



King County  
Meeting Proceedings

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

Metropolitan King County Council

*Councilmembers: Dow Constantine, Chair;  
Bob Ferguson, Vice Chair of Policy;  
Jane Hague, Vice Chair for Administration and Finance;  
Reagan Dunn, Larry Gossett, Kathy Lambert, Julia Patterson, Larry Phillips,  
Pete von Reichbauer*

---

Room 1001

March 30, 2009

11:00 AM

---

1. **Call to Order**

*The meeting was called to order at 11:05 a.m.*

Present: Mr. Constantine, Mr. Ferguson, Ms. Hague, Ms. Lambert, Mr. von Reichbauer, Mr. Phillips, Mr. Gossett, Ms. Patterson and Mr. Dunn

2. **Roll Call**

[Play Video](#)

Present: Mr. Constantine, Mr. Ferguson, Ms. Hague, Ms. Lambert, Mr. von Reichbauer, Mr. Phillips, Mr. Gossett, Ms. Patterson and Mr. Dunn

3. **Flag Salute and Pledge of Allegiance**

[Play Video](#)

*Mr. von Reichbauer led the flag salute and Pledge of Allegiance.*

4. **Approval of Minutes of March 23, 2009**

[Play Video](#)

*Mr. Ferguson moved to approve the minutes of the March 23, 2009 meeting as presented. Seeing no objection, the Chair so ordered.*

5. **Additions to the Council Agenda**

[Play Video](#)

*There were no additions to the Council agenda.*

6. **Reports on Special and Outside Committees**

[Play Video](#)

*Ms. Patterson reported on the Puget Sound Regional Council Executive Board. The Board approved projects for the job access reverse commute and the new freedom funding from PSRC's coordinated grant program. The Board recommended adoption of the biennial budget and work program for fiscal years 2010-2011. The Board had a briefing on the regional growth strategy, and also will continue discussion on the technical amendment to Vision 2040.*

*Mr. Constantine briefed the Council on the Sound Transit Board meeting. The Board had a series of presentations by citizens and representatives of cities and businesses regarding their views of the east link. Mr. Constantine indicated there is great agreement among people from the eastside regarding light rail. Mr. Constantine also indicated the Board established a fare structure.*

## Motions, from Standing Committees and Regional Committees, for Council Action

### Budget and Fiscal Management

7. [Proposed Motion No. 2009-0154](#) **Mr. Constantine and Mr. Gossett**

[Play Video](#)

A MOTION declaring an emergency and extending a waiver from competitive bidding and solicitation requirements for the King County Norm Maleng Regional Justice Center hot water piping system replacement project.

*The enacted number is 12950.*

*Mark Melroy, Council staff, briefed the councilmembers.*

**A motion was made by Ms. Patterson that this matter be Passed. The motion carried by the following vote:**

**Votes:** Yes: 7 - Mr. Constantine, Ms. Lambert, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Ms. Patterson and Mr. Dunn

No: 0

Excused: 2 - Mr. Ferguson and Mr. Phillips

### Government Accountability and Oversight

8. [Proposed Motion No. 2009-0159](#) **Ms. Patterson, Mr. Constantine, Ms. Hague and Mr. Phillips**

[Play Video](#)

A MOTION accepting the executive's response to Motion 12871, a study on the feasibility of implementing a ban on continuous dog chaining, tethering and small space confinement.

*The enacted number is 12951.*

*Carolyn Ableman, Director, Records and Licensing Services, answered questions of the Council.*

**A motion was made by Mr. Dunn that this matter be Passed. The motion carried by the following vote:**

**Votes:** Yes: 8 - Mr. Constantine, Mr. Ferguson, Ms. Lambert, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Ms. Patterson and Mr. Dunn

No: 0

Excused: 1 - Mr. Phillips

9. [Proposed Motion No. 2009-0178](#) **Mr. Dunn and Mr. Phillips**

[Play Video](#)

A MOTION related to council adoption of the 2009 work program for the county auditor's office.

*The enacted number is 12952.*

**A motion was made by Mr. Dunn that this matter be Passed. The motion carried by the following vote:**

**Votes:** Yes: 8 - Mr. Constantine, Mr. Ferguson, Ms. Lambert, Ms. Hague, Mr. von Reichbauer, Mr. Gossett,  
Ms. Patterson and Mr. Dunn  
No: 0  
Excused: 1 - Mr. Phillips

---

## Hearing Examiner Consent Agenda Items 10-20

### [Play Video](#)

10. [Proposed Substitute Ordinance No. 2008-0467.2](#) **Ms. Patterson and Mr. Constantine**  
AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by John H. Bradley for property located at 13006 244th Avenue SE, Issaquah, WA 98027, designated department of natural resources and parks, water and land resources division file no. E08CT013.  
*The enacted number is 16416.*  
**This Matter was Passed on the Consent Agenda.**
11. [Proposed Substitute Ordinance No. 2008-0528.2](#) **Ms. Patterson and Mr. Constantine**  
AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by Theodore Newcomb for property located at 20709 Vashon Highway SW, Vashon, WA 98070, designated department of natural resources and parks, water and land resources division file no. E08CT023.  
*The enacted number is 16417.*  
**This Matter was Passed on the Consent Agenda.**
12. [Proposed Substitute Ordinance No. 2008-0534.2](#) **Ms. Patterson and Mr. Constantine**  
AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by James Hallum and Mary Laird for property located at 29517 NE Cherry Valley Road, Duvall, WA 98019, designated department of natural resources and parks, water and land resources division file no. E08CT031.  
*The enacted number is 16418.*  
**This Matter was Passed on the Consent Agenda.**
13. [Proposed Substitute Ordinance No. 2008-0646.2](#) **Ms. Patterson and Mr. Constantine**  
AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by Carol and George Butler for property located at 27024 Vashon Highway SW, Vashon, WA 98070, designated department of natural resources and parks, water and land resources division file no. E08CT021.  
*The enacted number is 16419.*  
**This Matter was Passed on the Consent Agenda.**

14. **Proposed Substitute Ordinance No. 2008-0656.2** **Ms. Patterson and Mr. Constantine**  
AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by Russell Hartwig and Isis Ray for property located at 4600 Lake Langlois Road NE, Carnation, WA 98014, designated department of natural resources and parks, water and land resources division file no. E08CT042.  
*The enacted number is 16420.*  
**This Matter was Passed on the Consent Agenda.**
15. **Proposed Substitute Ordinance No. 2009-0005.2** **Ms. Patterson**  
AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by Alex Kerr, Eric Swenson, Marcus and Tina Swenson and Brandyn Miller for property located at 78922, 79032 and 80202 NE Old Cascade Highway, Skykomish, WA, 98288 designated department of natural resources and parks, water and land resources division file no. E08CT048.  
*The enacted number is 16421.*  
**This Matter was Passed on the Consent Agenda.**
16. **Proposed Substitute Ordinance No. 2009-0009.2** **Ms. Patterson**  
AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by John Chicken for property located at 15225 Mink Road NE, Woodinville, WA 98077, designated department of natural resources and parks, water and land resources division file no. E08CT052.  
*The enacted number is 16422.*  
**This Matter was Passed on the Consent Agenda.**
17. **Proposed Substitute Ordinance No. 2009-0012.2** **Ms. Patterson**  
AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by Loren Tubbs and Paula Dandliker for property located at 12808 Carnation-Duvall Road NE, Duvall, WA 98019, designated department of natural resources and parks, water and land resources division file no. E08CT055.  
*The enacted number is 16423.*  
**This Matter was Passed on the Consent Agenda.**

18. **Proposed Substitute Ordinance No. 2009-0024.2** **Ms. Patterson**  
AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by Schaun and Amy Brodie for property located at 19309 SE 344th Street, Auburn, WA 98092, designated department of natural resources and parks, water and land resources division file no. E08CT059.  
*The enacted number is 16424.*  
**This Matter was Passed on the Consent Agenda.**
19. **Proposed Substitute Ordinance No. 2009-0026.2** **Ms. Patterson**  
AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by Karl and Nancy Lemke for property located at 21930 SE 400th Street, Enumclaw, WA 98022, designated department of natural resources and parks, water and land resources division file no. E08CT061.  
*The enacted number is 16425.*  
**This Matter was Passed on the Consent Agenda.**
20. **Proposed Substitute Ordinance No. 2009-0027.2** **Ms. Patterson**  
AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by Dan and Jill Pflugrath for property located at 28614 NE 52nd Street, Carnation, WA 98014, designated department of natural resources and parks, water and land resources division file no. E08CT062.  
*The enacted number is 16426.*  
**This Matter was Passed on the Consent Agenda.**

### **Passed The Consent Agenda**

**A motion was made by Ms. Hague that the Consent Agenda be passed. The motion carried by the following vote:**

**Votes:** Yes: 8 - Mr. Constantine, Mr. Ferguson, Ms. Lambert, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Ms. Patterson and Mr. Dunn  
No: 0  
Excused: 1 - Mr. Phillips

---

## First Reading and Referral of Ordinances

[Play Video](#)

21. [Proposed Ordinance No. 2009-0204](#) **Ms. Lambert**  
AN ORDINANCE approving the 2007 Town of Skykomish 2007 General Sewer and Facilities Plan.  
**Introduced and Referred to Physical Environment Committee**
22. [Proposed Ordinance No. 2009-0205](#) **Ms. Hague and Ms. Patterson**  
AN ORDINANCE approving the 2007 King County Water District No. 111 Water Comprehensive Plan.  
**Introduced and Referred to Physical Environment Committee**
23. [Proposed Ordinance No. 2009-0214](#) **Mr. Constantine**  
AN ORDINANCE authorizing the vacation of a portion of SE 400th Street, File V-2620; Petitioners: Muckleshoot Indian Tribe.  
**Introduced and Referred to Hearing Examiner**
24. [Proposed Ordinance No. 2009-0215](#) **Mr. Constantine**  
AN ORDINANCE authorizing the vacation of a portion of the 68th Avenue NE right-of-way, File V-2607; Petitioner: John Postma.  
**Introduced and Referred to Hearing Examiner**
25. [Proposed Ordinance No. 2009-0216](#) **Mr. Constantine**  
AN ORDINANCE authorizing the vacation of a portion of the 16-foot alley, File V-2569; Petitioner: Robert C. Cook.  
**Introduced and Referred to Hearing Examiner**
26. [Proposed Ordinance No. 2009-0222](#) **Mr. Dunn**  
AN ORDINANCE establishing budget reporting requirements for technology capital projects; and amending Ordinance 14005, Section 4, as amended, and K.C.C. 2.16.0757.  
**Introduced and Referred to Government Accountability and Oversight Committee**
27. [Proposed Ordinance No. 2009-0227](#) **Mr. Constantine**  
AN ORDINANCE authorizing the vacation of a portion of 51st Avenue South, File V-2608; Petitioner: Dale Fite.  
**Introduced and Referred to Hearing Examiner**
28. [Proposed Ordinance No. 2009-0228](#) **Ms. Hague and Mr. von Reichbauer**  
AN ORDINANCE authorizing the sale of King County-owned, unimproved property known as Mullen Slough, located adjacent to the city of Kent, within council district seven.  
**Introduced and Referred to Budget and Fiscal Management Committee**



## First Reading and Referral of Motions

29. [Proposed Motion No. 2009-0195](#) Mr. Gossett and Mr. Phillips  
 A MOTION confirming the executive's appointment of Bill Ziegler, who resides in council district two, to the King County solid waste advisory committee, representing labor.  
**Introduced and Referred to Physical Environment Committee**
30. [Proposed Motion No. 2009-0211](#) Mr. Ferguson  
 A MOTION confirming the executive's appointment of Kevin Orme, who resides in council district one, to the King County civil rights commission.  
**Introduced and Referred to Government Accountability and Oversight Committee**
31. [Proposed Motion No. 2009-0219](#) Mr. Phillips  
 A MOTION confirming the executive's appointment of Brian Keeley, who resides in council district four, to the King County civil service commission.  
**Introduced and Referred to Government Accountability and Oversight Committee**
32. [Proposed Motion No. 2009-0220](#) Mr. Phillips  
 A MOTION confirming the executive's appointment of Sandra "Sam" Pailca, who resides in council district four, to the King County civil service commission.  
**Introduced and Referred to Government Accountability and Oversight Committee**
33. [Proposed Motion No. 2009-0225](#) Mr. Phillips, Mr. Dunn and Ms. Lambert  
 A MOTION establishing the 2009 work plan for the regional water quality committee of the King County council.  
**Introduced and Referred to Regional Water Quality Committee**

## 34. Recess

### [Play Video](#)

*The meeting was recessed at 11:32 a.m.*

*The meeting was reconvened at 1:41 p.m.*

## Hearings and Second Reading of Ordinances from Standing Committees and Regional Committees

### **Budget and Fiscal Management**

### [Play Video](#)

35. [Proposed Substitute Ordinance No. 2009-0130.2](#) Mr. Ferguson, Mr. Dunn and Ms. Lambert

### [Play Video](#)

AN ORDINANCE increasing transparency and oversight in public policy making as it relates to budget appropriation ordinances and the annual budget; making technical corrections; and amending Ordinance 12076, Section 3, as amended, and K.C.C. 4.04.030 and Ordinance 12045, Section 23, as amended, and K.C.C. 4.04.040 and adding a new section to K.C.C. chapter 4.04.

*The Chair indicated that Proposed Substitute Ordinance 2009-0130 is deferred until the April 6, 2009 Council meeting.*

**Deferred**

36. [Proposed Substitute Ordinance No. 2009-0193.2](#) Mr. Constantine and Mr. Gossett

[Play Video](#)

AN ORDINANCE relating to the financing of an economic development and revitalization project in unincorporated South King County; authorizing the King County executive to execute such financing agreements, promissory notes, security arrangements and related documents for a \$5,250,000 and a \$1,000,000 Section 108 Loan Guarantee with the United States Department of Housing and Urban Development (HUD) for which King County will pledge future Community Development Block Grant funds for the repayment of the principal and interest due the Department of Housing and Urban Development Fiscal Agent or Trustee and other security; and authorizing the executive to reloan the proceeds from the Section 108 Loan to the White Center Square Investment Fund, LLC and execute such financing agreements, security arrangements and other related documents, to provide equity financing for the construction of a multi-tenant retail/office plaza in unincorporated King County and to provide security for King County's loan to the White Center Square Investment Fund, LLC.

**On 3/30/2009, a public hearing was held and closed.**

The following people appeared to speak on 3/30/2009 :

Pablo Lambincio  
Aileen Balahadia  
Mayor Ava Frisinger

*The enacted number is 16427.*

*Wendy SooHoo, Council staff, briefed the Council.*

*Mr. Gossett moved Striking Amendment S1. The motion carried by the following vote:*

*Votes: Yes: 9 - Mr. Constantine, Ms. Patterson, Mr. Gossett, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Phillips, Ms. Hague and Mr. von Reichbauer*

*No: 0*

*Excused: 0*

*Mr. Gossett moved Title Amendment T1. The motion carried by the following vote:*

*Votes: Yes: 9 - Mr. Constantine, Ms. Patterson, Mr. Gossett, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Phillips, Ms. Hague and Mr. von Reichbauer*

*No: 0*

*Excused: 0*

**A motion was made by Mr. Gossett that this matter be Passed as Amended. The motion carried by the following vote:**

**Votes:** Yes: 9 - Mr. Constantine, Mr. Ferguson, Ms. Lambert, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips, Ms. Patterson and Mr. Dunn

No: 0

Excused: 0

37. [Proposed Ordinance No. 2009-0194](#) Mr. Constantine and Mr. Gossett

[Play Video](#)

An ORDINANCE adopting 2009 amendments to the King County Consortium Consolidated Housing and Community Development Plan for 2005-2009.

**On 3/30/2009, a public hearing was held and closed.**

*The enacted number is 16428.*

**A motion was made by Mr. Gossett that this matter be Passed. The motion carried by the following vote:**

**Votes:** Yes: 9 - Mr. Constantine, Mr. Ferguson, Ms. Lambert, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips, Ms. Patterson and Mr. Dunn  
No: 0  
Excused: 0

**Committee of the Whole**

**38. Proposed Ordinance No. 2009-0104 Mr. Ferguson and Ms. Patterson**

**Play Video**

AN ORDINANCE approving and adopting the memorandum of agreement regarding interpretation of article 22 (civilian review) of the 2008-2012 collective bargaining agreement negotiated by and between King County and the King County Police Officers Guild representing employees in the King County sheriff's office; and establishing the effective date of said agreement.

**On 3/30/2009, a public hearing was held and closed.**

*The enacted number is 16429.*

**A motion was made by Mr. Ferguson that this matter be Passed. The motion carried by the following vote:**

**Votes:** Yes: 9 - Mr. Constantine, Mr. Ferguson, Ms. Lambert, Ms. Hague, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips, Ms. Patterson and Mr. Dunn  
No: 0  
Excused: 0

**Other Business**

**Adjournment**

**Play Video**

*The meeting was adjourned at 2:02 p.m.*

Approved this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Clerk's Signature