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; MARCIE PALMER; DON PERSSON; RANDY CORMAN; TONI NELSON; DAN CLAWSON; DENIS LAW.

CITY STAFF IN ATTENDANCE

KATHY KEOLKER-WHEELER, Mayor; JAY COVINGTON, Chief Administrative Officer; LAWRENCE J. WARREN, City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; DENNIS CULP, Community Services Administrator; KAREN BERGSVIK, Human Services Manager; LINDA HERZOG, Interim Assistant to the CAO; COMMANDER TIM TROXEL, Police Department.

PROCLAMATION

Day of Concern for the Hungry - 9/24/2005

A proclamation by Mayor Keolker-Wheeler was read declaring September 24, 2005, to be "Day of Concern for the Hungry" and strongly urging all citizens to join the Emergency Feeding Program and the food banks in their efforts to nourish those who are hungry. MOVED BY NELSON, SECONDED BY PALMER, COUNCIL CONCUR IN THE PROCLAMATION AS READ. CARRIED.

Captain Christine Giffey-Brohaugh accepted the proclamation on behalf of the Salvation Army. She explained that the new Renton Rotary Salvation Army Food Bank provides not only food, but also services such as the RotaCare Clinic held on Saturday mornings. Captain Giffey-Brohaugh noted that the Salvation Army needs both money and volunteers to run the facility. She encouraged citizens to participate in the annual food drive on September 24th by shopping at local grocery stores and purchasing items for donation.

PUBLIC HEARING

Human Services: 2006 CDBG Funds Allocation

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 funding recommendations for the allocation of the 2006 Community Development Block Grant (CDBG) funds.

Karen Bergsvik, Human Services Manager, reported that Renton will receive an estimated $48,855 in CDBG public service funds, $185,650 in CDBG capital funds, and $48,855 for planning and administration. She indicated that this is an approximate 10% cut in funding. She explained that the U.S. House of Representatives has passed the 2006 CDBG budget, but it is not known what affect Hurricane Katrina will have on the final budget amount. Ms. Bergsvik noted that the Human Services Advisory Committee decided to extend the 2005 public service contracts to 2006, so the CDBG grants will have the same two-year funding cycle as the general fund.

Ms. Bergsvik stated that the Human Services Advisory Committee recommended that the 2006 CDBG capital funds be distributed to the City of Renton Housing Repair Program ($164,546) and to the Multi Service Center for employment services ($21,104). She reported that the advisory committee recently recommended that the 2006 funding allocation to HomeSight (first time home buyer program) be cancelled, and that the funds be allocated to the
Housing Repair Program. She noted that HomeSight did receive 2005 funding from Renton, Tukwila, and Home Funds.

In conclusion, Ms. Bergsvik indicated that agencies receiving CDBG funding must meet certain criteria, including meeting one of three national objectives, and serving at least 70% low and moderate-low income persons. She pointed out that although the funding of agencies can be switched from the CDBG funds to the general fund, they cannot be switched back.

Public comment was invited.

Erika Nuerenberg, DAWN (Domestic Abuse Women's Network) Board Member, 2410 NW 58th St., Seattle, 98107, stated that DAWN has been providing services to this community for 25 years, and thanked the City for its past support. She noted the proposed decrease in funding to DAWN and other agencies due to the reduction in the 2006 CDBG funding level, and questioned why some agencies were listed for CDBG funding, and others were listed for general funding.

Continuing, Ms. Nuerenberg pointed out that the general fund level has held steady for the past three years, and there are no pending cuts for agencies funded by the general fund in 2006. She reviewed the amount of funds DAWN has received from Renton, the services DAWN provides, and the costs of providing those services. Pointing out that Dawn and other agencies depend on local cities to help provide services, Ms. Nuerenberg asked that the 2006 CDBG funding not be cut.

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

ADMINISTRATIVE REPORT

Chief Administrative Officer Jay Covington reviewed a written administrative report summarizing the City’s recent progress towards goals and work programs adopted as part of its business plan for 2005 and beyond. Items noted included:

- A new 12-station computer lab was dedicated today at the Renton Senior Activity Center. Using a $20,000 donation from Merrill Gardens, a new retirement community being built in downtown Renton, the center converted a former game room into the lab to respond to the popularity of that amenity at the facility.

- Valley Community Players will present the production *How the Other Half Loves* from September 23rd to October 9th at Carco Theatre.

AUDIENCE COMMENT

Citizen Comment: Hughes - Skate Park Lighting

Dan Hughes, 2139 NE 20th St., Renton, 98056, stated that he had a great summer skateboarding at the Skate Park in Liberty Park. Now that summer is over, he requested that lights be installed at the Skate Park, similar to the lighting at the basketball and tennis courts. MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL REFER SKATE PARK LIGHTING TO THE ADMINISTRATION AND COMMUNITY SERVICES COMMITTEE. CARRIED.

Citizen Comment: Petersen - Candidate Forum, Street Repair

Inez Petersen, 3306 Lake Washington Blvd. N., #3, Renton, 98056, announced that the Highlands Community Association (HCA) will host a candidate forum on community access cable channel 77 on October 11th, featuring Brett Kappenman and Councilman Dan Clawson. Additionally, she noted that the HCA board will interview the same candidates for rating purposes.

On another subject, Ms. Petersen displayed a photograph of a street near her
residence, showing cracked pavement in a low spot on the street. She noted the issues with the private drainage system, and the costs to maintain the street and storm drain. Ms. Petersen indicated that the affected residents should not be financially liable for the maintenance of the City street and the storm drain, and asked that the cracks be repaired until costs for the pavement replacement and the storm system repairs can be integrated into the City's budget.

Gregg Zimmerman, Planning/Building/Public Works Administrator, explained that the City is responsible for maintaining the middle portion of the pavement of the dead-end street (that adjoins N. 33rd Pl.). The maintenance of the two sides of the street are the responsibility of the property owners. Noting that the water detention system was built in the right-of-way by a private developer, he stated that several developments throughout the City have private detention and water quality systems in City right-of-way, which are owned by the affected property owners.

Mr. Zimmerman reported that the City has tried to change the drainage pattern on this street, but the catch basins cannot be lowered anymore as they are located on top of the private detention system. He indicated that the only way to improve the drainage is to replace the private detention facility or raise the level of the entire paved area, and both options are costly. Mr. Zimmerman explained that the City has tried to make the drainage work as well as it can under the constraints, but puddling still occurs. He concluded that the pavement cracks do not appear to present any safety hazards or impediments to access.

**CONSENT AGENDA**

<table>
<thead>
<tr>
<th>Item</th>
<th>Details</th>
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</thead>
<tbody>
<tr>
<td>Vacation: Bremerton Ave NE, Liberty Ridge, VAC-04-007</td>
<td>City Clerk reported receipt of $5,170 compensation paid by petitioner, as set by Council on 8/1/2005, and recommended adoption of an ordinance to finalize the Liberty Ridge LLC vacation of three portions of Bremerton Ave. NE, south of NE 4th St. (VAC-04-007). Council concur. (See page 319 for ordinance.)</td>
</tr>
<tr>
<td>City Clerk: Cable Television Franchise Consultant Services, Bradley and Guzzetta</td>
<td>City Clerk recommended approval of a consultant agreement in the amount of $235,500 with Bradley and Guzzetta, LLC for cable television franchise management and renewal services. Refer to Finance Committee.</td>
</tr>
<tr>
<td>Court Case: Andrew Hedden et al, CRT-05-009</td>
<td>Court Case filed on behalf of Andrew Hedden et al by Lawrence A. Hildes and Paul Richmond, Attorneys, alleging violation of plaintiffs' rights during a demonstration that occurred in downtown Seattle on 6/2/2003. Refer to City Attorney and Insurance Services.</td>
</tr>
<tr>
<td>Court Case: Robert Barnes et al, CRT-05-010</td>
<td>Court Case filed on behalf of Robert Barnes et al by Lawrence A. Hildes and Paul Richmond, Attorneys, alleging violation of plaintiffs' rights during a demonstration that occurred in downtown Seattle on 6/2/2003. Refer to City Attorney and Insurance Services.</td>
</tr>
<tr>
<td>Development Services: Teresas Short Plat, ROW Dedication, NE 22nd St</td>
<td>Development Services Division recommended acceptance of a deed of dedication for additional right-of-way at NE 22nd St. to fulfill a requirement of the Teresa's Short Plat (SHP-04-076). Council concur.</td>
</tr>
<tr>
<td>Franchise: Sprint Communications, Fiber Optic Communication Facilities</td>
<td>Development Services Division recommended approval of a master use agreement with Sprint Communications Company L.P. to install fiber optic communication facilities within the City of Renton right-of-way. Refer to Transportation (Aviation) Committee.</td>
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</table>
MOVED BY BRIERE, SECONDED BY NELSON, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

**UNFINISHED BUSINESS**

**Transportation (Aviation) Committee**

CAG: 01-071, Maple Valley Hwy Improvements, Perteet

Transportation (Aviation) Committee Chair Palmer presented a report recommending concurrence in the staff recommendation to authorize the Mayor and City Clerk to execute Supplemental Agreement #6 with Perteet, Inc., for additional work in the amount of $99,880 for the Maple Valley Hwy. (SR-169) Improvements Project Phase 2. The Committee further recommended that Council authorize funds to be transferred into this project from the following projects:

1. Project Development/Pre-design in the amount of $25,000;
2. Arterial Circulation Program in the amount of $39,880;
3. Duvall Ave. NE in the amount of $20,000;
4. Transportation Concurrency in the amount of $40,000; and
5. Interagency Signal Coordination in the amount of $5,000.

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

**Airport: Layout Plan Update,**

**URS Corporation**

Transportation (Aviation) Committee Chair Palmer presented a report recommending concurrence in the staff recommendation to approve the contract with URS Corporation in the amount of $129,257.19 to update the Airport Layout Plan. The Committee further recommended that the Mayor and City Clerk be authorized to sign the contract. MOVED BY PALMER, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**Finance Committee**

**Finance: Bond Proceed Reimbursement,**

**S Lake WA Roadway & SW 27th St/Strander Blvd Connection,**

**Capital Expenditures**

Finance Committee Chair Persson presented a report regarding reimbursement of capital expenditures from proceeds of tax exempt bonds. The Committee recommended concurrence in the staff recommendation to declare the City's intent that certain capital expenditures to be made on the South Lake Washington roadway and SW 27th St./Strander Blvd connection capital projects shall be reimbursed from the future proceeds of a tax exempt bond sale(s) or other obligations of the City in an amount not to exceed $15,000,000. The Committee further recommended that the resolution regarding this matter be presented for reading and adoption.*

Councilman Persson noted that the Committee changed the bond sale amount from the original recommendation of $31,000,000 to $15,000,000. He indicated that the Committee will revisit the matter as more information is obtained about the projects.

*MOVED BY PERSSON, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 318 for resolution.)

Mayor Keoiker-Wheeler indicated that the $15,000,000 will not cover the costs of the projects.

**Transportation: SW 27th St/Strander Blvd Connection,**

**Perteet Contract, Gary Merlino Contract, Fund 317 Budget Adjustment**

Finance Committee Chair Persson presented a report recommending concurrence in the staff recommendation as follows for construction of a .27-mile extension of SW 27th St. from Oakesdale Ave. SW to the proposed driveway access of the Federal Reserve Bank, known as the SW 27th St./Strander Blvd. Connection, Phase 1, Segment 1 construction project:
1. Approve a budget adjustment to allocate $3,217,836.86 from the Transportation 317 Fund to the SW 27th St./Strander Blvd. Connection Project budget for funding as detailed herein, with the full amount to be reimbursed from future proceeds of a tax exempt bond sale;

2. Approve Supplement Agreement #3 with Perteet, Inc. in the amount of $110,846 for project construction management services (CAG-03-033);

3. Accept the low bid as submitted and award the construction contract to Gary Merlino Construction Company, Inc. in the amount of $2,426,530.72 (CAG-05-120);

4. Authorize a 20% construction contract contingency in the amount of $485,306.14; and

5. Authorize soft costs for the project in the amount of $195,154.

The Committee further recommended the Mayor and City Clerk be authorized to execute Supplemental Agreement #3 with Perteet, Inc., and the construction contract with Gary Merlino Construction Company, Inc. MOVED BY PERSSON, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT.*

In response to Councilman Clawson's inquiry regarding the bonds, Chief Administrative Office Jay Covington reviewed various revenue sources for the South Lake Washington roadway and SW 27th St./Strander Blvd. connection projects, and indicated that the City is continuing to analyze the matter. Mayor Keolker-Wheeler added that the City is still pursuing Federal and State funding. Councilman Persson noted that the Federal Reserve Bank has to pay property taxes, which will be used to help pay for the project.

*MOTION CARRIED.

Development Services: Waiver Request for Development & Mitigation Fees, Morris Ave Townhomes, N&C Investments

Finance Committee Chair Persson presented a report regarding the Evan Chan, N&C Investments LLC, fee waiver request for the proposed Morris Avenue Townhomes development at 513 S. 2nd St. The applicant requested waiver of building permit fees, utility system development charges, public works plan review and inspection fees, and impact mitigation fees per City Code 4-1-210.

The proposal for the eight-unit condominium townhome project is eligible for the fee waiver as it will be new owner-occupied multi-family housing, of four units or more, located within the Center Downtown zone. The Committee recommended concurrence in the staff recommendation to approve the fee waiver request at the time of building and construction permit issuance, subject to the final project design being of comparable or greater quality than the exhibits attached to the request. MOVED BY PERSSON, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Utilities Committee Latecomer Agreement: Wyman/Blood, Sewer Extension (SE 132nd St), LA-05-003

Utilities Committee Chair Corman presented a report recommending concurrence in the staff recommendation to grant preliminary approval of the application for a latecomer agreement request from Kevin M. Wyman and Durwood E. Blood for a period of one year. The application for latecomer agreement was submitted to recover the $60,290.92 estimated cost of sewer extension along SE 132nd St. at 152nd Ave. SE to allow development of two...
single-family residences without the need for a previously approved site sewage system.

The Committee further recommended that Council authorize the preliminary assessment roll to be forwarded to the City Clerk, who will notify the affected property owners. If no protests are received, after construction of the facilities and approval of the final costs, Council can authorize preparation of the final assessment roll and latecomer agreement. In the event there is a protest for valid cause, a public hearing will be held to resolve any issues prior to proceeding with this matter. MOVED BY CORMAN, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Planning & Development Committee
Planning: Residential Uses in Commercial Arterial Zone
Planning and Development Committee Chair Clawson presented a report recommending a public hearing be set on 10/3/2005 to consider the zoning text amendments residential uses in the Commercial Arterial zone. MOVED BY CLAWSON, SECONDED BY LAW, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

RESOLUTIONS AND ORDINANCES

Resolution #3772
Finance: Bond Proceed Reimbursement, S Lake WA Roadway & SW 27th St/Strander Blvd Connection, Capital Expenditures
A resolution was read declaring the City's intent that certain capital expenditures shall be reimbursed from the proceeds of tax exempt bonds or other obligations in an amount not to exceed $15,000,000. MOVED BY LAW, SECONDED BY NELSON, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following ordinances were presented for first reading and referred to the Council meeting of 9/26/2005 for second and final reading:

Planning: Development Regulations (Title IV) Docket & Amendments
An ordinance was read amending Chapters 4-1, 4-2, 4-4, 4-6 through 4-9, and 4-11 of Title IV (Development Regulations) and Chapter 9-11 of Title IX (Public Ways and Property) of City Code by clarifying zone density controls over zone lot size provisions and removing Green River Valley landscaping requirements; and by amending administrative, interpretation, and enforcement procedures; fees and fee refunds and waivers; binding site plan regulations; planned unit/urban development regulations; nonproject SEPA requirements; and definitions. MOVED BY CLAWSON, SECONDED BY LAW, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 9/26/2005. CARRIED.

Planning: Growth Management Hearings Board, Filing of Appeals
An ordinance was read adding Section 4-8-110.A.7 and 4-8-110.I to Chapter 8, Permits - General and Appeals, of Title IV (Development Regulations) of City Code regarding the filing of appeals to the Growth Management Hearings Board. MOVED BY CLAWSON, SECONDED BY LAW, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 9/26/2005. CARRIED.

Board/Commission: Organization & Process Modifications
An ordinance was read amending Title II (Commissions and Boards) of City Code by eliminating the Boards of Adjustment, Ethics, Public Works, Emergency Services Organization, Human Rights and Affairs, and Unfair Housing Practices; adding the Advisory Commission on Diversity, Library Board, Environmental Review Committee, LEOFF Disability Board, Lodging Tax Advisory Committee, and Airport Advisory Committee; and updating all remaining chapters. MOVED BY BRIERE, SECONDED BY PALMER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL
An ordinance was read amending Chapters 4-4 and 4-6 through 4-9 of Title IV (Development Regulations) and Chapter 8-7 of Title VIII (Health and Sanitation) and Chapter 9-2 of Title IX (Public Ways and Property) of City Code by changing references from the Board of Public Works to the Planning/Building/Public Works Administrator. MOVED BY BRIERE, SECONDED BY PALMER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 9/26/2005. CARRIED.

An ordinance was read amending Chapters 4-1, 4-4, 4-5, 4-8 and 4-9 of Title IV (Development Regulations) of City Code by changing references from the Board of Adjustment to the Planning/Building/Public Works Administrator. MOVED BY BRIERE, SECONDED BY PALMER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 9/26/2005. CARRIED.

An ordinance was read vacating three portions of Bremerton Ave. NE, located south of NE 4th St. and north of SE 2nd Pl. (Liberty Ridge LLC; VAC-04-007). MOVED BY BRIERE, SECONDED BY CLAWSON, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 9/26/2005. CARRIED.

Responding to Councilman Persson's inquiry regarding the lawsuits related to a demonstration that occurred in downtown Seattle in 2003, City Attorney Larry Warren stated that he intends to ask for early dismissal of the lawsuits for failure to state a claim against the City, and to ask for sanctions for failure to state facts upon which the lawsuits can be based.

Reporting some citizen concerns regarding inappropriate behavior and activities at the Renton Transit Center, it was MOVED BY PERSSON, SECONDED BY CORMAN, THAT COUNCIL REFER THE ISSUE OF SECURITY AT THE TRANSIT CENTER TO THE ADMINISTRATION AND PUBLIC SAFETY COMMITTEE.*

Councilman Clawson commented that he frequents the transit center and has not seen any violence. He indicated that some patrons' behavior, however, may be intimidating. Mr. Clawson emphasized that safety at the transit center is important, noting that measures must be taken if there are problems.

*MOTION CARRIED.

MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL ADJOURN. CARRIED. Time: 8:00 p.m.

Bonnie I. Walton, CMC, City Clerk

Recorder: Michele Neumann, September 19, 2005