditions now, the applicant would not appeal any of the project's conditions of approval to Superior Court.

Don Merlino, 1915 Maple Valley Hwy., Renton, 98055, stated that he is the owner and contractor of the Sunset Bluff project, and explained that the project requires a large amount of excavation, embankment compaction, and clearing. He expressed his unhappiness with the current restriction on the length of the construction season, and emphasized that the requested change is to everyone's advantage in that it will reduce the number of construction seasons.

Councilman Clawson stated that he wants more time to review the matter, and explained that this can be accomplished by the making of a motion to reconsider and then a motion to postpone the reconsideration until the next Council meeting.

Assistant City Attorney Zanetta Fontes noted that the deadline for filing an appeal under the Land Use Petition Act (LUPA) in Superior Court for SR 900 LLC and Herons Forever is next Monday. Pointing out that there are a number of legal issues to consider including permit requirements and construction season limitations, Ms. Fontes indicated that it may be beneficial to have more time to review the matter. She affirmed that Council's options include: reconsider the matter this evening, postpone reconsideration until next week, or not reconsider the matter at all.

In response to Councilman Clawson's inquiry regarding the timing of the appeals and the reconsideration, Ms. Fontes noted that the parties can voluntarily withdraw their LUPA appeals.

David Mann, 1424 4th Ave., #1015, Seattle, 98101, representing Herons Forever, asked that Council not use the LUPA appeal filing deadline as a reason to forgo further review of the matter.

MOVED BY LAW, SECONDED BY BRIERE, COUNCIL RECONSIDER CONDITIONS OF APPROVAL #2 AND #3 OF THE COUNCIL'S DECISION (3/21/2005) ON THE SUNSET BLUFF PRELIMINARY PLAT.*

*MOVED BY CLAWSON, SECONDED BY PERSSON, COUNCIL POSTPONE ITS DECISION ON THE MOTION TO RECONSIDER UNTIL THE NEXT REGULARLY SCHEDULED COUNCIL MEETING (4/11/2005). CARRIED.

Responding to Council President Briere's inquiry regarding additional information, Ms. Fontes stated that Council is working from the record. Councilman Clawson and the Mayor also inquired as to the scope of the record and Council's options if it decides to reconsider the motion. Ms. Fontes stated that she will review the issues and report back to Council.

**UNFINISHED BUSINESS**

Finance Committee Chair Persson presented a report recommending approval of
Finance Committee
Finance: Vouchers
Claim Vouchers 235731 - 236174 and four wire transfers totaling $3,168,991.28; and approval of Payroll Vouchers 56349 - 56581, one wire transfer, and 571 direct deposits totaling $1,843,096.57. MOVED BY PERSSSON, SECONDED BY LAW, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Municipal Court: Collection Services, AllianceOne Receivables Management
Finance Committee Chair Persson presented a report recommending concurrence in the staff recommendation to authorize the Mayor and City Clerk to sign the agreement for collection services with AllianceOne Receivables Management, Inc. MOVED BY PERSSON, SECONDED BY LAW, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

EDNSP: Hotel/Motel Tax Revenue Allocation to Renton Visitors Connection, Chamber of Commerce Contract
Finance Committee Chair Persson presented a report regarding the 2005 Renton Visitors Connection tourism marketing campaign funding. The Committee recommended concurrence in the staff recommendation to approve the contract with the Greater Renton Chamber of Commerce for a sixth year of the Renton Visitors Connection for its tourism marketing campaign, and allocate $116,000 of lodging tax collections toward that effort. The Renton Visitors Connection will provide oversight of the work program through regular meetings. The Committee further recommended that the Mayor and City Clerk be authorized to sign the contract. At the end of the year, the Chamber will submit to the Lodging Tax Advisory Committee a detailed financial report and include copies of all printed advertising material. MOVED BY PERSSON, SECONDED BY LAW, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

RESOLUTIONS AND ORDINANCES
The following ordinances were presented for second and final reading and adoption:

Ordinance #5130
Community Services: Henry Moses Aquatic Center Fees
An ordinance was read amending Chapter 5-1, Fee Schedule, of Title V (Finance and Business Regulations) of City Code by setting Henry Moses Aquatic Center pass card rates and canopy rental fees. MOVED BY LAW, SECONDED BY PALMER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Ordinance #5131
Development Services: Trench Restoration & Street Overlay Requirements
An ordinance was read amending Section 9-10-11 of Chapter 10, Street Excavations, of Title IX, Public Ways and Property, of City Code by revising trench restoration and street overlay requirements. MOVED BY PERSSSON, SECONDED BY PALMER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

Ordinance #5132
Planning: R-1 Zone Community Separators
An ordinance was read amending Chapter 4-2, Zoning Districts - Uses and Standards, Chapter 4-3, Environmental Regulations and Overlay Districts, Chapter 4-4, Citywide Property Development Standards, Chapter 4-6, Street and Utility Standards, and Chapter 4-11, Definitions, of Title IV (Development Regulations) of City Code to amend the R-1 residential low density zone in order to regulate clustered development and create an urban separator overlay designation. MOVED BY CLAWSON, SECONDED BY LAW, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

NEW BUSINESS
Council President Briere announced that Council will tour the Broodstock Collection Facility area on April 19th, at 9:00 a.m. She noted that this is a tour for observation purposes only, and no public comment will be taken.

AUDIENCE COMMENT
Citizen Comment: Duffus - R-1 Zone Community
Andrew Duffus, 9605 143rd Ave. SE, Renton, 98059, thanked Council for adopting the ordinance regarding the R-1 zone community separators, and pointed out that there will now be a permanent urban greenbelt in May Valley.
Separators that will be a legacy for the City.

**ADJOURNMENT**

MOVED BY PERSSON, SECONDED BY LAW, COUNCIL ADJOURN. CARRIED. Time: 9:54 p.m.

Bonnie I. Walton, CMC, City Clerk

Recorder: Michele Neumann

April 4, 2005