



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 of Administration and Finance;
Reagan Dunn, Larry Gossett, Kathy Lambert, Julia Patterson, Larry Phillips,
Pete von Reichbauer*

Room 1001

September 21, 2009

1:30 PM

REVISED - Added Items 30-31

--REVISED MINUTES--

1. **Call to Order**

The meeting was called to order at 1:51 p.m.

2. **Roll Call**

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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**

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Ms. Hague led the flag salute and Pledge of Allegiance.

4. **Approval of Minutes of September 14, 2009**

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*Mr. Ferguson moved to approve the minutes of the September 14, 2009 meeting as presented.
Seeing no objection, the Chair so ordered.*

5. **Additions to the Council Agenda**

Items 30 and 31 were added to the Council agenda.

6. **Special Item**

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Presentation of a Proclamation of September 26, 2009, as Harvest Celebration Day in King
County, in conjunction with the 11th annual Harvest Celebration Farm Tour

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*Mr. Constantine and Ms. Hague read and presented the proclamation. Matt Dunnahoe, King
Conservation District, Karen Kinney, King County Agriculture Program, and Brad Gaolach, King
County Extension, Washington State University, were in attendance to receive the recognition. Mr.
Gaolach and Ms. Kinney thanked the Council.*

7. Reports on Special and Outside Committees

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Mr. Phillips reported on the special meeting of Sound Transit. The members authorized the sale of bonds. Sound Transit is wrapping up its work with some significant capital projects. Sound Transit was able to sell the bonds at a lower rate than originally assumed.

Ms. Patterson reported on the South County Area Transportation Board. The Board discussed the 2040 Transportation Plan and all the preliminary alternatives that are being considered and had an update on different budget proposals from Metro and how the valley would respond from a transportation perspective. The next meeting will be devoted to preparing for a potential flood in South King County.

Ms. Patterson briefed the Council on the recent Board of Health meeting. The Board of Health is working very closely with the state and federal government to address the issue of swine flu. The Board passed a motion relating to who will receive the vaccine and how it will be distributed throughout King County. The Board also discussed Public Health's role regarding the possibility of flooding in the Green River Basin, and educating the public about health impacts of standing water. The Board also implemented fees for the small drinking water systems.

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

Consent Items 8 and 9

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8. [Proposed Motion No. 2009-0407](#)

Ms. Hague

A MOTION identifying projects to be funded under the re-authorization of Public Law 106-393, Title III, the Secure Rural Schools and Self-Determination Act of 2000, and allocating to those projects the Title III funds received from the federal government for federal fiscal year 2008, and stating King County's election for the distribution of funds for federal fiscal year 2009.

The enacted number is 13075.

This Matter was Passed on the Consent Agenda.

9. [Proposed Motion No. 2009-0488](#)

Mr. Phillips

A MOTION confirming the executive's appointment of Zandrea Hardison, who resides in council district four, to the King County mental illness and drug dependency oversight committee, representing a bona fide labor organization.

The enacted number is 13076.

This Matter was Passed on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Mr. Ferguson that the Consent Agenda be passed. The motion carried by the following vote:

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

Physical Environment

10. [Proposed Motion No. 2009-0514](#) **Ms. Hague**

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A MOTION approving the roads operational master plan Phase I report and work plan for phase II.

The enacted number is 13077.

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

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

First Reading and Referral of Ordinances

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11. [Proposed Ordinance No. 2009-0446](#) **Mr. Dunn**

AN ORDINANCE authorizing the use of the King County Agricultural Conservation Easement: Deed and Agreement Relating to Development Rights by the farmland preservation program.

Introduced and Referred to Physical Environment Committee

12. [Proposed Ordinance No. 2009-0546](#) **Mr. Constantine, Ms. Patterson and Mr. Gossett**

AN ORDINANCE relating to transit-oriented development of a portion of the county-owned park-and-ride lot in the city of Burien; approving a ground lease of the site from the county to Alliance Property Group Inc. and a lease by Alliance back to the county of a parking garage to be constructed on the site; authorizing the county executive to execute final forms of the ground lease and project lease; and approving certain other provisions of the lease-leaseback transaction.

Introduced and Referred to Budget and Fiscal Management Committee

13. [Proposed Ordinance No. 2009-0547](#) **Mr. Constantine, Ms. Patterson and Mr. Gossett**

AN ORDINANCE making supplemental appropriations of \$20,826,386 to the public transportation construction fund; and amending the 2008-09 Biennium Budget Ordinance, Ordinance 15975, Section 137, as amended, and Attachment H, as amended.

Introduced and Referred to Budget and Fiscal Management Committee

14. [Proposed Ordinance No. 2009-0548](#) **Mr. Ferguson and Mr. Phillips**

AN ORDINANCE approving and adopting the collective bargaining agreement negotiated by and between King County and Service Employees International Union, Local 925 (Wastewater Treatment Division) representing employees in the department of natural

resources and parks; and establishing the effective date of said agreement.

Introduced and Referred to Committee of the Whole

15. **Proposed Ordinance No. 2009-0549** **Mr. Gossett and Ms. Hague**

AN ORDINANCE authorizing the county executive to execute a fourth amendment to the interlocal agreement between King County and the city of Bellevue for marine patrol services.

Introduced and Referred to Law, Justice, Health and Human Services Committee

16. **Proposed Ordinance No. 2009-0551** **Mr. Gossett and Ms. Patterson**

AN ORDINANCE authorizing the executive to develop and administer an interim loan program to facilitate acquisition of property for low income housing; and adding a new chapter to K.C.C. Title 24.

Introduced and Referred to Budget and Fiscal Management Committee

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17. [Proposed Ordinance No. 2009-0552](#) **Mr. Gossett and Ms. Patterson**
AN ORDINANCE authorizing the county executive to enter into a contract between King County and the Kent school district for school resource officer services.
Introduced and Referred to Law, Justice, Health and Human Services Committee
18. [Proposed Ordinance No. 2009-0557](#) **Ms. Lambert**
AN ORDINANCE authorizing the King County executive to execute an interlocal agreement with the city of Duvall relating to limitations on uses within a portion of the city of Duvall Urban Growth Area.
Introduced and Referred to Physical Environment Committee
19. [Proposed Ordinance No. 2009-0558](#) **Mr. Constantine, Mr. Gossett, Ms. Patterson, Mr. Ferguson, Ms. Hague and Mr. Phillips**
AN ORDINANCE related to the establishment of a Seattle-King County taxicab advisory commission; authorizing the executive to enter into an interlocal agreement related thereto; and adding a new chapter to K.C.C. Title 2.
Introduced and Referred to Committee of the Whole
20. [Proposed Ordinance No. 2009-0559](#) **Ms. Patterson, Mr. Gossett and Mr. Constantine**
AN ORDINANCE making a supplemental appropriation of \$32,376,870 to various capital funds to prepare county facilities so that high priority service delivery will not be interrupted in the event that Howard Hanson dam structural faults cause flooding in the Green River valley; and amending the 2009 Budget Ordinance, Ordinance 16312, Sections 125 and 127, as amended, and Attachments B and D, as amended; and declaring an emergency.
Introduced and Referred to Budget and Fiscal Management Committee
21. [Proposed Ordinance No. 2009-0560](#) **Ms. Patterson, Mr. Gossett and Mr. Constantine**
AN ORDINANCE authorizing the issuance and public sale of one or more series of limited tax general obligation bonds of the county in an outstanding aggregate principal amount not to exceed \$29,000,000 to provide long-term financing for the costs of the Green River Flood Mitigation Project; authorizing the issuance and public sale of one or more series of limited tax general obligation bond anticipation notes of the county in an outstanding aggregate principal amount not to exceed \$29,000,000 to provide interim financing for such costs pending the sale of such bonds; providing for the disposition of the proceeds of sale of the notes; establishing funds for the receipt and expenditure of note proceeds and for the payment of the notes; and providing for the annual levy of taxes to pay the principal thereof and interest thereon.
Introduced and Referred to Budget and Fiscal Management Committee

First Reading and Referral of Motions

22. [Proposed Motion No. 2009-0561](#) Ms. Patterson, Mr. Gossett and Mr. Constantine

A MOTION of the county council accepting a bid for the purchase of the county's Limited Tax General Obligation Bond Anticipation Notes, 2009, in the aggregate principal amount of \$_____ and establishing certain terms of such notes in accordance with Ordinance _____.

Introduced and Referred to Budget and Fiscal Management Committee

23. [Proposed Motion No. 2009-0562](#) Ms. Patterson, Mr. Gossett and Mr. Constantine

A MOTION of the county council approving a bond purchase contract for the purchase of the county's Limited Tax General Obligation Bond Anticipation Notes, 2009, in the aggregate principal amount of \$_____, and establishing certain terms of such notes in accordance with Ordinance _____.

Introduced and Referred to Budget and Fiscal Management Committee

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

Budget and Fiscal Management

24. [Proposed Ordinance No. 2009-0426](#) Ms. Lambert

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AN ORDINANCE authorizing the King County executive to execute a purchase and sale agreement to sell a portion of the van distribution center in the city of Redmond, located within council district three.

On 9/21/2009, a public hearing was held and closed.

The enacted number is 16660.

Mr. Gossett moved Amendment 1. The motion carried by the following vote:

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

No: 0

Excused: 1 - Mr. Dunn

Mr. Gossett moved Amendment 2. The motion carried by the following vote:

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

No: 0

Excused: 1 - Mr. Dunn

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

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

No: 0

Excused: 1 - Mr. Dunn

25. [Proposed Substitute Ordinance No. 2009-0495.2](#) Mr. Gossett
- [Play Video](#)
- AN ORDINANCE making a net supplemental disappropriation of \$6,255,012 from various general fund agencies, a net supplemental appropriation of \$72,200,537 to various non-general fund agencies and a net supplemental appropriation of \$31,138,981 to various capital improvement funds; amending the 2009 Budget Ordinance, Ordinance 16312, Sections 14, 15, 19, 22, 27, 41, 45, 46, 47, 63, 73, 87, 88, 95, 97, 99, 118, 125, 128 and 129, and Attachments B, E and F, as amended, and adding a new section to Ordinance 16312.
- On 9/21/2009, a public hearing was held and closed.**
- The enacted number is 16661.*
- A motion was made by Mr. Gossett that this matter be Passed. The motion carried by the following vote:**
- Votes:** Yes: 8 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Ms. Patterson
No: 0
Excused: 1 - Mr. Dunn
26. [Proposed Ordinance No. 2009-0503](#) Mr. Gossett
- [Play Video](#)
- AN ORDINANCE making a supplemental appropriation of \$10,226,494 to the department of adult and juvenile detention; and amending the 2009 Budget Ordinance, Ordinance 16312, Section 47, as amended.
- On 9/21/2009, a public hearing was held and closed.**
- The enacted number is 16662.*
- A motion was made by Mr. Gossett that this matter be Passed. The motion carried by the following vote:**
- Votes:** Yes: 8 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips and Ms. Patterson
No: 0
Excused: 1 - Mr. Dunn
27. [Proposed Substitute Ordinance No. 2009-0507.2](#) Mr. Gossett
- [Play Video](#)
- AN ORDINANCE relating to the use of the additional sales and use tax of one tenth of one percent for the delivery of mental health and chemical dependency services and therapeutic courts to be consistent with Chapter 551, Laws of Washington 2009, Section 2; making technical corrections; and amending Ordinance 15955, Section 2, as amended, and K.C.C. 4.08.318, Ordinance 15949, Section 4, as amended, and K.C.C. 4.33.020 and Ordinance 15949, Section 5, as amended, and K.C.C. 4.33.030.
- On 9/21/2009, a public hearing was held and closed.**
- The enacted number is 16663.*
- A motion was made by Mr. Gossett that this matter be Passed. The motion carried by the following vote:**

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

Committee of the Whole

28. [Proposed Ordinance No. 2009-0504](#) **Mr. Ferguson**

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AN ORDINANCE approving and adopting the interest arbitration award agreement negotiated by and between King County and the King County Corrections Guild representing employees in the department of adult and juvenile detention; and establishing the effective date of said agreement.

On 9/21/2009, a public hearing was held and closed.

The enacted number is 16664.

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

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

No: 0

Excused: 1 - Mr. Dunn

Physical Environment

29. [Proposed Substitute Ordinance No. 2009-0463.2](#) **Ms. Lambert**

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AN ORDINANCE authorizing the condemnation of certain property for road improvements for N.E. Novelty Hill Road, Phase 1 Improvements, Right-of-Way Number 9-2005-007, Capital Improvement Project Number 100992, within council district 3.

On 9/21/2009, a public hearing was held and closed.

The following people appeared to speak on 9/21/2009 :

Enayat S. Aziz

Paul Carlson, Council staff, answered questions of the Council.

Rick Brater, King County Road Services Division, answered questions of the Council.

Harold McNelly, Facilities Management Division, answered questions of the Council.

On request of Mr. Ferguson, the Chair deferred Proposed Substitute Ordinance 2009-0463 until the September 28, 2009 Council meeting.

Deferred

Other Business

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Extra Items

Committee of the Whole

30. [Proposed Motion No. 2009-0545](#)

Ms. Patterson, Mr. Constantine and Mr. von Reichbauer

A MOTION extending a waiver from competitive bidding and solicitation requirements to assure timely availability and acquisition of emergency design, construction and other required services, materials and equipment necessary to protect King County citizens, facilities, roads and other assets from the threat of flooding in the Green River valley.

On request of Mr. Ferguson, the Chair deferred Proposed Motion 2009-0545 until the September 28, 2009 Council meeting.

Deferred

Employment and Administration Committee Consent Agenda - Item 31

31. Approval of recommendation regarding implementing 2010 budget reductions by elimination of certain management positions

A motion was made by Ms. Hague that this matter be passed. The motion carried by the following vote:

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

No: 0

Excused: 1 - Mr. Dunn

Adjournment

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The meeting was adjourned at 2:46 p.m.

Approved this _____ day of _____.

Clerk's Signature